

## Chapter Trans 301

### HUMAN SERVICES VEHICLES (HSV)

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**Note:** Chapter Trans 301 was created as an emergency rule effective December 1, 1981.

**Trans 301.01 Purpose.** The purpose of this rule is to promote the safe transportation of persons in a vehicle utilized as a human services vehicle.

**History:** Cr Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.02 Scope.** This rule is promulgated under authorization granted in s. 346.97, Stats. This rule is intended to provide specific safety related standards regarding design, construction and equipment requirements for new and in-use human services vehicles. This rule may require different standards for vehicles of various size and use. It provides for the inspection and operation of human services vehicles as defined in this rule.

**History:** Cr Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.03 Definitions.** (1) "HSV" means a human services vehicle as identified in s. 340.01(56)(b)4. and 5., Stats. and regulated under s. 346.97, Stats.

(2) "Department" means Wisconsin department of transportation.

(3) "GVWR" means gross vehicle weight rating.

(4) "Secretary" means secretary of the Wisconsin department of transportation.

**History:** Cr Register, March, 1982, No. 315, eff. 4-1-82.

#### Subchapter I—Operation

**Trans 301.05 Driver requirements.** (1) The driver shall not smoke or permit smoking when any minors are aboard the HSV. The driver shall not operate a HSV while under the influence of alcohol or controlled substance or permit the use of alcohol or controlled substance on the vehicle.

(2) The driver shall maintain order among passengers being transported. Misconduct shall be promptly reported to the proper authority. The driver may assign seating order.

(3) Prior to the start of any trip the driver shall check the condition of the HSV, giving particular attention to brakes, tires, lights, emergency equipment, mirrors, windows, and interior cleanliness of the vehicle. Defects shall be reported to the person in charge of vehicle maintenance. The driver shall be responsible for the clean-

liness of the interior of the vehicle. The windshield and mirrors shall be clean before each operation.

(4) In case of an accident or a breakdown the driver should remain with the vehicle and secure aid by means of 2-way communication.

(5) Loading stations or points must be selected with due regard for traffic and pedestrian safety.

(6) Doors must be closed securely before starting and must remain closed while vehicle is in motion, except as provided in sub. (12). Abrupt starts and stops or sudden maneuvers are prohibited, except in an emergency.

(7) A driver shall not leave the vehicle unattended with engine running or key in the ignition.

(8) Articles may not be transported within vehicle body if there is or may be interference with passengers or driver, or if aisle, well or steps are obstructed. Articles other than those associated with agency activity may not be transported. At no time will animals, except for dogs permitted by s. 174.056, Stats., when harnessed and authorized by an accredited agency for the blind or deaf, or firearms or other weapons unless accompanied by written authorization from the agency administrator be permitted on a HSV. The driver shall refuse admittance to any person not presenting proper authorization. The driver may designate where items will be carried on the vehicle.

(9) Minors being transported in a HSV are prohibited from crossing the road either to be loaded or discharged. The driver shall position the vehicle in such a manner that a minor need not cross the road to be loaded or discharged from the vehicle.

(10) Drivers, transportation supervisors and vehicle owners shall cooperate at all times with authorized department of transportation personnel in carrying out the inspection of equipment, or examination of driver pursuant to law, or to department rules.

(11) The driver shall not require or allow any passenger to stand while the vehicle is in motion. The driver shall not move (start) the HSV until all passengers are seated. The driver shall not permit a passenger to get up from a seated position until the HSV has come to a complete stop. The driver shall not permit any passengers to sit anywhere except in seats provided. This subsection

does not apply to chaperones or monitors in the performance of their duties.

(12) The driver of any vehicle required to stop at a railroad crossing by s. 346.45, Stats., shall come to a full stop at a distance of not less than 15 feet nor more than 50 feet before crossing at grade any track of a railroad. The hazard warning lights shall be used when the HSV is slowing for the stop and shall remain on until the vehicle has resumed normal speed. While the vehicle is so stopped, the driver shall open the service door and listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train. After stopping and upon proceeding when it is safe to do so, the driver of such vehicle shall cross only in such gear of the vehicle as will make it unnecessary to manually shift gears while traversing the crossing and shall not shift gears while traversing the crossing. The door shall remain open until the front wheels of the HSV have cleared the first set of tracks for each required stop.

