

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

PROPOSED ORDER AMENDING PERMANENT RULE

The Wisconsin Department of Transportation proposes an order to:

Repeal s. Trans 309.02(6); **Amend** ss. Trans 309.02 (12), (13), (14), 309.03 (title), (3) (a), (3) (b) 1.(intro.), (3) (b) 1. a., (4), (7), 309.04 (1), 309.06, 309.07 (5), 309.08 (1), 309.10, 309.11, 309.12 (3), (5), 309.14, 309.15 (1), (2) (c), 309.16 (2), 309.18 (1), 309.19 (2) (b); **Repeal and Recreate** ss. 309.02(4), (5), 309.08(2), 309.09(1)(b) and Subchapter III of ch. Trans 309; and **Create** ss. Trans 309.02 (1k), (6k), (6r), (9k), (9r), (15), (16), 309.03 (5) (j) to (t), (8), (9), 309.06 (2), 309.08 (3), (4), 309.12 (6), (7), (8), 309.14 (2), 309.15 (2) (g), (4), 309.19 (2) (c), 309.205, 309.207, 309.209.

INTRODUCTION

The Statement of Scope for this Permanent Rule, SS 110-13, was approved by the Governor on August 12, 2013, published in Wisconsin Administrative Register No. 693 on September 14, 2013, and approved by the Secretary of the State of Wisconsin Department of Transportation Mark Gottlieb, P.E., on September 13, 2013, as required by s. 227.135 (2), Stats.

The State of Wisconsin Department of Transportation (Department) proposes an order to amend permanent rule ch. Trans 309 relating to Ambulance Inspection and affecting small businesses. The analysis below was prepared by the Department.

ANALYSIS

Statutes Interpreted: Section 341.085, Stats.

Statutory Authority: Sections 341.085 and 227.11, Stats.

Explanation of Agency Authority: Section 341.085, Stats., provides the statutory authority of the Department regarding ambulance inspection and s. 341.085 (2), Stats.

authorizes the Department to adopt rules to prescribe ambulance service equipment and standards.

Related Statute or Rule: None.

Plain Language Analysis: Chapter Trans 309 has not been revised by the Department of Transportation since 1999. Since this time, there have been many changes and advances throughout the industry. The revision of ch. Trans 309 is necessary to update the rules and regulations with industry standards and for the Department to continue to lead in ambulance safety as well as protecting the consumer, general public and those travelling throughout the State.

Comparison with Rules in Adjacent States:

Illinois. Per Illinois Title 77, Chapter I, Subchapter f, part 515, Section 515.830, requires a Federal Department of Transportation vehicle inspection every six months and passing vehicles receive a Safety Sticker. New ambulances and all other ambulances are inspected once per year by one of the 3 inspectors or the supervisor from the Illinois Department of Health for Basic lifesaving equipment and the U.S. General Services Administration's Specification for ambulances (KKK-A-1822F) with exemptions. Equipment carried in ambulances above the Basic lifesaving level is inspected by the ambulance services designated hospital. Inspection also includes audits of licensing requirements of ambulance services and the emergency medical technicians. Currently reviewing the three ambulance build standards, CAAS, NFPA and GSA.

Iowa. Per Iowa Public Health 641 Chapter 132 and joint rule 147A4 requires all ambulances in Iowa to be inspected by one of four Department of Public Health ambulance inspectors at least every three years. The inspections include a limited mechanical

inspection as well as an inspection of medical equipment. Medical equipment carried by the services depends on the scope of practice as set by policies and medical direction. Iowa ambulance inspectors can inspect and/or audit equipment and records of any service program every three years or as necessary to ensure compliance with Iowa codes and rules. Inspection also includes audits of licensing requirements of ambulance services and the emergency medical technicians. Currently in the process of reviewing their rules and may adopt in part or whole the CAAS Ground Vehicle Standard for Ambulances in the future.

Michigan. Per Michigan Public Health Code Act 368 Section 333.20923 requires any new ambulance, any replaced ambulance or any upgraded ambulance to be inspected by one of the five regional coordinators/inspectors of the Department of Health & Human Services in Michigan before it is licensed to be in service. Spot checks are also done on 25% of ambulances throughout the year in Michigan. Inspections by a certified mechanic are required on ambulances that are purchased that are over two years old. Medical equipment carried varies in Michigan based on the level of service provided. The equipment list provided by Michigan is very similar to the equipment required in Wisconsin. One major difference is all drugs are provided in sealed kits by pharmacists at service designated hospitals. Inspection also includes audits of licensing requirements of ambulance services and the emergency medical technicians. Starting the process to revise rules to state ‘certification of a ground ambulance as it relates to structural and mechanical specifications, excluding the paint scheme, must comply with the standards in place at the time of manufacture for federal KKK standards, or; a. CAAS GVS, in its entirety or b. NFPA 1917, in its entirety.’.

Minnesota. Per Minnesota Statute 144E.18 Rule 4690.3300 requires the ambulances to be inspected once every two years by one of the five Minnesota ambulance inspectors as set by Minnesota State Emergency Medical Services Regulatory Board. These inspections are of limited mechanical/lighting inspections and a more in-depth medical equipment inspection. Minnesota ambulances that comply with Federal Specification KKK-A-1822 with exceptions are deemed to comply with State Standards. Minnesota requires a list of basic lifesaving equipment similar to Wisconsin and then requires services with advanced life support licenses to carry equipment that is approved by the licensee's medical director. Inspection also includes audits of licensing requirements of ambulance services and the emergency medical technicians. Minnesota is not currently enforcing the federal build standards. Currently they have a workgroup reviewing the GVS-CAAS v1 standard and the NFPA-1917 standards.

