Chapter MVD 5

TRANSPORTATION OF SCHOOL CHILDREN

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MVD 5.01 Definition. (Statutory) "School bus" means a motor vehicle which transports children to or from a public school or which transports school groups engaged in extra-curricular activities to or from points designated by such public school, even though such vehicle also transports children or school groups to or from private schools or colleges or points designated by them, but does not include:

(1) A motor vehicle owned or operated by a parent or guardian transporting only his own children, regardless of whether the school has made a contract with or paid compensation to such parent or guardian for such transportation; or

(2) A vehicle having a seating capacity of fewer than 10 persons, including the operator, and used in casual, occasional or reciprocal transportation of school children and not under contract.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

Subchapter I

DRIVER REQUIREMENTS

MVD 5.02 School bus operator's license. No person shall operate a school bus without having first applied for and received a school bus operator's license as provided by section 343.12, Wis. Stats. Application for such license must be made to the Motor Vehicle Department, Madison 2, Wisconsin, or to an authorized department representative. (The law prohibits issuance of a school bus driver's license to any person who is less than 21 years of age.)

History: 1–2–56; am. Register, August, 1957, No. 20, eff. 9–1–57; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.03 Moral character. School bus drivers shall be of good moral character. No person shall be employed as a school bus driver who shall have been convicted of a felony or any offense against public morals, or within 2 years after being convicted of any of the following offenses while driving a motor vehicle:

(1) Manslaughter;

(2) Driving a motor vehicle while under the influence of liquor or habit forming drugs;

(3) Failure to stop, disclose identity and render assistance when involved in a motor vehicle accident;

(4) Reckless driving.

MVD 5.04 Physical qualifications. School bus operators must be in good physical condition, possessing at least 20/40 vision either normally or corrected, in each eye, and having a minimum horizontal form field of 70 degrees in each eye; having normal ability to hear the spoken voice; and possessing full, natural use of both hands, and full, natural use of the foot normally employed to operate the foot brake and foot accelerator.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.05 Smoking and use of alcohol. The driver shall not smoke or permit smoking when children are transported. The use of alcoholic beverages by the driver at any time when such use would tend to influence school bus operations shall automatically cancel his contract and his employment for the balance of the year.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.06 Maintaining order. Driver shall be responsible for the maintenance of order among children being transported, and shall promptly report any misconduct to the proper school authorities or parents.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.07 Driver test. The Motor Vehicle Department will require an applicant for a school bus operator's license to undergo a test for the purpose of ascertaining the applicant's ability to operate safely a school transportation vehicle, and no person failing to pass such examination shall be permitted to drive any vehicle subject to these regulations.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.08 Checking vehicle. Driver shall check daily the condition of the vehicle, giving particular attention to brakes, tires, lights and interior cleanliness of the vehicle.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.09 Observing traffic laws. All signs, signals, speed regulations and rules of the road shall be observed at all times.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.10 Conduct in event of accident. In case of an accident or a breakdown, the driver should remain with the vehicle and send

2 responsible children to the nearest place for help, weather conditions permitting.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.11 Loading and unloading procedure. Vehicle shall be brought to a full stop before loading or unloading children; loading stations or points must be selected with due regard for traffic and pedestrian safety, and shall be approved by school authorities.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.12 Starting and stopping. Doors must be closed securely before starting vehicle. Abrupt starts and stops or sudden maneuvers are prohibited.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.13 Unattended vehicle. Driver shall not leave vehicle unattended with engine running.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.14 Authorized passengers. No person except a teacher or pupils or person specified under section 40.57 (3), Wis. Stats., shall be permitted to ride in a vehicle subject to these regulations; provided that school board members or an authorized official making an inspection of a vehicle or route traveled, or conducting an examination of the driver's ability shall be given such privilege.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.15 Signalling stops and turns. Driver shall take proper precautions in signalling before stopping or turning, and shall keep vehicle to the right side of the road at all times unless preparing to make a left-hand turn.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.16 Children crossing road. When discharging passengers driver shall make sure that there is no traffic danger before allowing children to cross; children obliged to cross the road shall be required to walk around the front of the standing vehicle and driver shall not proceed until children are safely across the street or highway. This section shall not apply to cities of the first, second, and third class.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.17 Cooperation with officers. Drivers, school boards and vehicle owners shall cooperate at all times with authorized officers in carrying out inspection of equipment, or examination of drivers pursuant to law or to departmental regulations.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.18 Standing in vehicle prohibited. Driver shall not require or allow any passenger to stand while vehicle is in motion.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.19 Stopping at railroad crossings. When carrying school children driver shall come to a full stop at a distance of not less than 15 feet nor more than 50 feet from the nearest rail of the main line tracks of such railroad. While the vehicle is so stopped, the operator shall open the service door and listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train. After stopping and upon proceeding when it is safe to do so, the operator of such vehicle shall cross only in such gear of the vehicle as will make it unnecessary to manually shift gears while traversing the crossing and he shall not shift gears while traversing the crossing. This does not apply at crossings with interurban railroad tracks which are laid on or along streets within the corporate limits of a city or village. This section does not apply to vehicles having a seating capacity of fewer than 10 persons, and which are not painted or otherwise identified as a school bus.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.20 Speed limitations. No vehicle subject to the provisions of chapter 5 shall be operated at a speed in excess of 45 miles per hour while transporting school children including extra-curricular school activities.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