(13) Passengers shall comply with all orders given by drivers in carrying out the driver's responsibilities under the Wisconsin administrative code.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.06 Employer requirements.** It is the employer's responsibility to determine that qualified personnel operate the vehicle according to safe practices and that the vehicle is qualified for human services transportation.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.07 Out of service. (1)** Any vehicle that is found to be in such condition that is unsafe for use as a HSV will have an "out of service" sticker attached to the upper glass in the service door. The vehicle shall not be used as a HSV while such sticker is displayed.

(2) A vehicle with an "out of service" sticker displayed shall be reinspected after repairs are completed. The sticker shall be removed by an agent of the department of transportation prior to re-use as a HSV.

(3) It shall be illegal for any person other than an agent of the department of transportation to remove an "out of service" sticker unless the vehicle has the base registration removed and is reregistered in such a manner so as to prohibit its use as a human services vehicle.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

## Subchapter II—Equipment Standards

**Trans 301.10 Aisle.** Any HSV with a GVWR of more than 10,000 pounds or a vehicle with the aisle through the center of the unit shall have a minimum clearance of 12 inches leading to the emergency door when measured at any point between the seats or between any seat and emergency door frame in the case of a vehicle with a side emergency door. An open area for wheelchairs will not be considered an aisle.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.11 Brakes. (1)** Every HSV shall meet federal brake standards in effect at the time of manufacture.

(2) Every HSV with a GVWR of more than 10,000 pounds, equipped with air or vacuum assist brakes shall be equipped with a tank having a capacity of not less than 1,000 cu. in., a gauge, a low pressure warning system, and a check valve or pressure protective valve to protect the brake system.

(a) The gauge shall be illuminated and visible to the driver in the seated position. It shall be accurate to within 10% and shall indicate the air pressure or vacuum in the reserve tank.

(b) The low pressure warning device shall emit an audible or visual warning signal continuously when the air pressure in the brake system is 60 psi (pounds per square inch) or less or when the vacuum in the brake system is eight inches of mercury or less.

(c) Any accessory using air or vacuum shall not be operated from the air or vacuum reserve tank.

(3) Every HSV must be equipped with a power assist brake system.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.12 Bumpers.** Every HSV shall be equipped with front and rear bumpers properly attached to the vehicle to be effective in the event of an accident.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.13 Construction.** Every HSV with a GVWR of more than 10,000 pounds, or a capacity of more than 20 persons shall meet the requirements of the federal motor vehicle safety standards #220, school bus rollover protection as set forth below:

### MOTOR VEHICLE SAFETY STANDARD NO. 220

#### School Bus Rollover Protection

**S1. Scope.** This standard establishes performance requirements for school bus rollover protection.

**S2. Purpose.** The purpose of this standard is to reduce the number of deaths and the severity of injuries that result from failure of the school bus body structure to withstand forces encountered in rollover crashes.

**S3. Applicability.** This standard applies to school buses.

**S4. Requirements.** When a force equal to 1½ times the unloaded vehicle weight is applied to the roof of the vehicle's body structure through a force application plate as specified in S5., Test procedures—

(a) The downward vertical movement at any point on the application plate shall not exceed 5½ inches; and

(b) Each emergency exit of the vehicle provided in accordance with Standard No. 217 (\* 571 217) shall be capable of opening as specified in that standard during the full application of the force and after release of the force, except that an emergency exit located in the roof of the vehicle is not required to be capable of being opened during the application of the force. A particular vehicle (i.e., test specimen) need not meet the emergency opening requirement after release of force if it is subjected to the emergency exit opening requirements during the full application of the force. (41 F.R. 36027—August 26, 1976. Effective: 8/26/76)

**S5. Test procedures.** Each vehicle shall be capable of meeting the requirements of S4. when tested in accordance with the procedures set forth below.

**S5.1** With any non-rigid chassis-to-body mounts replaced with equivalent rigid mounts, place the vehicle on a rigid horizontal surface so that the vehicle is entirely supported by means of the vehicle frame. If the vehicle is constructed without a frame, place the vehicle on its body sills. Remove any components which extend upward from the vehicle roof.