Summary of the Factual Data and Analytical Methodologies that the Agency Used in Support of the Proposed Rule and How Any Related Findings Support the Regulatory Approach Chosen for the Rule: The proposed rule was written to revise Trans 309 to not only update but also return parts of the inspection process where they logically fit. In 2012 there was a NHTSA National Highway Transportation Safety Administration study in Wisconsin with the Department of Health Services titled The Reassessment of Emergency Medical Services. In this study, there was a recommendation on page 12 that states *“Consolidate ambulance inspection and licensing authority within the Department of Health Services with sufficient funding and personnel to support the function”*. Also on page 21 it notes, *“There is a standardized list of ambulance equipment, including pediatric equipment, listed in the administrative rule Trans 309. The EMS Unit has worked with*

DOT to develop licensing rules and makes suggestions regarding qualifications for inspection personnel. However, the equipment list has not been updated for over 12 years and the language resides in the DOT administrative rule. Both Dot and the EMS Unit will be reviewing the list for updates but constituents expressed the desire to have this inspection function within the EMS Unit.” By removing section III, Equipment Standards from Trans 309 and moving it under the control of the Department of Health, EMS Unit where the expertise for the type of medical equipment carried and testing needed for this equipment lies is a logical fit. DOT will continue to inspect the Vehicle, maintenance of the vehicle and emergency lighting areas of the ambulances where the Department of Transportation’s expertise lies. However, because of public comments received during review of the draft rule, the removal of medical equipment standards from Trans 309 will be deferred until July 15, 2023, to allow the Department of Health Services to obtain clear authority and capacity to inspect ambulances for medical equipment. This rulemaking therefore revises Subchapter III to create updated ambulance medical equipment standards that will be in effect for Department inspections until their July, 2023 repeal.

Analysis Regarding Rule’s Effect on Small Businesses: There are three types of ambulance services in the State of Wisconsin, private ambulance services, not for profit ambulance services and municipal ambulance services. Several of these ambulance services throughout the state would qualify as a small business under s. 227.114, Stats. This rule making will add minor additional costs to ambulance services by adding some equipment however by removing the Medical Equipment inspection area and turning it over to the Department of Health Services EMS Section and the Services Medical Directors it will lessen the amount of time spent on the inspection and lessen the burden on small

business. Another option that may be used for the medical equipment inspections by the services and DHS is having private businesses that test and certify medical equipment that are already operational around the State performing inspections. This rulemaking will add minor additional costs to ambulance services by adding some equipment; however, it will also be offset by removing some equipment that was previously required. Many of the revisions made are already in requirements from the federal ambulance build standards and in the Wisconsin Department of Health Services Emergency Medical Services requirements for ambulances.

This rulemaking is a revision of the existing Transportation Rule 309 and is updating the rule to be more in line with current practices in ambulance operations in the State of Wisconsin.

Effect on small business: Ambulance services may see an increase in costs with this rulemaking by having to add new equipment or from obtaining annual Department of Transportation inspections. However, costs may also decrease or remain similar to current costs for ambulance services because this rulemaking will also provide areas where services can decrease equipment being carried. The benefits and safety advances incurred by this rulemaking should be very beneficial to the ambulance services as well as the consumers.

Anticipated costs incurred by private sector: This rulemaking will require new equipment to be carried on ambulances and new configurations to ambulances however this effect should be minimal financially on ambulance services. Numerous changes have been required on a federal build level for years and ambulances have had these changes and updates incorporated and the rule making is being updated to include these changes. In November of 2016 The Division of State Patrol has asked numerous vehicle service centers around the State for

pricing for annual Department of Transportation inspections. The prices for the inspections ranged from \$0 to \$115. The services that did not charge a fee require any defects to be repaired by their technicians. The average cost for the annual inspection was \$86.55.

- Osseo Ford Osseo, WI \$79.00 (one hour rate) + form and decal
- Phillips Service Center Phillips, WI \$80.00
- Roberts Repair Rhinelander, WI \$88.94
- Twin Ports Fleet Maintenance, Superior, WI \$79.00
- La Crosse Truck Center, La Crosse, WI \$89.00
- Mid State Truck Service Inc., Wausau, Wisconsin Rapids, Plover, Chippewa Falls, Marshfield & Abbotsford, WI \$60.00, (Wausau location includes inspection with oil changes, no extra charge)
- Quality Truck Care Center, Green Bay, Appleton, Oshkosh & Fond Du Lac, WI \$76.08, (\$75.00 for the inspection and \$1.08 for the DOT paperwork & sticker)
- Badger Truck Center, Milwaukee, WI \$115.00
- Meier Truck Fleet Repair, Madison, WI \$110.00

Depending on the ambulance service, many will be able to perform the inspections themselves as they have certified inspectors/technicians on staff.

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://docs.legis.wisconsin.gov/code>.

Agency Contact Person:

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Place Where Comments Should Be Submitted and Deadline: Comments may be submitted to the agency contact person listed above or through the Legislature's

Administrative Rules website <http://docs.legis.wisconsin.gov/code> until the deadline given in the forthcoming notice of public hearing.

