

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 97-103

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. In s. Trans 300.02 (6) (b), the phrase “A school bus may not” should be replaced by the phrase “‘School bus’ does not.” The use of the words “shall” and “may” provide direction or authority, respectively, in an Administrative Code provision. Certain provisions either apply or they do not apply in given situations. Consequently, the change recommended in s. Trans 300.02 (6) (b) also can be made in the following provisions: ss. Trans 300.16 (2) (The provisions of this subsection do not apply . . .) and (9), 300.19 (2), 300.22 (2), 300.25 (2) (An open area for wheelchairs is not an aisle), 300.33 (3) (intro.) (Fold-down or fold-up seats . . . are not permitted . . .), 300.38 (4), 300.45 (2), 300.54 (1) (a) 1. and 9., 300.59 (5), 300.60 (7), 300.61 (7), 300.64 (6), 300.76 (11), 300.77 (4) and 300.86 (2).

b. In s. Trans 300.64 (3) (c), the first occurrence of the notation “(LEDs)” should be deleted and the second occurrence of the notation should be replaced by the phrase “light-emitting diodes.” Also, is the use of the word “drodes” the result of a typographical error?

4. Adequacy of References to Related Statutes, Rules and Forms

The exclusions contained in s. Trans 300.02 (6) (b) should be augmented by a reference to s. 340.01 (56) (b), Stats.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Section Trans 300.02 (6) (a) (intro.) refers to a motor vehicle which is designed to carry 10 or more passengers in addition to the driver, while the following subdivisions all refer

to vehicles designed to carry more than 10 persons. The introduction and the subdivisions should be made consistent with respect to the number of persons to be carried in the various school buses described in the rule.

b. In s. Trans 300.64 (3) (c), the phrase “as per” should be replaced by the phrase “in accordance with.”