Subchapter II

VEHICLE REQUIREMENTS

MVD 5.25 General construction. (1) FRAME AND BODY. Frame shall be of one-piece construction. There shall be no welding to frame sides except by chassis or body manufacturer. No holes shall be permitted in top or bottom flange of frame side rails except as provided in original chassis frame. Body of bus shall be all-steel construction or of other metal with at least a strength equivalent to all-steel construction, as certified by the bus body manufacturer. Ninety-six inches shall be the maximum outside width of school bus body. Construction shall provide reasonably dustproof and weathertight unit. Ceiling and walls shall be insulated with proper materials to deaden sounds and to reduce vibrations and heat transfer. Entire underside of body, including floor members and side panels below floor level, shall be coated with asphalt-base or rubber-base undercoating material, applied by the spray method, in order to seal, to deaden sound, to insulate, and to prevent oxidation, on all buses first placed in operation after January 1, 1955.

(2) FLOORS. Floors shall be of metal, or of 5-ply plywood at least ⅝ inch thick and found by standard test to be at least equal in strength to 14-gauge steel. All closures between passenger compartment and engine shall be fitted with gas-tight gaskets, and pedal openings shall be closed by bellows-type gas-tight boots which will effectively prevent gases from entering passenger compartment. Floor in under-seat area shall be covered with fire-resistant floor covering material. Floor covering in aisle shall be of aisle type, nonskid, and wear-resistant. Floor covering must be permanently bonded to floor and not crack when subjected to sudden changes in temperature.

(3) CEILINGS. Ceiling of bus shall be free of all unnecessary projections likely to cause injury to pupils. Book racks, if installed, shall not be installed across the top of emergency door and shall be free of projections likely to cause injury.

(4) AISLE CLEARANCE. The minimum clearance of all aisles in bus, including the aisle leading to the emergency door, shall be 12 inches measured at the narrowest part of the opening.

(5) BUS SEATS. The seating arrangements shall be as follows:

(a) Thirteen inches shall be the allowable average rump width in determining the seating capacity of the bus.

(b) All seats shall be forward-facing, securely fastened with bolts or rivets to that part or parts of the bus which support them; no bus shall be equipped with jump seats or portable seats.

(c) No seat on the right side of the bus shall be placed ahead of the forward-most pupil seat on the left side of the bus.

(d) Minimum center-to-center seat spacing shall be 24 inches.

(e) There shall be displayed on the inside of the bus body directly over the windshield to the right of the driver a sign indicating the maximum pupil seating capacity of the bus. The size of the letters and figures shall be such as to permit them to be read by passengers. Transportation of passengers in excess of the number designated on such sign is prohibited.

(f) All seats shall be covered with suitable padding materials, and covering of such materials as will not flash or explode upon contact with spark or open flame.

(g) The driver's seat shall have a fore and aft adjustment of not less than 3 inches, and shall be strongly attached. On buses first put into operation as a school bus after Jan. 1, 1959, the fore and aft adjustment of the driver's seat shall be hand or power operated.

(6) WINDSHIELD AND WINDOWS. All glass in windshield, windows and doors shall be of safety glass; such glass to be of sufficient quality to prevent distortion of view in any direction. The windshield shall be slanted to prevent glare and large enough to permit the driver to see the road clearly. All regular side windows shall provide an opening from the top of not more than 10 inches. All exposed edges of glass shall be banded.

(7) BUS STEPS. The following regulations shall apply to the construction and design of bus steps at the service door:

(a) First step at service door shall not be less than 13 inches and not more than 17 inches from ground.

