

No. 682, A.]

[Published October 24, 1959.]

CHAPTER 553

AN ACT to amend 40.53 (7) (b) of the statutes, relating to physical examinations for contract bus drivers.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

40.53 (7) (b) of the statutes is amended to read:

40.53 (7) (b) All drivers or operators of vehicles used for the transportation of public school pupils for compensation shall be under written contract with the school district for which such drivers or operators transport pupils. The form of contract shall be prescribed by the state superintendent and shall provide that any party to such contract shall be at all times subject to rules of the department of public instruction and any rules adopted by the commissioner of motor vehicles pursuant to par. (a). *Such contracts shall contain a provision that all bus operators shall, as a condition of the contract with bus drivers, require a physical examination including a chest X-ray or tuberculin test. If the reaction to the tuberculin test is positive then a chest X-ray shall be required. Additional physical examinations shall be required thereafter at intervals determined by the board but at no less than 3-year intervals for each driver concerned. Such physical examinations, chest X-rays or tuberculin tests shall not be required of any such bus driver who files with the board an affidavit setting forth that he depends exclusively upon prayer or spiritual means for healing in accordance with the teachings of a bona fide religious sect, denomination or organization and that he is to the best of his knowledge and belief in good health and that he claims exemption from health examination on such grounds. Notwithstanding the filing of such affidavit if there is reasonable cause to believe that such driver is suffering from an illness detrimental to the health of the pupils, the board may require such health examination of such driver sufficient to indicate whether or not such driver is suffering from such an illness. No driver shall be discriminated against by reason of his filing the aforementioned affidavit. Such contract shall also contain a provision that the report of a physical examination may be submitted on forms prescribed*

*by the interstate commerce commission, bureau of motor carriers, or by the state department of public instruction and that a copy of a physical examination report obtained for other purposes within one year of the date of the contract may be substituted in lieu of the examination, if the report contains substantially the same information required on the state department of public instruction form.*

Approved October 20, 1959.

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