TEXT OF PERMANENT RULE

SECTION 1. Trans 309.02 (1k) is created to read: “Advanced emergency medical technician” has the meaning given in s. 256.01 (1k), Stats.

SECTION 2. Trans 309.02 (4) is repealed and recreated to read: “Emergency medical technician” has the meaning given in s. 256.01(6), Stats.

SECTION 3. Trans 309.02 (5) is repealed and recreated d to read: “Emergency medical technician — intermediate” has the meaning given in s. 256.01(7), Stats.

SECTION 4. Trans 309.02(6) is repealed.

SECTION 5. Trans 309.02 (6k) and Trans 309.02(6r) are created to read:

Trans 309.02 (6k) “Gross Axle Weight Rating” or “GAWR” means the maximum distributed weight that may be supported by an axle of a road vehicle.

Trans 309.02 (6r) “Gross Vehicle Weight Rating” or “GVWR” means the combination of the vehicle’s curb weight and total usable payload.

SECTION 6. Trans 309.02 (9k) is created to read: “OEM” means original equipment manufacturer.

SECTION 7. Trans 309.02 (9r) is created to read: “Paramedic” has the meaning given in s. 256.01(14), Stats.

SECTION 8. Trans 309.02 (12) is amended to read:

Trans 309.02 (12) “Type I ambulance” means an ambulance of 10,001 to 14,000 pound GVWR, that is constructed on a cab chassis furnished with a modular unit ambulance body ~~a motor truck with a modular unit having a rear window opening or a walk through from the cab to the modular unit.~~ “Type I ambulance” includes a vehicle that is used for a combination of fire and ambulance purposes.

SECTION 9. Trans 309.02 (13) is amended to read:

Trans 309.02 (13) ~~“Type II ambulance” means a van type vehicle constructed or converted with a raised roof.~~ “Type I-AD ambulance” means an ambulance of 14,001 pound GVWR or more that is constructed on a cab chassis with a modular ambulance body.

SECTION 10. Trans 309.02 (14) is amended to read:

~~Trans 309.02 (14) "Type III ambulance" means a specialty van and modular unit with a rear window opening or walk through from the cab to the modular unit. "Type II ambulance" means an ambulance constructed on a van chassis.~~

SECTION 11. Trans 309.02 (15) and 309.02 (16) are created to read:

Trans 309.02 (15) "Type III ambulance" means an ambulance of GVWR from 10,001 to 14,000 pounds that is constructed on a cutaway van chassis with integrated modular ambulance body.

Trans 309.02 (16) "Type III-AD ambulance" means an ambulance of 14,001 pound GVWR or more that is constructed on a cutaway van chassis with integrated modular body.

SECTION 12. Trans 309.03 (title) is amended to read:

Trans 309.03 **Inspections and Enforcement.**

SECTION 13. Trans 309.03 (1g) is created to read:

Trans 309.03 (1g) Ambulance service providers based out of state but operating in Wisconsin shall have their home state's most current inspection on file with the department and shall comply with all Wisconsin motor vehicle legal requirements including ch. Trans 305, ch. 347, Stats., and this chapter, except for inspection by the department under sub. (1).

SECTION 14. Trans 309.03 (3) (a) is amended to read:

Trans 309.03 (3) (a) Except as provided in sub. (4), if upon inspection a vehicle is found to be unsafe or improperly constructed or equipped for use as an ambulance, or if the ambulance service provider's license has been revoked, the inspector shall attach an "OUT OF SERVICE" sticker to the glass in the rear door of the vehicle. A vehicle may not be put in service as an ambulance while the sticker is so displayed. Except as provided in par. (b), the "OUT OF SERVICE" sticker displayed shall be re-inspected by and shall have the sticker removed after passing reinspection by an employee of the division of state patrol or authorized agent of the service provider at the direction of the division of state patrol employee prior to reuse as an ambulance. The "OUT OF SERVICE" sticker shall not be removed until may be removed only by a department authorized inspector and only after the deficiencies noted on the inspection report have been corrected, or the ambulance provider's license has been reinstated, ~~and the vehicle has been reinspected and approved by the department.~~

SECTION 15. Trans 309.03 (3) (b) 1.(intro.) is amended to read:

Trans 309.03 (3) (b) 1. If a vehicle that has been declared "out of service" or is no longer able to serve as an ambulance, the owner or lessee of the vehicle shall remove the "OUT

OF SERVICE" sticker and all special ambulance markings and features from the vehicle, including all of the following:

SECTION 16. Trans 309.03 (3) (b) 1. a. is amended to read:

Trans 309.03 (3) (b) 1. a. The warning, flood lights and siren unless the vehicle is being converted for use as another kind of authorized emergency vehicle. The current owner or lessee must physically remove all lighting equipment required by s. Trans 309.15 (2), the siren and public address equipment required by s. Trans 309.17 and all lettering and markings required by s. Trans 309.19. All equipment required in subch. III. Ambulance lighting shall be brought into compliance with vehicle general lighting requirements in ch. 347, Stats. and ch. Trans 305.