(b) Riser of upper step at service door shall be not more than 15 inches. When more than two steps are used, risers must be of equal height.

(c) Steps shall be enclosed to prevent accumulation of ice and snow.

(d) Steps shall not protrude beyond side body line.

(e) Grab-handle not less than 10 inches long shall be provided in unobstructed location inside doorway.

(f) Surface of steps shall be of nonskid material.

(8) INSTRUMENT PANEL. The instrument panel shall be equipped with speedometer showing speed and odometer giving accrued mileage, ammeter or voltmeter, oil pressure indicator, temperature indicator,

fuel gauge, upper beam headlamp indicator, and air pressure or vacuum gauge where air or vacuum brakes are used. The instrument panel shall have light of sufficient candle power to illuminate all instruments, and all instruments shall be maintained in good working order. Indicator lights may be used in place of ammeter, voltmeter, oil pressure indicator, or temperature indicator.

(9) BRAKES. Four wheel brakes, adequate at all times to control the vehicle when fully loaded, shall be provided.

(a) Foot or service brake shall be capable of stopping the vehicle in compliance with section 347.36, Wis. Stats.

(b) Auxiliary brake shall be provided in addition to service brake, and shall be entirely separate, mechanically-operated device. It shall be capable of successfully passing engine stall test in low gear (not in compound low gear), and shall be adequate to hold bus stationary, when loaded, on any grade upon which vehicle will be operated.

(c) Buses of 48 or greater capacity shall be equipped with air or vacuum actuated or assistor type brakes or a hydraulic booster.

1. Any such installation must be made by an authorized representative of chassis or brake manufacturer and must be in conformance with the recommendation of that manufacturer;

2. Hydraulic line pressure may not exceed recommendation of chassis manufacturer;

3. Every vacuum booster or air system must be equipped with a reserve tank of not less than 1,000 cubic inches capacity.

(10) BUMPERS. Bumpers must be of sufficient strength to permit the pushing of a vehicle of equal gross loaded weight or of being pushed by a vehicle, without permanent distortion to bumper, chassis frame or body. Rear bumper shall be of pressed steel, at least 3/16 inch by 6 inch channel. It shall be full wrap around both sides to protect full width of body and so designed and attached to prevent hitching of rides.

(11) ENGINE EXHAUST. Exhaust pipe shall extend beyond the external rear of the body of the bus at the point of projection, but not beyond the bumper. Engine exhaust system shall be entirely outside body. Exhaust pipe, muffler, and tail pipe shall be attached to the chassis frame. The exhaust pipe shall be properly insulated from the fuel tank and tank connections by securely attached metal shield at any point where it is 12 inches or less from the tank or tank connections.

(12) BUS FUEL TANK. Fuel tank shall have minimum capacity of 16 gallons, be made of 16 gauge terneplate or equivalent, and be mounted directly on right side of chassis frame except where wheel base is so short as to prohibit right side mounting, and entirely outside body. Flexible gasoline and oil-proof connection shall be provided at engine end of fuel feedline. Tank shall be equipped with adequate baffles. Tank shall not extend in height above side member of chassis or in width beyond the outer edge of the body, and the bottom shall not be more than 14 inches below the top of frame.

(13) REQUIREMENTS FOR SCHOOL BUS DOORS. (a) *Service door.* 1. Shall be power or manually operated, under the control of the driver and designed so as to afford easy release and prevent accidental

opening. If power operated, it must be of a type which cannot trap or injure passengers.

2. Shall be located on right side near the front of the bus, so as to afford a clear view from the driver's seat of children waiting to enter, entering, or leaving the bus.

3. Shall have a minimum horizontal clearance opening of 24 inches.

4. Lower panels as well as upper panels shall be of safety glass to permit driver to see children who are waiting to enter bus, and the ground where children step off.

5. Vertical closing edges of door shall be equipped with rubber or rubberized materials to protect children's fingers.

6. There shall be no door at the left of the driver.

7. A stanchion shall be installed at rear of the entrance step-well from roof to floor. Placement shall not restrict passageway to less than 12 inches.

8. A guard rail and partition shall be installed from step-well stanchion to wall at height of approximately 30 inches to prevent children in front seat from being thrown into step-well in case of a sudden stop. Partition shall extend from guard rail to within 4 inches of floor.

(b) *Emergency door.* 1. Shall be located in the center of rear of bus, or in left side of bus to the rear of the middle thereof. Door located in the center of rear of bus shall be hinged on the right side of the body, and in any case shall open outward.

