



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2195/2

ZDW:klm

2025 ASSEMBLY BILL 393

August 29, 2025 - Introduced by Representatives SORTWELL, PENTERMAN, DITTRICH, GOEBEN, GOODWIN, KNODL, KREIBICH, MELOTIK, MURSAU and O'CONNOR, cosponsored by Senator JAMES. Referred to Committee on Transportation.

1 **AN ACT to amend** 343.16 (5) (b) and 343.20 (1) (c); **to create** 343.12 (3m) and
2 343.20 (1) (cm) of the statutes; **relating to:** school bus operation by drivers
3 over 70 and drivers with medical conditions.

Analysis by the Legislative Reference Bureau

Under current law, a person may not operate a school bus unless the Department of Transportation has issued a school bus or "S" endorsement to their operator's license. A person must meet several requirements to be issued an "S" endorsement, including meeting certain physical standards, and a person's "S" endorsement can be canceled for medical reasons. A person whose "S" endorsement has been canceled can apply to reinstate the endorsement. The application is considered by a medical review board that makes a final recommendation to DOT. Under administrative rules promulgated by DOT, a review board may recommend that an exception be granted by DOT if the review board determines the person's medical condition does not impair their ability to safely operate a school bus.

This bill provides that a person whose "S" endorsement has been cancelled for medical reasons that would require a medical review board exception may reinstate the endorsement by providing DOT documentation prepared by a health care provider stating that the person is able to resume operating a school bus. When DOT receives the documentation, DOT must reinstate the person's "S" endorsement, which remains valid unless the medical review board determines the reinstatement is improper.

ASSEMBLY BILL 393**SECTION 1**

Under current law, review boards must consist of licensed physicians or optometrists, to be appointed by the secretary of transportation. The bill provides that physician assistants and advanced practice nurses are also eligible to be appointed to review boards.

Under current law, DOT may, by rule, require any person who is issued an operator's license that is valid for more than two years to demonstrate continuing qualifications to hold the license at two-year intervals. The bill authorizes DOT, by rule, to require testing in intervals of not less than two years. The bill also provides that DOT must require any person who is 70 years of age or older and holds an "S" endorsement to file a medical certification annually and demonstrate their continuing ability to hold a license at four-year intervals.

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

1 **SECTION 1.** 343.12 (3m) of the statutes is created to read:

2 343.12 **(3m)** (a) A person whose school bus endorsement is cancelled for
3 medical reasons that would require a medical review board exception to allow the
4 person to continue operating a school bus may reinstate their school bus
5 endorsement by providing the department documentation prepared by a health
6 care provider stating that the person is able to resume operating a school bus.

7 (b) Upon receipt of documentation under par. (a), the department shall
8 reinstate the person's school bus endorsement, which shall remain valid unless the
9 reviewing board under s. 343.16 (5) (b) determines the reinstatement is improper.

10 **SECTION 2.** 343.16 (5) (b) of the statutes is amended to read:

11 343.16 **(5)** (b) Whenever the department receives the results of a special
12 examination required under this subsection, the department shall give fair
13 consideration to the recommendation of the examining person or agency together
14 with other evidence in determining if it is in the interest of public safety to issue,
15 renew, deny or cancel a license. If a license is denied or canceled by the department
16 after a special examination as provided in par. (a), such denial or cancellation shall

ASSEMBLY BILL 393**SECTION 2**

1 be reviewed by a reviewing board upon written request of the applicant filed with
2 the department within 10 days after receipt of notice of such denial or cancellation.
3 Notice of denial or cancellation shall be in writing and contain specific reasons. The
4 notice shall contain a statement that the applicant has 10 days within which to file
5 a written request with the department for review of the department's decision by
6 the reviewing board. The applicant shall have the right to appear personally before
7 the review board, to present witnesses and additional information, and to be
8 represented by counsel. The department's representative may administer oaths,
9 issue subpoenas for the attendance of witnesses and the production of relevant
10 documents and may require a reexamination of the applicant. No law enforcement
11 officer or other witness produced by the applicant to testify on the applicant's
12 behalf shall be paid a witness fee nor shall any law enforcement officer called to
13 appear for the department be paid any witness fee. A record including the
14 recommendations of the board shall be made of the proceeding. If a license is
15 denied or canceled, the applicant shall be given specific reasons in writing. Review
16 boards shall consist of the department's representative and at least 2 members
17 appointed by the secretary from a list of ~~physicians licensed to practice medicine in~~
18 ~~this state and a list of optometrists licensed to practice optometry~~ physicians,
19 physician assistants, advanced practice nurses, and optometrists licensed to
20 practice in this state. Optometrists shall be limited to reviewing cases concerning
21 vision only. In cases concerning mental disability or disease at least one of the
22 physicians shall have specialized training in psychiatry. In cases concerning
23 seizure disorders at least one of the physicians shall have specialized training in
24 neurology. The members of the board shall receive the per diem and expenses

ASSEMBLY BILL 393**SECTION 2**

1 provided in s. 15.08 (7) which shall be charged to the appropriation under s. 20.395
2 (5) (cq). A decision of the department based on the recommendation of a reviewing
3 board is subject to judicial review under s. 343.40.

4 **SECTION 3.** 343.20 (1) (c) of the statutes is amended to read:

5 343.20 (1) (c) The department may, by rule, require any person who is issued
6 an operator's license that is valid for a period of more than 2 years to demonstrate
7 continuing qualifications to hold a license under this chapter at ~~2-year~~ intervals of
8 not less than 2 years. The rules may include, without limitation, requiring
9 examination under s. 343.16 (6) (a) or requiring current medical certification under
10 s. 343.16 (5). The department rules shall require cancellation or suspension of the
11 license for noncompliance and shall permit surrender of the operator's license
12 under s. 343.265.

13 **SECTION 4.** 343.20 (1) (cm) of the statutes is created to read:

14 343.20 (1) (cm) The department shall require any person who is 70 years of
15 age or older and holds a school bus endorsement to file a medical certification
16 annually and demonstrate their continuing ability to hold a license under this
17 chapter at 4-year intervals, as measured from the date of their preceding
18 examination.

19 (END)