**S5.2** Use a flat, rigid, rectangular force application plate that is measured with respect to the vehicle roof longitudinal and lateral centerlines,

(a) In the case of a vehicle with a GVWR of more than 10,000 pounds, 12 inches shorter than the vehicle roof and 36 inches wide; and

(b) In the case of a vehicle with a GVWR of 10,000 pounds or less, 5 inches longer and 5 inches wider than the vehicle roof. For purposes of these measurements, the vehicle roof is that structure, seen in the top projected view, that coincides with the passenger and driver compartment of the vehicle.

**S5.3** Position the force application plate on the vehicle roof so that its rigid surface is perpendicular to a vertical longitudinal plane and it contacts the roof at not less than two points, and so that, in the top projected view, its longitudinal centerline coincides with the longitudinal centerline on the vehicle, and its front and rear edges are an equal distance inside the front and rear edges of the vehicle roof at the centerline.

**S5.4** Apply an evenly-distributed vertical force in the downward direction to the force application plate at any rate not more than 0.5 inch per second, until a force of 500 pounds has been applied.

**S5.5** Apply additional vertical force in the downward direction to the force application plate at a rate of not more than 0.5 inch per second until the force specified in S4 has been applied, and maintain this application of force.

**S5.6** Measure the downward movement of any point on the force application plate which occurred during the application of force in accordance with S5.5.

**S5.7** To test the capability of the vehicle's emergency exits to open in accordance with S4 (b)—

(a) In the case of testing under the full application of force, open the emergency exits as specified in S4(b) while maintaining the force applied in accordance with S5.4 and S5.5; and

(b) In the case of testing after the release of all force, release all downward force applied to the force application plate and open the emergency exits as specified in S4(b).

**S6. Test conditions.** The following conditions apply to the requirements specified in S4.

**S6.1 Temperature.** The ambient temperature is any level between 32° F. and 90° F.

**S6.2 Windows and doors.** Vehicle windows, doors, and emergency exits are in fully-closed position, and latched but not locked

[41 F.R. 3874,  
January 27, 1976;  
49 CFR 571 220 (1976)]

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.14 Communications.** (1) Every HSV shall be equipped with some type of 2-way communication system. This system shall be of such design and installation that the vehicle operator shall at all times be able to communicate with either the base of operations or another intermediary party that could communicate with the base of operations.

(2) This subsection shall become effective on January 1, 1983.

History: Cr. Register, March, 1982, No. 315, eff. 1-1-83.

**Trans 301.15 Defroster.** (1) All defrosting equipment shall keep the windshield and the glazing to the left and right of the driver clear of fog and frost. The defroster outlets shall not be restricted in any way.

(2) Fans may be used in addition to defrosters, but shall be mounted so as not to obstruct the driver's view.

(3) Any exposed fan blades shall have a shroud.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.16 Emergency exit.** (1) Every HSV with a GVWR of more than 10,000 pounds shall be provided with emergency exits that comply with the following requirements.

(a) 1. The door shall be devised so as to be opened from the inside and outside.

2. The aisle to the emergency door shall be kept clear of obstructions.

(b) There shall not be any steps leading to the emergency door.

(c) The upper and lower portion of the central rear emergency door shall be equipped with approved safety glass, the exposed area of which shall be not less than 400 square inches in the upper portion and not less than 280 square inches in the lower portion. The left side emergency door shall be equipped with safety glass in the upper portion and lower portion shall be of at least the same gauge metal as the body. The emergency door shall be hinged on the right side if it is in the rear of the bus and on the front side if it is in the left side and shall open only outward. Control from the driver's seat shall not be permitted.

(d) The emergency door shall be equipped with a slide bar, cam-operated latch which shall have a minimum stroke of one inch. The latch shall be equipped with a suitable electric plunger-type switch connected with a distinctive audible signal, automatically operated which shall clearly indicate the unlatching of this door. A cutoff switch shall not be installed in the circuit. The switch shall be enclosed in a metal case and wires leading from the switch shall be concealed in the body. The switch shall be so installed that the plunger contacts the farthest edge of the slide bar in such a manner that any movement of the slide bar will immediately close the circuit and activate the signal. The door latch shall be equipped with an interior handle which shall be capable of quick release but shall be protected against accidental release. It shall lift up to release the latch. The outside handle shall be so constructed as to minimize hitching and shall be a nondetachable device.

(e) If locks are installed on the emergency door they shall include a device to prevent the activating of the starter mechanism of the vehicle engine while any door is locked. An audio alarm shall indicate to the driver when any door lock is in the locked position while the ignition switch is in the "on" position.