SECTION 17. Trans 309.03 (4) is amended to read:

Trans 309.03 (4) If upon inspection a vehicle is found defective or deficient but, in the judgment of the inspector, may nevertheless be operated as an ambulance without seriously affecting the safe transportation of sick, injured, disabled persons or general public, the inspector shall note the deficiency on the ambulance inspection report and shall specify the time, not to exceed 30 days, in which the ambulance service provider is required to correct the defect or deficiency. The inspector may require proof of correction of the defect or deficiency in writing. If the defect or deficiency is not corrected within the time allowed, the vehicle may not be used as an ambulance.

SECTION 18. Trans 309.03 (5) (j), 309.03 (5) (k), 309.03 (5) (m), 309.03 (5) (n), 309.03 (5) (o), 309.03 (5) (p), 309.03 (5) (q), 309.03 (5) (r), 309.03 (5) (s), and 309.03 (5) (t) are created to read:

Trans 309.03 (5) (j) A malfunctioning or inadequate environmental climatic control system.

Trans 309.03 (5) (k) A malfunctioning or inadequate cot or cot securement system.

Trans 309.03 (5) (m) Inoperative complete front, side or rear emergency lighting.

Trans 309.03 (5) (n) An inoperative siren.

Trans 309.03 (5) (o) Carbon monoxide concentrations within the vehicle greater than 10 ppm (parts per million) above the outside ambient carbon monoxide concentration.

Trans 309.03 (5) (p) A malfunctioning or inadequate steering system.

Trans 309.03 (5) (q) Belts that are damaged, contaminated by oil or improperly adjusted.

Trans 309.03 (5) (r) A defective or inadequate suspension system.

Trans 309.03 (5) (s) The ambulance exceeds the GVWR as set by the OEM.

Trans 309.03 (5) (t) The ambulance exceeds the GAWR as set by the OEM.

SECTION 19. Trans 309.03 (7) is amended to read:

Trans 309.03 (7) The penalty for violating sub. (5) (a) to (h) or (j) to (t) is a forfeiture of up to \$50.00 per violation. The penalty for violating sub. (5) (i) is a forfeiture of up to \$100.00. The penalty for violating sub. (6) is a forfeiture of up to \$200.00.

SECTION 20. Trans 309.03 (8) and 309.03 (9) are created to read:

Trans. 309.03 (8) (a) The ambulance service provider shall notify the inspector as soon as possible if an ambulance is involved in a motor vehicle crash which involves serious injury or death.

(b) If an ambulance is being placed back into service after being involved in a crash the ambulance service shall notify the inspector and shall provide proof of the repairs in writing before being placed back into service.

Trans 309.03 (9) (a) The department shall consider the age, condition, and equipment of ambulances before granting approval for their continued use. The department shall not permit the use of any ambulance for emergency medical purposes which is deemed to be unsafe or unfit for such service.

(b) In construing and enforcing the provisions of this chapter, the act, omission or failure of any officer, agent, servant or other person acting for or employed by the registered owner or the lessee of the ambulance is deemed to be the act, omission or failure of such registered owner or lessee. This subsection does not apply to violations of ch. 346, Stats.

SECTION 21. Trans 309.04 (1) is amended to read:

Trans 309.04 **Specialized emergency medical care vehicles.** (1) In recognition of their highly specialized design, construction, equipment and function, mobile intensive care transport units, critical care transport units and intensive care vehicles designed and equipped for neonatology medical services, that are used only for transportation of patients between hospitals, are exempt from the vehicle equipment standards prescribed in ss. Trans 309.09 to 309.11, 309.14, 309.15 (3), 309.18 and 309.19 and subch. III.

SECTION 22. Trans 309.06 is amended to read:

Trans 309.06 **Sales or lease of new or used vehicles for use as ambulances.** (1) Any person selling or leasing any new or used vehicle that is intended to be used as an ambulance shall provide the purchaser or lessee with a written notice stating that the vehicle complies with the requirements of ss. Trans 309.09 to 309.16.

SECTION 23. Trans 309.06 (2) is created to read:

Trans 309.06 (2) An ambulance may be loaned or leased to an ambulance service provider by an ambulance manufacturer or dealer in order to avoid a hardship on that ambulance service provider and the emergency medical service needs of the community or communities it represents. The ambulance service must notify the inspector or department that they are obtaining the ambulance, the reason why and approximate duration as soon as possible. The loaned or leased ambulance must be temporarily replacing, not more than six months, an ambulance inspected and approved by the department under this chapter. If the ambulance service needs the use of a loaned or leased ambulance for any period of time greater than six months, approval must be granted by the department's inspector. The entity loaning or leasing the ambulance must ensure the ambulance complies with the requirements of ss. Trans 309.09 to 309.16. The ambulance service receiving the loaned or leased ambulance must comply with all the applicable requirements of this chapter, except for those requirements of this chapter the ambulance service provider receiving the loaned or leased ambulance and the department inspector's joint agreement in writing can be waived.

SECTION 24. Trans 309.07 (5) is amended to read:

Trans 309.07 (5) The right to continue operation of an ambulance for which a variance has been granted or recognized under this section is not transferable to any other person or vehicle and a copy of the variance must be carried in the ambulance at all times.

SECTION 25. Trans 309.08 (1) is amended to read:

Trans 309.08 **Documentation.** (1) REGISTRATION AND INSURANCE. At the time of inspection, the service provider shall open to inspection the proof of current registration and insurance on each ambulance to be inspected. The proof of registration and insurance or copies of ~~it~~ each shall be carried in each ambulance and be available upon request of the inspector.

