

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY**

NOTICE OF PUBLIC HEARING

The State of Wisconsin Department of Transportation proposes an order to amend Wis. Admin. Code ch. Trans 300 relating to Transportation of School Children and affecting small businesses.

NOTICE IS HEREBY GIVEN that, pursuant to ss. 227.17 and 227.24(4), Stats., the State of Wisconsin Department of Transportation (“WisDOT”) will hold a public hearing on a permanent rule that will amend Wis. Admin. Code. ch. Trans 300 relating to Transportation of School Children.

HEARING INFORMATION

Date: **October 27, 2015**
Time: **1:00 p.m.**
Location: **Wisconsin Department of Transportation
4802 Sheboygan Avenue, Room 144B
Madison, WI 53707**

Interested persons are invited to appear at the hearing and will be afforded the opportunity to make an oral presentation of their positions. Persons making oral presentations are requested to submit their written comments. WisDOT will accept written comments until Friday, October 30, 2015, 4:30 p.m. Written comments may be sent to:

Captain Brian Ausloos
State of Wisconsin Department of Transportation
Division of State Patrol
4802 Sheboygan Avenue Room 551
Madison, Wisconsin 53705
Phone: 608-709-0070
Email address: brian.ausloos@dot.wi.gov

You may receive a paper copy of the rules or fiscal estimate by contacting Jennifer Peters, Paralegal/Administrative Rulemaking Coordinator at WisDOT Office of General Counsel, 4802 Sheboygan Avenue, Room 115B, Madison, Wisconsin 53705, phone number: (608) 267-6979, or by email: Jennifer.Peters@dot.wi.gov.

A copy of the rule is also available at <http://adminrules.wisconsin.gov>. This site allows you to view documents associated with this proposed permanent rule promulgation.

If you have special needs or circumstances regarding communication or accessibility at a hearing, please call Jennifer Peters, Paralegal/Administrative Rulemaking Coordinator, at (608) 267-6979 prior to the hearing date. Accommodations such as ASL interpreters, English translators, or materials in audio format will be made available on request to the fullest extent possible.

Analysis and supporting documentation used to determine effect on small businesses:

There are many school bus companies throughout the state and it seems likely that some would qualify as a small business under Wis. Stat. s. 227.114. While, this rulemaking seeks to establish a school bus lighting standard small businesses will incur costs to bring each bus into compliance with this rule and current state statute already in place from 2013 Wisconsin Act 96. The Division of State Patrol worked with the Wisconsin School Bus Association to reach a mutual agreement on an effective date for the 8-lamp warning system implementation in WI. This mutual agreement was specifically designed to reduce costs incurred by business, small and large.

Effect on Small Businesses: On or after August 1, 2016, a school bus body manufactured after December 31, 2004, shall be equipped with, in addition to the 4 red warning lights, 1 amber warning light shall be installed near each red warning light, at the same level, but closer to the vertical center line of the bus. The system of red and amber warning signal lights shall be wired so that the amber warning lights are activated manually, and the red warning lights are automatically activated, with the amber warning lights being automatically de-activated, when the stop signal arm is extended. A school bus body manufactured before January 1, 2005, will be grandfathered and will not be required to be equipped with any amber warning lamps. This grandfather provision will benefit small business by not requiring this amber lamp to be installed saving costs associated with installation on older school buses.

Anticipated costs incurred by private sector: The Division of State Patrol asked two school bus dealers in Wisconsin to provide estimates on converting a school bus to an 8-lamp warning system.

1. To retrofit a school bus with the 8-lamp warning system on a bus that did not have an 8-lamp warning system.

- Mid-State Truck Service:
\$2,420 per bus
- Nelson's Bus Service, Inc.
\$1,458.33 per bus
Average = \$1,939.17 per bus

2. To retrofit a school bus with amber interior lights and or lenses that currently had the 8-lamp warning system but all lights were red. (This specific provision has been allowed in Wisconsin since 2003 with the anticipation Wisconsin would someday require the 8-lamp "amber" warning system.).

- Mid-State Truck Service
\$333 per bus
- Nelson's Bus Service, Inc.
\$89.90 per bus
Average = \$211.45 per bus

Depending on the total fleet of each individual company will determine the actual cost to retrofit all buses in their fleet.

The agency contact person listed below is also the small business regulatory coordinator for this proposed rule. This proposed rule, fiscal estimate, and other related documents may be viewed at <https://health.wisconsin.gov/admrules/public/Home>.

Agency Contact Person:

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