(f) A rear emergency window at least 16 inches in height and as wide as practicable shall be provided in any HSV where the emergency door is not in the rear. The rear window shall be designed so as to be opened from either the inside or the outside. It shall be hinged at the top and designed to prevent accidental closing in an emergency. A positive latch on the inside shall provide for quick release but offer protection against accidental release. The outside handle shall be nondetachable and designed to minimize hitching.

1. The inside of each emergency window or door shall have the designation "Emergency Exit." Concise operating instruc-

tions shall be located within 6 inches of the release mechanism. The outside of the emergency door shall be clearly marked "Emergency Door" or "Emergency Exit" in letters 2 inches high at the top of the door. An arrow at least 6 inches long and 3/4 inch in width indicating the direction the release mechanism should be turned to open the door shall be painted in contrasting or conspicuous colors. The outside of the emergency window shall be labeled "Emergency Exit" in letters at least 2 inches high directly above the window.

2. A distinctive audible signal, automatically operated shall clearly indicate to the driver the unlatching of any emergency window and no cutoff switch shall be installed in the circuit.

(g) The area on the inside above the emergency door shall be covered with padding at least 2 inches high to within 2 inches of each side of the door opening.

(2) Each HSV of 10,000 pounds or less GVWR need not have a specific emergency exit providing there are two separate openings where persons could exit the vehicle under normal circumstances.

(3) All doors shall be capable of being opened easily from the inside and outside including the rear door(s) of a van.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.17 Floor and floor covering.** Every HSV shall have a nonslip floor mat or covering wherever the driver or passengers normally place their feet or utilize floor space to get to their seats.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.18 Exhaust system.** The exhaust system which includes the exhaust manifolds, joining gaskets, piping leading from the exhaust manifold, the muffler(s) and tail pipe(s) shall not enter the HSV at any location. The exhaust system pipes shall be of nonflexible tubing. The exhaust system pipes shall extend to, but not beyond the rear limit of the bumper or to the body limits on the left side of the bus behind the driver's compartment, or may exit to the right side of the vehicle to the rear of the rear wheel. The complete exhaust system shall be tightly connected and free from leaks and shall be properly insulated from the electrical wirings or any combustible part of the vehicle.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.19 Fire extinguisher.** (1) Each HSV shall be equipped with a fire extinguisher mounted in full view in the driver's compartment or mounted inside a compartment in the driver's area if the compartment is in plain view and is labeled "Fire Extinguisher" to indicate its location. An automobile or station wagon may have the fire extinguisher mounted in the luggage area provided there is an indication on the dash that the fire extinguisher is so located.

(2) Fire extinguishers may be locked or kept in a locked compartment provided it is not locked when passengers are being transported. This subsection shall not apply to the cargo area of an automobile.

(3) The fire extinguisher shall be at least a 10 BC rating.

(4) All extinguishers shall be kept fully charged and sealed.

(5) All extinguishers shall be in a bracket or receptacle to secure it to the vehicle.

(6) CO2 extinguishers are prohibited from use in a HSV.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.20 First aid kit.** (1) Every HSV shall carry a first aid kit. The container shall be moisture and dust proof. It shall be secured in the vehicle.

(2) The kit shall be a 10 unit kit or larger containing the following:

Adhesive bandage, 1-inch	2 packets
Bandage compress, 2-inch	2 packets
Bandage compress, 4-inch	4 packets

Gauze compress, 24-inch x 24-inch minimum . . .	1 packet
Triangular bandage, 40-inch . . . . .	1 packet

(3) All units shall be in a sanitized package.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.21 Fuel tank and fuel system integrity. (1)**

All fuel systems and tanks shall be maintained free of leaks.

(2) All fuel lines shall be fastened in a manner that will prevent wear.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.22 Heaters. (1)** An inside temperature of not less than 50° Fahrenheit at average minimum January temperatures as established by the U.S. department of commerce, weather bureau, for the area in which the vehicle is to be operated shall be maintained throughout the HSV.

(2) The heater hose shall be adequately supported to guard against excessive wear or abrasion and shall not interfere with or restrict the driver. Heater hose or lines inside the driver or passenger compartment shall be shielded to prevent accidental contact by driver or passengers.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.23 Instruments and gauges. (1)** The HSV shall be equipped with the following illuminated instruments to indicate malfunctions or gauges to indicate a measure or capacity.