SECTION 26. Trans 309.08 (2) is repealed and recreated to read:

Trans 309.08 (2) DRUG LIST. Upon inspection, the service provider shall provide a copy of the current list of approved drugs from the services medical director. The list shall state the minimum amount of each drug the provider will carry on each ambulance.

SECTION 27. Trans 309.08 (3) and 309.08 (4) are created to read:

Trans 309.08 (3) MAINTENANCE. An ambulance service provider shall maintain their ambulances as specified by the OEM. Vehicle service or maintenance records shall be maintained by the ambulance service for the life of the ambulance and shall be made available to the department upon inspection.

Trans 309.08 (4) CRASH REGISTER. An ambulance service provider shall keep a written or electronic register of each crash their vehicles are involved in. The register shall include crash number issued by investigating agency, date, location, driver name, number of injuries, number of fatalities and vehicles towed.

SECTION 28. Trans 309.09 (1) (b) is repealed and recreated to read:

Trans 309.09(1) (b) *Width*. The compartment shall provide a minimum of 12" of clear aisle walkway between the edge of the primary patient cot and base of the nearest vertical feature measured along the floor.

SECTION 29. Trans 309.10 is amended to read:

Trans 309.10 **Doors**. An ambulance shall have 2 unobstructed door openings in addition to the doors for the driver cab compartment. There shall be at least one door opening on the right forward side and a single door or double doors at the rear of the patient compartment. A forward hinged single door, double doors or a sliding type door shall have a minimum right side door opening of 30 inches in width, and 54 inches in height for Types I, I-AD, ~~and III~~ and III-AD ambulances and 42 inches in height for Type II ambulances. The opening shall provide clearance to allow access and removal of a patient strapped to a long spine board. Single or double rear loading doors shall cover a clear opening of not less than 46 inches in height and 44 inches in width for Types I, I-AD, ~~and III~~ and III-AD ambulances, and the manufacturer's standard for Type II ambulances. The ambulance body doors shall be equipped with not less than 250 square inches of safety glass area per door. Doors shall be designed for easy release from both the interior and exterior of the ambulance, but an accidental opening shall be prevented by an interlocking system that functions even when doors are not completely closed. Each door shall have effective compression or overlapping seals to prevent the entry of dust, water and air. Doors may contain recessed compartments to the interior for storage of supplies and devices.

SECTION 30. Trans 309.11 is amended to read:

Trans 309.11 **Bumpers, steps and stepwells**. Chassis manufacturer's standard bumpers shall be furnished with the exception of the rear bumpers of Types I, I-AD, ~~and III~~ and III-AD ambulances. Types I, I-AD, ~~and III~~ and III-AD ambulances shall have a sturdy full width rear vehicular and body bumper with step, secured to the vehicle's chassis-frame. The rear bumper and step shall be adequate to support the test weight of 500 pounds without flexing or buckling. If the patient compartment floor is more than 18 inches above the ground on a Type II ambulance, a step shall be installed within 2 inches of an equal distance between the ground and the patient compartment floor. All bumper steps shall be designed to prevent the accumulation of mud, ice or snow and shall be made of antiskid, open grating metal. Steps may be of a folding style but may not be located within or exposed to the interior of the ambulance when the doors are closed. All steps shall extend the full width of the door opening for which they are provided and shall be not less than 5 inches nor more than 10 inches in depth.

SECTION 31. Trans 309.12 (3) is amended to read:

Trans 309.12 (3) Snow tires with tungsten carbide studs that shall not project more than one-eighth inch beyond the treads surface of the tire, may be installed on an ambulance from the 15th day of November each year through the 1st day of April of the following year.

SECTION 32. Trans 309.12 (5) is amended to read:

Trans 309.12 (5) Tires shall be maintained in good working condition. Tires shall not have serious cuts, bulges, sidewall defects or exposed fabric or cords.

SECTION 33. Trans 309.12 (6), 309.12 (7) and 309.12 (8) are created to read:

Trans 309.12 (6) Radial and bias tires shall not be mounted on the same axle.

Trans 309.12 (7) Wheels shall not have any cracks, unseated lock rings, loose, broken or missing lugs, studs or clamps, bent or cracked rims or elongated stud holes.

Trans 309.12 (8) Tires shall not be loaded above the manufacturer's weight limits.

SECTION 34. Trans 309.14 is amended to read):

Trans 309.14 **Environmental climactic equipment.** (1) REQUIRED ENVIRONMENTAL CLIMATIC EQUIPMENT. All ambulances shall be equipped with a complete climate environmental system to supply and maintain clean air conditions and an inside temperature at a comfortable level in both driver and patient compartments. The various systems for heating, ventilating and air conditioning may be separate or combination systems that permit independent control of environment within each compartment. The driver and patient compartment environments may not be dependent upon one another in any way.

SECTION 35. Trans 309.14 (2) is created to read:

Trans 309.14 (2) INTERIOR ENVIRONMENT CLIMATE. When an ambulance is prepared for immediate response with medications and solutions on the ambulance, the ambulance's interiors climate shall be maintained so that the medications and solutions are kept within the temperature range required by the manufacturer.

SECTION 36. Trans 309.15 (1) is amended to read:

Trans 309.15 (1) GENERAL LAMPS. Ambulances shall be equipped with headlamps, directional signal lamps, tail lamps, stop lamps, parking lamps, sidemarker lamps, license plate lamps, backup lamps, hazard warning lamps and clearance lamps ~~and spot lamps~~ meeting the requirements of ch. 347, Stats.