2. Shall have a minimum horizontal clearance of 24 inches, a minimum vertical height of 48 inches and be marked "Emergency Door" on both the inside and outside.

3. Shall be equipped with a fastening device which may be quickly released, but is designed to offer protection against accidental release. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of a non-detachable device of such design as to prevent "hitching" but permit opening when necessary. The emergency door shall not be locked at any time when the vehicle is occupied.

4. There shall be no steps leading to the emergency door. No seat or other object shall be so placed in the bus as to restrict the passage to the emergency door to less than 12 inches.

(14) BUS RUB RAILS. Two rub rails of ample strength to resist impact and body crushing shall be provided on each side of the body. Such rub rails shall be installed the full length of the bus body on both sides, except as cut through by door openings or rear fenders. One rail shall be located approximately at the seat line, and the other rail approximately at the floor line. Pressed-in rub rails do not meet these requirements.

(15) WHEEL CLEARANCE. The bus body shall clear the wheels sufficiently to allow for load and the use of anti-skid chains.

(16) DRIVE SHAFT. Each drive shaft shall be protected by metal guard or guards to prevent whipping through the floor or dropping to ground if broken.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.26 Required equipment. (1) STORAGE BATTERY AND GENERATOR OR ALTERNATOR. (a) Storage battery shall be of sufficient capacity to care for starting, lighting, signal devices, heater, and other electrical equipment. No bus shall be equipped with a battery of less than 120 ampere-hours if 6 volt, measured at a twenty-hour rate, or 45 ampere-hours if 12 volt. Battery shall be mounted outside passenger compartment in an adequate carrier and shall be readily accessible for servicing and removal.

(b) Generator or alternator shall have a maximum output of at least 40 amperes if 6-volt system, or 20 amperes if 12-volt system from a speed of 20 miles per hour, and shall be voltage and current controlled.

(2) HORN. There shall be a horn or horns of standard make capable of producing sound audible under normal conditions for a distance of not less than 200 feet.

(3) REAR VISION MIRRORS.

(a) A non-glare interior rear-view mirror large enough (at least 4 x 15 inches) to afford a good view of the road to the rear, as well as of the pupils, shall be required.

(b) An exterior non-glare rear-view mirror shall be provided and located to the left of the driver. The exterior rear-view mirror shall have a reflective area of not less than 50 square inches.

(4) VENTILATORS. Body of bus shall be equipped with a suitable controlled ventilating system of sufficient capacity to maintain the proper quantity of air under operating conditions without the opening of windows except in extremely warm weather. No intake ventilators in the front bus corner below the top of the engine or engine hood louvers shall be used. No static exhaust roof ventilators may be installed to the rear of the center of the bus body.

(5) HEATERS. Vehicle heater or heaters shall be of the hot water or other type approved by the laboratories of the National Board of Fire Underwriters, and shall be capable of heating the bus to a minimum of 50 degrees Fahrenheit, at average minimum January temperatures as established by the local Weather Bureau.

(6) DEFROSTERS. Defrosting equipment must be capable of keeping windshield clear, by means of fans or by taking heat directly from an approved heater.

(7) WINDSHIELD WIPER. There shall be two positive-action wipers of vacuum, air, or electric type, in good operating condition at all times.

(8) SUN SHIELD. The school bus shall be equipped with an interior adjustable sun visor not less than 6 by 16 inches in size.

(9) LIGHTS AND SIGNALS. Lighting equipment shall be as follows:

(a) Each bus shall be equipped with at least 2 headlamps; also 2 red tail lamps and 2 red stop lamps, which may be in combination. Tail lamps shall be on the same circuit as headlamps. Stop lamps shall be activated by the foot brake.

(b) Vehicles having a width at any part in excess of 80 inches shall be equipped with 2 amber clearance lights mounted on the front and 2 red clearance lights mounted on the rear, mounted in such a manner as to indicate the extreme width of the vehicle and as near

the top thereof as practicable, and visible from a distance of 500 feet. Vehicles having a width in excess of 80 inches shall also be equipped with 2 amber reflectors mounted on the front and 2 red reflex reflectors mounted on the rear, in such a manner as to indicate as nearly as possible the extreme width of the vehicle. Reflectors shall be mounted not less than 16 nor more than 60 inches from the ground. A lawful red reflector may be incorporated as part of a tail lamp.