(a) Air pressure of vacuum, where air or vacuum brakes are used with low energy supply warning system.

(b) Ammeter, voltmeter or electrical capacity.

(c) Fuel.

(d) Oil pressure.

(e) Water temperature.

(2) The gauges or instruments shall be mounted in such a manner that each is clearly visible to the seated driver.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.24 Interior. (1)** The interior of a HSV shall be free of all unnecessary projections likely to cause injury. This standard requires inner lining on ceilings and walls.

(2) Rearward metal panels shall be lapped over forward panels to reduce likelihood of injury in the event of separation. Exposed edges of all interior panels shall be beaded, hemmed or flanged.

(3) No projections from the ceiling will be allowed in the entrance way or aisle. All speakers must be flush mounted except in the driver's compartment. This requirement is applicable to any HSV put into service after January 1, 1982.

(4) The interior of the HSV shall be kept free of litter or debris.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.25 Lights, lamps, and reflectors. (1)** The lights, lamps, and reflectors required for a HSV shall be those required by ch. 347, Stats.

(2) All lights and lamps shall be operational and the reflectors shall not be damaged or broken.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.26 Mirrors. (1)** Every HSV with a GVWR of more than 10,000 pounds shall have an interior rearview mirror at least 6 x 30 inches overall. There shall also be 2 exterior clear view outside rearview mirrors, one to the left and one to the right of the driver. Area of each mirror shall be not less than 50 square inches overall. Each mirror shall be firmly supported and adjustable to give driver clear views past left rear and right rear of vehicle. The right outside mirror mounts shall include a side angle adjustable convex mirror to provide an additional close-in field of vision located so as not to reduce the visual field of the flat surfaced mirror below 50 square inches, or as an option, have a front mounted mirror; these shall provide a view from the service door rearward.

(2) Each HSV with a GVWR of 10,000 pounds or less shall have:

(a) One interior rearview mirror.

(b) Two outside rearview mirrors. One shall be on the right side and one on the left side of the vehicle.

(3) Every HSV except an automobile or station wagon transporting minors shall be equipped with a 7 inch cross-view mirror providing a reflection of the road from the front bumper to a point where direct observation is possible.

(4) Mirrors which are cracked, broken, or clouded shall be replaced.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.27 Openings. (1)** Every HSV shall have all openings between the engine and passenger compartments adequately sealed to prevent engine fumes from entering the passenger compartment. Every HSV shall have doors which have a weatherstrip (weatherstrip) to prevent drafts, or inclement weather from entering the vehicle.

(2) Every HSV shall be free of rust or rusted areas which could permit the entrance of foreign substance into the interior of the vehicle.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.28 Rub rails. (1)** Every HSV with a GVWR of more than 10,000 pounds shall comply with the following requirements:

(a) There shall be one rub rail located approximately at seat level which shall extend from the rear side of the service door to the rear of the vehicle and one rub rail located on the left side from the front to the rear.

(b) There shall be one rub rail located between the floor line and 9 inches above the floor line. It shall extend over the same longitudinal distance as the upper rub rail, except where it meets the wheel housing, and which may terminate at the radii of the right and left rear corners.

(c) Rub rails shall be constructed of 16 gauge longitudinally corrugated or ribbed steel of at least 4 inch width. Each rub rail flange shall be attached at each body post. Pressed-in or snap-on rails are not permitted.

(2) Human services vehicles with a GVWR of 10,000 pounds or less are not required to have rub rails.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.29 Seating. (1)** All seats shall be forward facing and securely fastened to that part or parts of the body which support them. A passenger seat cushion retention system shall be employed to prevent passenger seat cushions from disengaging from seat frames in event of accident.

(2) The top corners and at least 10 inches of the top of the back surface of the seat backs shall be padded sufficiently to reduce the likelihood of injury. Hand holds may be incorporated on the aisle side of a seat back. These holds are exempt from the padding requirement.

(3) Fold down, fold up or reclining seats will not be approved for use in a HSV except in a station wagon or suburban type vehicle. Rear or center facing seats in a station wagon are not permitted.