SECTION 37. Trans 309.15 (2) (c) is amended to read:

Trans 309.15 (2) (c) The lights required in par. (a) 2. may be replaced with rotating red or red and white lights revolving or flashing on a horizontal plane.

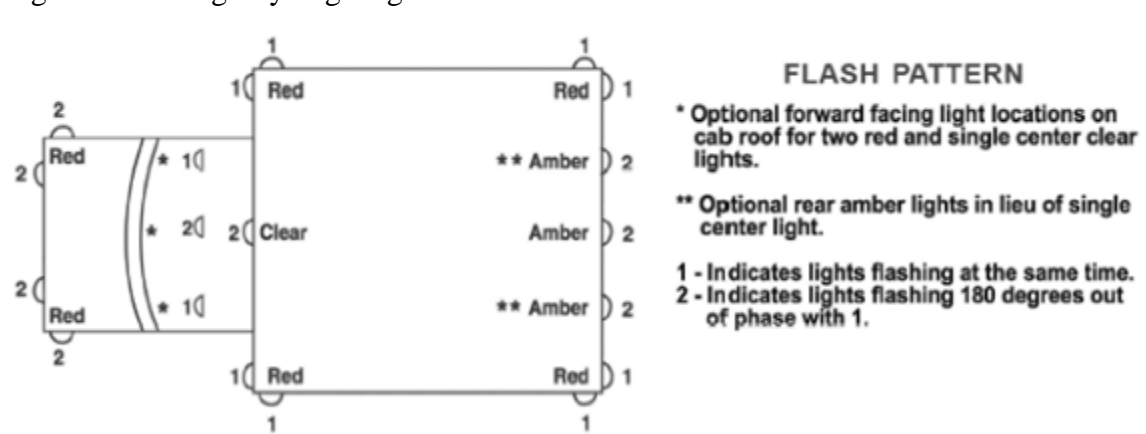
SECTION 38. Trans 309.15 (2) (g) is created to read:

Trans 309.15 (2) (g) A flashing amber light may be installed to the rear top, positioned equally between the two top mounted corner flashing red lights, or two amber lights may be installed to the rear mounted to the insides of the two corner flashing red lights.

SECTION 39. Trans 309.15 (4) is created to read:

Trans 309.15 (4) Lighting requirements described in this section are illustrated in figure 1.

Figure 1 – Emergency Lighting



SECTION 40. Trans 309.16 (2) is amended to read:

Trans 309.16 (2) PATIENT COMPARTMENT. The patient compartment shall be equipped with overhead or dome lighting and switch panel lighting. Only white or a combination of white and red colored lamps or lenses may be used in the patient compartment. Patient compartment lights shall be automatically activated when the entrance doors are opened or when otherwise controlled by the driver's master switch. Interior light fixtures may not protrude more than 1.5 inches. Fluorescent lights that operate on 12 volts may be used, but they may not extend more than 4 inches from the mounting surface. Fluorescent fixtures may be mounted at the intersection of the ceiling and walls, and shall be equipped with removable covers that positively lock in place.

SECTION 41. Trans 309.18 (1) is amended to read:

Trans 309.18 (1) Each ambulance shall have a permanently mounted radio in the cab of the ambulance capable of contacting the hospital emergency department of the hospital it serves. In the rear compartment of the ambulance there shall be two way communications in the form of ~~a microphone and speaker permanently mounted in the patient compartment~~

a radio capable of communication with the hospitals it serves. These radios shall comply with ch. DHS 110.

SECTION 42. Trans 309.19 (2) (b) is amended to read:

Trans 309.19 (2) (b) Reflectorized striping totaling not less than 4 inches shall encircle the entire ambulance body excluding the front end. The top edge of this stripe shall be no higher than 48 inches above the ground. This stripe may be broken up by wheel wells, hinges, handles, windows or lights. Reflective designs or materials can replace the 4 inch stripe in this paragraph if it covers an area equal or greater than the area covered by the 4 inch stripe and is incorporated into both sides and rear and begins no higher than 48 inches above the ground. Reflectorized lettering may be included as part of this striping. Reflectorized chevrons may also cover the of the ambulance from top to bottom and may be included as part of the striping encircling the body. This striping requirement shall apply to all units placed in service after ~~June 1, 1994~~ (XX/XX/XX date revision become effective).

SECTION 43. Trans 309.19 (2) (c) is created to read:

Trans 309.19 (2) (c) The name of the ambulance service provider shall be displayed on each side of the ambulance.

SECTION 44. Trans 309.205 is created to read:

Trans 309.205 **Standard mandatory miscellaneous equipment.** (1) An ambulance shall be equipped with the following:

(a) Fire extinguishers. Two, ABC capable fire extinguishers able to control the following fires. A-Capable of extinguishing fires involving paper, wood, textiles and plastics; B-Capable of extinguishing fires involving flammable liquids; and C-Capable of extinguishing fires involving live electrical equipment, dry chemical or carbon dioxide. These fire extinguishers shall each be a minimum 5 pound. unit, in a quick-release bracket, one mounted in the driver - cab compartment or in the body reachable from outside the vehicle and one in the patient compartment. The mounting bracket shall be a stable design.

(c) "No Smoking" signs placed conspicuously in the cab and patient compartment.

