

1987 Assembly Bill 679

Date of enactment: April 12, 1988
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1987 Wisconsin Act 235

AN ACT to renumber 347.145; to amend 110.075 (2) and 347.145 (title); and to create 110.063, 110.064, 341.10 (12), 347.145 (2) and 347.40 (3) of the statutes, relating to inspection, registration, equipment and operation of motor buses, granting rule-making authority and providing a penalty.

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

SECTION 1. 110.063 of the statutes is created to read:

110.063 Inspection of motor buses. (1) The department shall promulgate and enforce such rules as the department deems necessary in the interests of the safety of persons being transported to cover the design, construction, equipment, inspection and operation of motor buses.

(2) (a) Except as provided in par. (c), the owner of the motor bus shall have it inspected annually by the department for compliance with the requirements of s. 110.075 and ch. 347 and rules promulgated thereunder and any rules promulgated under this section.

(b) The department shall specify by rule a fee for the inspection required under this subsection equal to the cost of the inspection.

(c) Paragraph (a) does not apply to a motor bus which is operated by an urban mass transit system, as

defined in s. 85.20 (1) (L), if all of the following conditions are satisfied:

1. The urban mass transit system regularly inspects the motor bus at least annually.

2. The urban mass transit system submits the record of inspection of the motor bus to the department annually for examination.

3. Review of the record of inspection of the motor bus by the department indicates that the motor bus is in compliance with the requirements of s. 110.075 and ch. 347 and rules promulgated thereunder and any rules promulgated under this section.

(3) Any person who violates this section or rules promulgated under this section may be required to forfeit not less than \$50 nor more than \$200.

SECTION 1m. 110.064 of the statutes is created to read:

110.064 Motor buses used for pupil transportation.

(1) (a) Notwithstanding s. 340.01 (56) (b) 4, no motor bus operated under contract as provided in s. 121.55 (1) (a) or (d) may be used for the purpose of transporting pupils to or from a public or private school as provided in s. 340.01 (56) (a) 1 and no motor bus otherwise operated on a special route for the purpose of transporting pupils to or from a public or private school as provided in s. 340.01 (56) (a) 1 may be used for that purpose unless the motor bus satisfies safety and operation standards specified by the department under par. (b).

(b) The department shall promulgate and enforce a rule requiring that a motor bus under par. (a) satisfy safety standards providing an equivalent level of safety as the safety standards specified by the department for a school bus having the same gross vehicle weight rating and operation standards specifying that the rear door of a motor bus under par. (a) may not be used for the entry or exit of pupils, except in an emergency, except that the department may not promulgate a rule which is in conflict with federal law, which requires the motor bus to be painted in accordance with s. 347.44 (1) or which requires the motor bus to be equipped with flashing red warning lights as specified in s. 347.25 (2).

(2) Any person who violates this section or rules promulgated under this section may be required to forfeit not less than \$50 nor more than \$200.

SECTION 2. 110.075 (2) of the statutes is amended to read:

110.075 (2) When directed by any traffic officer or motor vehicle inspector, the operator of any motor vehicle shall stop and submit such motor vehicle to an inspection and such tests as are necessary to determine whether it meets the requirements of this section, or that its equipment is not in proper adjustment or repair, or in violation of the equipment provisions of ss. 110.05 and, 110.06, 110.063 and 110.064, ch. 347, or rules issued pursuant thereto. Such inspection shall be made with respect to the brakes, lights, turn signals,

steering, horns and warning devices, glass, mirrors, exhaust system, windshield wipers, tires, and other items of equipment designated by the secretary.

SECTION 2b. 341.10 (12) of the statutes is created to read:

341.10 (12) The vehicle is required to be inspected under s. 110.063 (2) and any of the following applies:

(a) The vehicle has not been inspected.

(b) The most recent inspection of the vehicle indicates noncompliance with ss. 110.063 and 110.075, ch. 347 or rules promulgated under those sections or ch. 347.

SECTION 2e. 347.145 (title) of the statutes is amended to read:

347.145 (title) Deceleration warning lights for motorcycles, motor bicycles, mopeds or motor buses.

SECTION 2m. 347.145 of the statutes is renumbered 347.145 (1).

SECTION 2s. 347.145 (2) of the statutes is created to read:

347.145 (2) A motor bus may be equipped with amber lights which shine with a steady beam or which pulse during deceleration, braking or standing and idling. The lights shall be mounted symmetrically with respect to the vertical centerline of the motor bus in a horizontal alignment on the rear of the motor bus. The lights may be mounted no higher than the lower edge of the rear window, or no higher than 72 inches if the motor bus does not have a rear window.

SECTION 3. 347.40 (3) of the statutes is created to read:

347.40 (3) No person may operate or permit the operation of any motor bus on a highway unless the bus is equipped with 2 outside rearview mirrors, one to the right and one to the left of the operator. Each mirror shall have not less than 50 square inches of unobstructed reflective surface and shall be firmly supported and adjustable to give the operator a clear view past both the right and left rear of the bus.

SECTION 4. **Nonstatutory provisions; Transportation.** (1) **RULE MAKING.** The department of transportation shall submit the proposed rules required under sections 110.063 (1) and (2) (b) and 110.064 (1) (b) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 9th month after the effective date of this subsection.

SECTION 5. **Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 110.063 (2) (a) and (3), 110.064 (1) (a) and (2), 110.075 (2) and 341.10 (12) of the statutes takes effect on the first day of the 12th month beginning after publication.

(2) The treatment of section 347.40 (3) of the statutes takes effect on the first day of the 6th month beginning after publication.