(4) All passengers aboard a HSV shall be seated in a permanently mounted seat. The department will interpret the removable seat in a van as being a permanently mounted seat. This subsection does not apply to persons transported in a wheelchair or some other device which would make this provision impractical.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.30 Service door. (1)** The service door shall be the door(s) usually used by the majority of the passengers for entering and leaving the HSV. In a vehicle commonly referred to as a van, this may be either the right front door or the door(s) located

near the center of the vehicle on the right side. The van door may be either on a sliding glideway or may open outward.

(2) Service door shall be located on right side of vehicle.

(3) Service door shall be so designed as to prevent accidental opening.

(4) In a vehicle of more than 10,000 pounds GVWR, the lower as well as upper panels shall be of safety glass.

(a) The bottom of the lower glass panel shall not be more than 35 inches from the ground when vehicle is unloaded.

(b) The upper glass shall be hermetically sealed. This paragraph shall apply to any HSV manufactured after January 1, 1982.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.31 Steering.** All components and linkages for the steering system shall be properly maintained.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.32 Steps.** (1) The first step at the service door shall be not more than 16 inches from the ground. The use of a portable step shall not be considered in meeting this requirement.

(2) The riser of the upper step at the service door shall be not more than 15 inches.

(3) A grab handle not less than 10 inches in length shall be provided in an unobstructed location inside doorway to assist a person entering or leaving a HSV.

(4) The surface of the steps shall be of nonskid material or construction.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.33 Suspension system.** (1) All suspension system components shall be maintained to meet manufacturer's ratings.

(2) Every HSV shall be equipped with front and rear shock absorbers compatible with manufacturer's rated axle capacity.

(3) The shock absorbers shall be free of leaks and all mountings shall be properly maintained.

(4) A vehicle may not be operated with any broken spring leafs or worn, loose, mislocated shackles or "U" bolts.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.34 Tires.** (1) The front and rear tires shall have tread depth of at least 2/32 inch around the entire periphery measured at 2 points no less than 15 inches apart in any major tread groove. Vehicles with a GVWR of more than 10,000 pounds shall have front tires with a minimum of 4/32 inch tread depth and rear tires with a minimum of 2/32 inch tread depth.

(2) A HSV shall not be operated with regrooved, recapped or retreaded tires on the front wheels.

(3) A HSV shall not be operated with cuts or chunks missing exposing the cord, recaps peeled loose or off, or showing an indication of ply separation.

(4) Tires of different size or ply rating may be used except that all tires on an axle must be the same size and ply rating.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.35 Windows.** (1) In this section:

(a) "ANS Z26.1" means the standards for glazing in land vehicles adopted by the American national standards institute, 1430 Broadway, New York, New York 10018, under its designation Z26.1-1966, including supplement Z26.1a-1969. These standards are on file in the offices of the department of transportation, the secretary of state, and the revisor of statutes and may also be obtained from the American national standards institute at the address given above.

(b) "AS1" to "AS11" have the same meaning as in section 6 of ANS Z26.1.

(c) "AS12" means a safety plastic material that:

1. Complies with tests 10, 13, 16, 17, 21 and 24 of ANS Z26.1;

2. Complies with tests 19 and 20 of ANS Z26.1 with the exception of the test for resistance to undiluted denatured alcohol; and

3. In new vehicles or replacement glazing, has affixed a manufacturer's label specifying instructions and agents for cleaning the material that will minimize the loss of transparency.

(d) "AS13" means a safety plastic material that:

1. Complies with tests 16, 22, and either 23 or 24 of ANS Z26.1;

2. Complies with tests 19 and 20 of ANS Z26.1 with the exception of the test for resistance to undiluted denatured alcohol; and

3. In new vehicles or replacement glazing, has affixed a manufacturer's label specifying instructions and agents for cleaning the material that will minimize the loss of transparency.

(2) The glazing in windows to the right and left of driver shall be identified by the designation AS1 or AS2. The rear-most windows (in the rear) shall be designated AS1 or AS2 except that the lower glazed portion of the emergency door may be designated AS8. Any other side push-out or kick-out windows may be identified with glazing designated as AS1, AS2, AS3, AS4, AS5, AS12 or AS13. Side windows not easily removable shall be identified as AS1, AS2 or AS3. Replacement glazing shall comply with these requirements.

(3) All windows shall operate freely.