(d) Two portable, battery operated lights.

(e) Three reflectors or three noncombustible red light sticks with a minimum of one-hour service duration.

(f) One current U.S. Department of Transportation Emergency Response Guidebook, which provides general safety and environmental information for hazardous materials.

- (i) One personal portable carbon monoxide detector.
- (2) Unless the ambulance routinely responds with or is an agency that provides extrication assistance, the ambulance shall carry the following equipment or its equivalent:
- (a) One 12-inch adjustable wrench.
 - (b) One screwdriver for slot head screws.
 - (c) One Phillips screwdriver.
 - (d) One hacksaw and 12-inch blades.
 - (e) One 10-inch locking grip pliers.
 - (f) One 16 oz. hammer.
 - (g) One 24-inch wrecking bar.
 - (h) Impact resistant eye protection.
 - (i) One pair of leather gloves.
 - (j) One roll of 2-inch duct tape.
 - (k) A spring loaded center punch.
- (3) Small hand tools shall be stored in an easily accessible area.

SECTION 45. Trans 309.207 is created to read:

Trans 309.207 Vehicle Safe Operating Conditions.

- (1) The vehicle shall be in safe operating condition. The vehicle and all required vehicle equipment shall be functional and operable when the vehicle is in service.
- (2) All equipment shall be maintained in full operating condition, in good repair and be free from, rips, tears, holes, grease, dirt and other offensive matter and shall not be carried beyond expiration dates. The finish of the entire patient compartment, including interiors of storage cabinets, shall be impervious to soap, water and disinfectants and easily cleaned/disinfected (carpeting, cloth, and fabrics are not acceptable).
- (3) All equipment carried in an ambulance must be securely stored so that, in the event of a sudden stop or movement of the vehicle, the patient and all occupants are not injured by moving equipment.
- (4) During the calendar year when the required biennial ambulance inspection is not completed by the ambulance inspector with the Department of Transportation, the ambulance service provider shall obtain a department approved inspection for each ambulance. The inspection shall be performed by a technician qualified to perform department annual inspections. Ambulance service providers may perform the required annual inspection themselves with a qualified technician. The original or a copy of the periodic inspection report for each ambulance must be retained by the ambulance service provider for 14 months from the report date and shall be made available to the department.

SECTION 46. Trans 309.209 is created to read:

Trans 309.209 Safety belts and child safety restraint systems.

(1) Every ambulance shall be equipped with safety belts for the driver and each passenger in the driver compartment and at each seating position in the rear or patient compartment.

(a) All seatbelts, seatbelt use, child restraints and use shall comply with. 347.48 (2) (m) (a) through (d), Stats.

(b) Every ambulance shall carry a child restraint system appropriate for children under the age of 8 years old. When a child under the age of 8 years old is transported, that child shall be transported in a front or rear oriented direction.

SECTION 47. Subchapter III is repealed and recreated to read as follows:

Subchapter III-Medical Equipment Standards

Trans 309.21 Stretcher and chair stretcher and restraints.

(1) Every ambulance shall be equipped with one commercial elevating wheeled cot maintained in good working order made up with a sheet and a blanket and a stair chair or carry chair, designed to permit a patient to be carried on stairways and through other narrow areas. Each ambulance shall be equipped with a crash stable slide, center mounted, or equivalent cot fastener assembly of the quick release type to secure the elevating wheeled cot to the ambulance body. The cot fastener assembly shall be the manufacturer's approved bracket for the cot used.

(2) At least 3 strap-type restraining devices for the chest, hip and knee shall be provided for each stretcher, capable of preventing longitudinal or transverse dislodgement of the patient during transit. Shoulder straps shall be required on the cot stretcher. Restraining straps shall be made of nylon or equivalent material and shall be at least 2 inches wide. The straps shall be constructed as a 2-piece assembly with quick release buckles and shall be removable for easy cleaning. If a second patient is transported in the patient compartment on a long spine board the ambulance shall be equipped with manufacturer's approved securement for a long spine board and 3 strap-type restraining devices for the chest, hip and knee.

Trans 309.22 Suction aspirator system.

An electrically powered suction aspirator system shall be furnished with an illuminated switch and a panel mounted, labeled, quick disconnect inlet device on the panel. The suction pump shall be located in an area that is accessible, but the patient compartment shall be insulated from the pump's sound and vibration. The pump shall be vented to the vehicle's exterior. A vacuum control and a shut-off valve, or combination thereof, shall be provided to adjust vacuum levels. A vacuum indicator gauge of 3" +/-0.5 inches in diameter, with numerical markers at least every 100 mm Hg and a total range of 0 to 760 mm Hg, shall be provided. The collection bottle or bag shall be non-breakable and transparent with a minimum 1,000 ml capacity. The minimum inside diameter for the suction tubing connectors shall be at least ¼ inch. One spare non-breakable suction

collecting bottle shall be stored nearby if a disposable bag is not used. The following accessories shall be furnished and stored to be readily available, and shall be a single patient use item: one suction rinsing water bottle; one semi-rigid non-metallic pharyngeal suction tip; at least one spare suction tip and at least one adult and one infant catheter; one 6-foot length or more of translucent wide bore, non-kinking suction tubing, reasonably thick walled to prevent its collapse under high suction. The suction aspirator system shall provide a minimum of 30 liters per minute flow at the catheter tip. The suction aspirator system shall achieve a minimum of 300 mm Hg vacuum within 4 seconds after the suction tube is closed.

