

## Chapter Trans 127

## SCHOOL BUS TRIP PERMIT

Trans 127.01 Purpose and scope  
 Trans 127.02 Definitions  
 Trans 127.03 Application form

Trans 127.04 Fee  
 Trans 127.05 Certification  
 Trans 127.06 Special provisions

**Trans 127.01 Purpose and scope.** (1) As authorized by ss. 110.06, 227.014 and 341.26 (7) (a), Stats., the purpose of this chapter is to establish the department's administrative interpretation of s. 341.26 (7) (a), Stats., relating to 72 hour trip permits for school buses transporting persons who are not pupils.

(2) This chapter applies to privately owned and operated school buses when used for non-pupil, charter transportation.

(3) The following school buses owned and operated for non-pupil transportation are exempted from this chapter:

(a) School buses owned and operated by a school district and registered as provided in s. 341.26 (2) (d), Stats. The school board may use or allow the use of school buses owned and operated by the school district as authorized under s. 120.13 (27), Stats.

(b) Privately owned and operated school buses engaged in passenger-carrying operations other than as a school bus and registered as provided in s. 341.26 (7) (b), Stats.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 127.02 Definitions.** As used in this chapter:

(1) "Department" means the Wisconsin department of transportation.

(2) "Permit" means the 72 hour charter bus trip permit authorized in s. 341.26 (7) (a), Stats.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 127.03 Application form.** Each application for a permit shall contain the following information:

(1) The name and business address of the applicant,

(2) The signature of the applicant or person authorized by the applicant, and

(3) The number of permits requested.

**Note:** Creates form MVD 2449.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 127.04 Fee.** (1) The permit issuance fee of \$10.00 required by s. 341.26 (7) (a), Stats., for each permit shall be paid at the time an application is filed with the department. If the remittance is by check, draft or money order, it shall be made payable to the Wisconsin department of transportation.

Register, April, 1982, No. 316

90-414

## Trans 127

(2) Upon receipt of the proper remittance and verification that a certificate of insurance for the applicant is on file with the department, the number of permits requested shall be immediately forwarded to the applicant.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 127.05 Certification.** (1) To certify the permit for operation the following information shall be typewritten upon the face of the permit:

(a) The name and address of the school bus owner and, if the school bus is leased, the name and address of the lessee,

(b) The school bus year, make, identification number, current school bus license plate number and fleet number,

(c) The specific date and time expressed in month, day and year and in time of day indicating a.m. or p.m. for which the permit is certified for operation, and

(d) The signature and title of the person authorized by the applicant to sign the permit.

(2) Upon certification of the permit, part 1 of the permit shall be carried in the school bus driver compartment and shall be displayed to law enforcement officers upon request, part 2 shall be retained by the user, and part 3 shall be mailed immediately to the department.

**Note:** Creates form MVD 2450.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 127.06 Special provisions.** (1) The permit shall be used only for school buses registered by the department.

(2) A certificate of insurance shall be on file with the department in compliance with s. 194.41, Stats., and ch. Trans 176, Wis. Adm. Code, before a vehicle may be operated on Wisconsin highways with a permit.

(3) The permit is not transferable and shall be used only by the applicant to whom the permit is issued.

(4) The permit is valid for 72 hours from the date and time of certification.

(5) The permit is not valid if handwritten, crossed out or erased.

(6) The permit is valid for Wisconsin intrastate operations only.

(7) Unused permits which are intact may be returned to the department along with a written statement from the applicant requesting a refund of the \$10.00 permit issuance fee paid to the department at the time of permit acquisition.

**History:** Cr. Register, April, 1982, No. 316, eff. 5-1-82.

**Next page is numbered 82-1**

transportation. The 30-day notice period may be waived by the division [department] if an acceptable replacement undertaking is filed in accordance with this chapter.

**History:** Cr. Register, November, 1977, No. 263, eff. 12-1-77; renum. from MVD 2.04, Register, February, 1981, No. 302, eff. 3-1-81.

**Trans 176.05 Evidence of self-insurance.** (1) In accordance with s. 194.42, Stats., the department of transportation may, by order, exempt any common motor carrier of property or of passengers, or other carrier of passengers by motor bus, or contract motor carrier from the liability security requirements imposed under s. 194.41, Stats., and ss. Trans 176.01 to 176.04 if the carrier:

(a) 1. Complies with the requirements set forth in s. 194.42, Stats., and

2. Files an application to qualify as a self-insurer with the department of transportation; or

(b) Complies with the requirements under sub. (2).

(2) Any motor carrier engaged in interstate commerce only or jointly in interstate and intrastate commerce on Wisconsin highways who is qualified as a self-insurer under the rules and regulations of the interstate commerce commission, may qualify as a self-insurer under this section by filing with the department of transportation a certified copy of a currently effective interstate commerce commission order authorizing such motor carrier to self-insure under applicable federal law and regulations.

(3) Applications to qualify as a self-insurer shall be made on forms provided by the department of transportation. (Appendix VI).