(4) On vehicles of more than 10,000 pounds GVWR:

(a) The window immediately to the rear of the service door shall be hermetically sealed glass with an insulating air space. When a lift or ramp is installed immediately to the rear of the service door, the hermetically sealed window shall be located to the immediate rear of such opening. If there is a window forward of the service door, this window shall also be hermetically sealed. This paragraph shall apply to any HSV put into operation after January 1, 1982.

(b) A HSV may be equipped with a push-out type window for emergency exit. These shall be hinged at the top. These windows shall be identified as an emergency exit with concise operating instructions located within 6 inches of the release mechanism or other location to adequately inform a passenger of the presence of the emergency exit.

(c) A distinctive audible signal, automatically operated shall clearly indicate to the driver the unlatching of an emergency window when the ignition is in the "ON" position. No cutoff shall be installed in the circuit.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.36 Windshield.** The glass in the windshield shall be laminated safety glass identified by the designation AS1. This mark shall be visible and legible. The glass shall be of such quality as to prevent distortion of view in any direction.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.37 Windshield washer.** (1) Every HSV shall be equipped with a windshield washer system that will provide fluid for the wipers to effectively clean the windshield.

(2) The washer system shall be maintained and operational.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.38 Windshield wipers.** Every HSV shall be equipped with 2 windshield wipers (mechanism, arms, blades). The system shall have at least 2 speeds.

History: Cr. Register, March, 1982, No. 315, eff. 4-1-82.

### Subchapter III—Special Equipment Requirements

**Trans 301.60 General requirements.** (1) Vehicles for transporting handicapped persons shall comply with current Wisconsin statutes and rules except for modifications necessary for the installation of special equipment. Such modifications or exceptions are set forth in this section through s. Trans 301.66.

(2) Any HSV used for transporting handicapped persons in wheelchairs shall be equipped with a side ramp or a lift located on the right side of the body. The side ramp or lift may not be attached to the exterior of the body, but shall be completely contained and securely fastened within the perimeter of the vehicle body when not in operation. A ramp or a lift utilizing a HSV rear door may not be used to load or discharge any person on a highway as defined by s. 340.01 (22), Stats. Unless otherwise prohibited, however, a ramp or a lift utilizing a HSV rear door may be used to load or discharge a person in an area other than a highway as defined by s. 340.01 (22), Stats. If a HSV equipped with a ramp or a lift using the HSV rear door is used to load or discharge persons only in areas other than a highway as defined by s. 340.01 (22), Stats., and is never used to load or discharge persons on the highway or where otherwise prohibited, the HSV need not be equipped with a side ramp or lift located on the right side of the body.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82; emerg. am. (2), eff. 6-29-83; am. (2), Register, December, 1983, No. 336, eff. 1-1-84.

**Trans 301.61 Special service opening.** (1) There shall be an enclosed door opening located on the right side of the HSV and far enough to the rear so that any forward mounted door when fully opened will not obstruct or interfere with the normal operation of the regular service door.

(2) A device shall be provided to hold doors in a wide open position of at least 90°.

(3) Door materials and structural strength shall be equivalent to conventional service and emergency doors.

(4) Each door shall have a glass window meeting the requirements of s. Trans 301.35.

(5) The door shall be equipped with a device that will actuate an audible or visual signal located in the driver's compartment when door is not securely closed and latched and may deactivate when door is fully opened. This subsection shall be applicable to vehicles manufactured after January 1, 1982.

(6) Door panel(s) shall enclose the complete opening in the body made necessary by the installation of a side ramp or power lift.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.62 Power lift.** (1) The lifting mechanism shall have a minimum capacity of 700 pounds.

(2) All power lift mechanism(s) shall be enclosed.

(3) Power lift may be mounted to chassis frame.

(4) Lift platform edges shall be designed to prevent wheelchairs or attendant's feet from becoming entangled during raising and lowering process.

(5) Platform floor surface shall be of nonskid material.

(6) Platform shall lock mechanically when in the stored position. A power lift designed to remain in a rigid position with the power off is exempt from having a mechanical lock. The intent of this paragraph is to prevent a lift from having any movement while the vehicle is in motion.

(7) Up and down limits shall be controlled by limit switch or by-pass valve. A lift with gravity lowering capabilities is exempt from having a by-pass valve.

(8) Positioning power lift shall be controlled by switches which give the operator instant and positive control to move, stop, or reverse the lift travel at will.