(c) Each bus shall be equipped with two alternately flashing red warning signal lamps on front and rear. Flashing warning signals shall be manually operated and used by the driver to inform other users of the highway that the bus is about to stop, or is stopped, to take on or discharge school children. Signals shall be given continuously during at least 100 feet before stopping, and for duration of the stop. The signals shall have sufficient intensity to be plainly visible and understandable at a distance of 500 feet in normal sunlight. There shall be a visible or audible means of giving a clear and unmistakable indication to the bus driver when warning signals are turned on. Each lamp should be mounted on the same horizontal level as its mate, not less than 3 feet apart, and above the windshield or window, aimed so that center of emitted beam will project slightly below the horizontal. Each lamp shall be not less than 6 inches in diameter. Red flashing warning lamps on all buses first placed in operation as a school bus after January 1, 1959, shall be equipped with hoods to shield the lights from the rays of the sun for improved visibility.

(d) Interior lights shall be provided which adequately illuminate interior aisles and step-wells.

(e) Each bus shall be equipped with electric flashing directional signals, white or amber to the front and red or amber to the rear, visible in bright sunlight at a distance of 100 feet, mounted to signify intention and direction of turns. Directional signal lamps shall have a clear, light-emitting lens surface of not less than 12 square inches. In addition, buses shall be equipped with a visible signal on the instrument panel, dash or steering column to indicate to the driver when signal lamps are operating, as required by law. Signal must be given continuously during at least the last 100 feet before a turn is made.

(f) All lighting equipment shall conform to requirements of state law.

(10) WIRING.

(a) All wiring shall conform to the Standards of Society of Automotive Engineers for motor coach wiring set out in Section TR-33 of 1957 SAE Handbook, at pages 850 to 852. Pamphlet reprints of Section TR-33 of 1957 SAE Handbook are on file in the office of Motor Vehicle Department, Secretary of State and Revisor of Statutes. Pamphlet reprints of said Section TR-33 are obtainable from The Society of Automotive Engineers, Inc., 485 Lexington Avenue, New York, N. Y.

(b) Wherever heaters and defrosters are used, one additional circuit shall be installed.

(c) Wherever possible all other electrical functions shall be provided for by independent and properly-fused circuits.

(d) Each circuit except starting and ignition shall have separate fuse or circuit breaker.

(e) All wires within body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimized dangers from short circuits.

(f) Wires shall be fastened securely at intervals of not more than 24 inches. All joints shall be soldered or joined by equally effective connectors.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.27 Additional equipment required. (1) FIRE EXTINGUISHERS. (a) Each bus shall be equipped with a fire extinguisher of a type approved by the laboratories of the National Board of Fire Underwriters, having not less than the following classification: 4BC dry powder type, or 6BC CO2 type. Extinguishers shall be mounted in an accessible place in full view, and kept properly filled and in satisfactory operating condition at all times.

(b) All buses first placed in operation after January 1, 1959 shall be equipped with extinguishers meeting the above specifications. All extinguisher replacements on buses now in operation shall meet the above specifications. By August 1, 1961 all buses transporting school children shall be equipped with extinguishers meeting the above specifications.

(2) EMERGENCY EQUIPMENT. All school buses shall be provided with the following emergency equipment: 3 oil burning pot-type flares stored in a suitable metal container and kept filled at all times, or 3 red electric lanterns; and 3 fusees mounted in a suitable holder; 3 red flags not less than 12 inches square and means for mounting; 1 axe or steel wrecking bar. All vehicles shall be equipped with a suitable jack, spare tire and necessary tools for tire or wheel changing, and tools for minor repairs, unless they have adequate arrangements for service facilities. During the winter season all vehicles shall carry a suitable shovel. All emergency equipment shall be kept in a readily accessible place in vehicle: flags, fusees and axe or steel wrecking bar in the driver's compartment, and flare container to the left or right of the emergency door.

(3) FIRST AID KIT. All school buses shall be equipped with a first aid kit, 16 units or better, consisting of a dustproof container and the following minimum equipment or its equivalent: ammonia inhalant, iodine brushes or other antiseptic, adhesive tape, adhesive compresses, 2″ and 4″ compress bandages, sterile gauze, triangle bandage, absorbent gauze compress, burn ointment, eye dressing packet, tourniquet, forceps, scissors and splint. The kit shall be mounted in an accessible place in full view. The kit shall be kept fully equipped and in good condition.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.28 Color of school bus. (Statutory) School buses shall be painted national school bus chrome (yellow) in accordance with the provisions of section 347.44, Wis. Stats.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.29 Identification. (1) Body shall bear words "School Bus" in black letters at least 8 inches high and one-inch stroke on both

front and rear of body or on a yellow sign attached thereto. Lettering shall be placed above the rear window and windshield as high as possible without impairment of its visibility. On small vehicles having a passenger-carrying capacity of fewer than 10 persons (figured on the basis of 20 inches per person) including the operator, and painted yellow in accordance with the provisions of section 347.44, Wis. Stats., the words "School Bus" shall be painted in black letters at least 6 inches high and ¾-inch stroke.