**History:** Cr. Register, November, 1977, No. 263, eff. 12-1-77; renum. from MVD 2.05 and am. (1) (intro.), Register, February, 1981, No. 302, eff. 3-1-81.

**Trans 176.06 Minimum limits of liability security.** (1) The minimum limits of liability security for bodily injury and property damage liability required under this chapter are:

(a) For property carriers other than taxicabs subject to par. (c)—for injury to or death of any one person, \$100,000; for any one accident, \$300,000; and for injury to or destruction of property, \$50,000.

(b) For passenger vehicles:

PASSENGER CAPACITY	PERSONAL INJURY		PROPERTY DAMAGE
	ONE PASSENGER	ALL PASSENGERS	
7 or less	\$100,000	\$300,000	\$50,000
8 to 12	\$100,000	\$350,000	\$50,000
13 to 20	\$100,000	\$400,000	\$50,000
21 to 30	\$100,000	\$450,000	\$50,000
31 and over	\$100,000	\$500,000	\$50,000

(c) For taxicabs operating under certificates of authority issued under ch. 194, Stats.—The same minimum limits of liability security for bodily injury and property damage as are required by the local governmental taxicab licensing or regulating ordinance applicable to the par-

tiicular taxicab operations filing under this chapter. No such local ordinance may establish liability security levels lower than those specified in s. 344.15, Stats. If no minimum liability insurance limits have been established by local authorities with respect to any taxicab operation, the minimum limits of liability security shall be the same as those specified in s. 344.15, Stats.

(d) In accordance with s. 121.53 (1) (e), Stats., for school buses with a seating capacity of 37 or more passengers, the minimum total limit of bodily injury liability insurance coverage per accident is \$1,000,000.

**History:** Cr. Register, November, 1977, No. 263, eff. 12-1-77; emerg. am. (1) (a) and cr. (1) (c), eff. 2-23-79; am. (1) (a) and cr. (1) (c), Register, May, 1979, No. 281, eff. 6-1-79; renum. from MVD 176.06 and cr. (1) (d), Register, February, 1981, No. 302, eff. 3-1-81; r. and recr. (1) (d), Register, April, 1982, No. 316, eff. 5-1-82.

**Trans 176.07 Completion of forms.** (1) All forms required by this chapter shall be completed in triplicate and the information requested thereon shall be typewritten on the blank spaces provided.

(2) The forms shall be printed on rectangular cards measuring 5 inches in height and 8 inches in width.

(3) The forms shall be signed by an authorized representative of the insurer or surety whose signature is on file with the department of transportation. A letter of authorization, signed by a corporate officer of the insurer or surety, together with a 3 x 5 signature card for each authorized representative shall be kept on file by the department of transportation.

(4) Certificates of insurance and surety bonds shall be issued in the full and correct name of the individual, partnership or corporation to whom the certificate, permit or license is or will be issued. In the case of a partnership, all partners shall be named. Only one entity shall be named as the insured on the certificate.

(5) If the insurer or surety does not require the third copy to be returned as proof of the acceptance of such filing, the insurer or surety need only provide the department of transportation with 2 copies of each form required under this chapter.

**History:** Cr. Register, November, 1977, No. 263, eff. 12-1-77; renum. from MVD 2.07, Register, February, 1981, No. 302, eff. 3-1-81.

**Trans 176.08 Emergency filings.** (1) Emergency filing may be made by telephone, telegram, teletype or facsimile equipment providing the following information:

(a) Name of insured.

(b) Name of insurance company and policy number.

(c) Type of filing being made. If it is a scheduled filing, a description of the vehicle must be included.

(d) Statement "Certificate Will Follow".

(e) Date of policy.

(f) Name of authorized representative of the insurer.

(2) A filing made under this subsection shall be in force for 30 days from the date it was received by the department.

Register, April, 1982, No. 316

(3) An emergency filing received under this subsection shall impose upon the insurer the same liability as if the certificate had been filed under normal procedures and any action taken by the department will be the same as if a certificate was on file.

(4) No extensions of, or additional emergency filing by the same insurer, will be accepted for the same insured unless a certificate has been received covering the previous emergency filing.

**History:** Cr. Register, February, 1981, No. 302, eff. 3-1-81.

FORM E

UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY  
DAMAGE LIABILITY CERTIFICATE OF INSURANCE

(Executed in Triplicate)

Filed with \_\_\_\_\_ (hereinafter called Commission)  
(Name of Commission)

This is to certify, that the \_\_\_\_\_  
(Name of Company)

(hereinafter called Company) of \_\_\_\_\_  
(Home Office Address of Company)

has issued to \_\_\_\_\_ of \_\_\_\_\_  
(Name of Motor Carrier) (Address of Motor Carrier)

a policy or policies of insurance effective from \_\_\_\_\_ 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at \_\_\_\_\_  
(Street Address) (City) (State) (Zip Code)

this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

\_\_\_\_\_  
Authorized Company Representative

Insurance Company File No. \_\_\_\_\_  
(Policy Number)