(9) With the exception of floor molding, no metal screws are to be used in fabrication of platform assembly.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.63 Ramps.** A floor ramp shall be covered with nonskid material. A ramp when in the stored position shall be locked by a mechanical device to prevent its movement while the vehicle is in motion.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.64 Stanchions and barriers.** (1) Barriers shall be furnished to provide a restraint for passengers. If the vehicle is a van and has only seats with no area for wheelchairs, it is exempt from having barriers. The most forward seat behind an open area for wheelchair use and the most forward seat behind a power lift or ramp shall be protected by a barrier. Barriers and stanchions shall be padded.

(2) All inside and rear facing surfaces except the platform surface of a lift shall be padded.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.65 Wheelchair fasteners.** (1) Each wheelchair shall be secured to the vehicle before the vehicle moves from the parked position with a fastening device with sufficient strength to:

(a) Retain the chair in the event the vehicle overturns.

(b) Prevent the chair from moving.

(c) Prevent the chair's wheels from leaving the floor in the event of a sudden stop or start.

(2) The device may be either a metal locking unit that secures the wheelchair to the wall or floor or a webbing belt system that accomplishes the same purpose.

(3) There shall be no wheelchair attachment to any door.

(4) If a webbing belt system is used it shall be secured to the vehicle at not less than 2 points with bolts, nuts, and lock washers or self-locking nuts, or with a positive latching mechanism of matching interlocking units which permits the belt portion to be removed and stored. The webbing system shall be free of any tears or damage to the locking mechanism.

(5) A webbing belt used to secure the wheelchair to the body frame shall not be used to secure the passenger to the wheelchair.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**Trans 301.66 Seats and restraints.** (1) Seat frames may be equipped with a device to which belts or restraining harnesses may be attached.

(2) Every occupant shall be secured to the wheelchair while being transported.

(3) Vehicles designed to transport wheelchairs may have aisle facing seats over the wheel housing provided they are equipped with a device to prevent a passenger from sliding off either end. A seat belt will not in itself meet this requirement. The seat shall be permanently mounted and shall not fold up or down.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

#### Subchapter IV—Inspection and Enforcement Standards

**Trans 301.95 General requirements.** (1) Any item if covered by a standard in this rule shall upon replacement be replaced with an item meeting the original standard. Any modification of a HSV shall be made to conform to federal and state regulations at the time of modification.

(2) A panel truck shall not be used as a HSV. A station wagon having a wood body shall not be used as a HSV.

(3) The enforcement policy of the department of transportation shall take into consideration the age, condition, and equipment of vehicles before granting approval for their continued use. The department of transportation shall prohibit the use of any vehicle as a HSV which is deemed to be unsafe or unfit for such service. In construing and enforcing the provisions of this chapter, the act, omission or failure of any officer, agent, service or other person acting for or employed by the registered owner or the lessee of the vehicle, whoever has control, done within the scope of employment is deemed to be the act, omission or failure of such registered owner or lessee, except that this sentence shall not apply to violations of ch. 346, Stats.

(4) It is the responsibility of the owner or operator to have the HSV inspected annually. After notification by the owner or opera-

tor that vehicles are to be inspected, the department shall attempt to inspect the vehicle(s), contingent on other duties, at the earliest time available. During subsequent inspection periods the department will attempt to perform the inspections without notification; however, the responsibility remains with the owner to have the HSV inspected.

(5) Any person violating s. Trans 301.05(9) shall be prosecuted as set forth in s. 346.97(4)(b), Stats. Violations of any other provision of this rule shall be prosecuted as set forth under s. 346.97(3)(e), Stats.

(6) This rule applies to all HSVs except vehicles owned by volunteers. Human services vehicles formerly in compliance as

school buses may continue to meet those requirements, or may convert to meet the requirements of this rule. In the event that the vehicle is converted from a school bus, all identification requirements of a school bus must be removed. Upon conversion, the owner must repaint a vehicle meeting the yellow-black color scheme to some other color by January 1, 1987. The stop arm, school bus sign and alternating flashing red lights must be removed immediately upon conversion. Human services vehicles put into service in Wisconsin after the effective date of this rule shall comply with the requirements in effect at the time they are inspected as a HSV.

History: Cf Register, March, 1982, No. 315, eff 4-1-82; correction in (3) made under s. 13.93 (2m) (b) 5., Stats., Register, August, 1996, No. 488.