(2) The name and address of the vehicle owner shall be distinctly lettered on both sides of the vehicle in letters of not less than 2 inches in height and of not less than one-fourth inch stroke and in black.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.30 Passenger load. The gross weight of a vehicle (i.e., wet weight, plus driver's weight, plus weight of maximum seated pupil load based on not less than 100 pounds per pupil) shall not exceed maximum gross vehicle rating as established by manufacturer. Wet weight is defined as a bus fully equipped for operation including full gas tanks.

History: 1–1–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.31 Power or grade ability. Bus must be so geared and powered as to be capable of surmounting 3 per cent grade at a speed of at least 20 miles per hour with full load on continuous pull.

History: 1–1–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.32 Automobiles. (Vehicles with passenger-carrying capacity of fewer than 10 persons based on 20 inches of rump space per person). The requirements set forth in the following sections of these regulations shall be applicable to automobiles used for transportation of school children: section MVD 5.20; section MVD 5.25, general construction, subsection (3), subsection (5) (b), parts of subsection (6) relating to safety glass, and subsections (8) and (9); section MVD 5.26, required equipment, subsections (5), (6) and (7). Pupil passenger capacity of automobiles, suburbans, steel-type station wagons and similar vehicles shall be determined by allowing a full 13 inches of rump space for seating each child, provided that in no case shall more than 2 children occupy the front seat.

History: 1–1–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.33 Orthopedic buses. Buses used for the transportation of orthopedic children shall comply with all general school bus regulations which by their nature are applicable to this type of operation.

(1) General driver requirements are applicable, with the exception that special loading and unloading procedures may be followed.

(2) General construction requirements apply, except that special seating devices are permissible. Where wheel chairs are used, they must be firmly and securely anchored before bus is put in motion.

(3) Special loading arrangements and devices are permissible in lieu of normal school bus step and school bus door requirements.

(4) The usual emergency equipment is required.

(5) Because of the special nature and function of these vehicles, they will be inspected and approved by the State Patrol on an individual basis.

History: Cr. Register, December, 1958, No. 36, eff. 1–1–59.

Subchapter III

GENERAL REQUIREMENTS

MVD 5.40 Contracts. These regulations shall by reference be made a part of each contract executed by a school board, municipal board or a school district covering the transportation of school children by motor vehicles.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.41 Insurance. All motor vehicles owned by or under contract to school districts engaged in transportation of school children shall be covered by insurance in accordance with the provisions of section 194.41 and 40.57, Wis. Stats., and Wis. Adm. Code, chapter MVD 2. A certificate of insurance shall be filed with the school board of the district in which the children transported reside, and with the motor vehicle department.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.42 Panel trucks and station wagons. No panel body truck or delivery car shall be converted or put in service as a school bus. No station wagon having a body of wood construction shall be put into service as a school bus.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.43 Enforcement policy. The enforcement policy of the motor vehicle department will take into consideration the age, condition and equipment of vehicles before granting approval for their continued use. The motor vehicle department will prohibit the use of any vehicle for school transportation purposes which is deemed to be unsafe or unfit for such service.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.44 Registration of school buses. Every application for original registration or reregistration of any vehicle, other than an automobile, used for school transportation purposes shall indicate clearly that such vehicle is a school bus.

(**Note:** When applying for registration the seating capacity of the bus should be based on 20 inches of space per passenger including the driver's seat, regardless of the fact that pupil seating capacity is based on 13 inches of rump space per pupil.)

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.45 Inspection. Upon notification by the commissioner of the motor vehicle department or his representative, or the department of public instruction, or any public school official, the owner or operator shall present all school buses for inspection at the designated time and place of inspection.

History: Cr. Register, December, 1958, No. 36, eff. 1–1–59.

MVD 5.46 Penalties. Violations of any provision of chapter MVD 5 will be prosecuted under the governing statute. Where no penalty is provided, the violation will be prosecuted under the provision of section 110.06 (3) Wis. Stats.

History: 1–2–56; r. and recr. Register, December, 1958, No. 36, eff. 1–1–59.