Trans 309.23 Oxygen Equipment

(1) The ambulance shall have a hospital type piped oxygen system capable of storing and supplying a minimum of 120 cubic feet of medical oxygen. The main oxygen supply shall have a minimum of 500 PSI. The oxygen containers shall be secured in a storage compartment. The cylinder controls shall be accessible from inside the vehicle. The pressure readout shall be visible inside the patient compartment. The piped oxygen system shall include a pressure regulator preset to 50 PSI, +/- 5 PSI, line pressure installed at the cylinder, and nonferrous piping and low pressure hoses suitable for medical oxygen. Oxygen piping shall be concealed and not exposed to the elements or damage, be securely supported, and be readily accessible for inspection and replacement. Oxygen shall be piped to self-sealing outlets. One duplex oxygen outlet station for the primary patient shall be located on the action wall and at least one other oxygen outlet in the patient compartment. Two oxygen outlets shall be equipped with a plug-in flowmeter and delivery tube. The flowmeter shall be capable of delivering at least 15 liters per minute.

(2) A portable oxygen unit shall be carried. It shall be located near a patient compartment door and shall be accessible from outside of the ambulance. The portable oxygen unit shall have at least a 13 cubic foot container and shall be equipped with a yoke, a pressure gauge, a non-gravity dependent flowmeter, a delivery tube and oxygen masks. The portable oxygen supply shall have a minimum 500 PSI. The unit shall be capable of delivering an oxygen flow of at least 15 liters per minute. Portable cylinders or kits located in the patient compartment shall be secured with quick-release securing fittings. A full spare cylinder shall be stored in the ambulance. Oxygen masks shall be transparent and disposable.

Trans 309.24 Medical and surgical equipment.

(1) All ambulances shall be equipped with the following:

(a) An automatic, semiautomatic or manual defibrillator for use on adults and pediatric patients as specified in the standard operating procedures approved by the medical director that the ambulance service reports to and included in the plan approved by the department of health services, with appropriately sized defibrillation or conduction pads. This paragraph applies to all in-service ambulances.

(am) Oxygen administration equipment to include- adequate length tubing; transparent mask, adult and child sizes, both non-rebreathing and valveless; nasal cannulas adult, child and infant, nebulizers adult, child and infant, tracheostomy tube. All masks, tubing and cannulas shall be single-patient use.

(b) One bag-valve-mask unit for each size, adult, child and infant. The bag shall be hand-operated, self-refilling with an accumulator capable of delivering an FiO₂ of 90 percent, and may not have a pop-off valve. The mask portion shall be transparent. The valve portion shall be clear, disposable and operable in cold weather. A child bag shall have a reservoir of approximately 450 ml, and an adult bag shall have a reservoir of at least 1000 ml.

(bm) All in-service ambulances shall have 2 approved non-visualized advanced airways.

(br) Laryngoscope with adult and pediatric blades.

(c) Oropharyngeal airways sizes 0–5; adult, child, and infant sizes.

(cm) Nasopharyngeal airways sizes 16F–34F; adult and child sizes.

(cr) Adult and pediatric forceps.

(d) Water soluble lubricant.

(e) Pulse oximeter with pediatric and adult probes.

(em) Blood glucose monitoring equipment.

(f) Bandages and bandaging accessories to include:

1. Commercially packaged or sterile burn sheets, minimum 2.
2. Triangular bandages, minimum 2.
3. Sterile multi-trauma dressings in various large and small sizes.
4. Abdominal dressings 10 inchx12 inch or larger.
5. 4 inch x4 inch gauze sponges or suitable size.
6. Gauzes rolls, various sizes sufficient for expected uses.
7. Occlusive dressing or equivalent, sterile 3 inch x 8 inch or larger.
8. Adhesive hypoallergenic tape of various sizes.

- (fm) Arterial tourniquet.
- (fr) Heavy bandage or paramedic scissors for cutting clothing, belts and boots.
- (g) Sphygmomanometer with pediatric, adult regular and large size cuffs.
- (h) Adult and pediatric stethoscope.
- (i) Cervical collars, rigid for children ages 2 years or older; child and adult sizes small, medium and large.
- (im) Head immobilization devices, firm padding or commercial devices for adults and children.
- (j) Lower extremity, femur traction devices for adult and child.
- (jm) Upper and lower extremity immobilization devices, joint-above and joint-below fracture, in sizes appropriate for adults and children. The devices shall be rigid support constructed with appropriate material, cardboard, metal, pneumatic, vacuum, wood, or plastic.
- (k) Impervious backboards, long, short; radiolucent preferred and extrication device. Short extrication/ immobilization device. Long backboard shall be head-to-feet length with at least 3 appropriate restraint straps and with capabilities to add padding for children and handholds for moving patients.
- (km) Orthopedic, scoop type break apart stretcher.
- (L) Obstetrical kit including all of the following:
 - 1. Sterile gloves.
 - 2. Scissors or other cutting utensil.
 - 3. Umbilical cord clamps.
 - 4. Sterile dressings.
 - 5. Towels.
 - 6. Bulb suction or bulb syringe.
 - 7. Thermal absorbent blanket and head cover, aluminum foil roll, or appropriate heat-reflective material, enough to cover a newborn.
- (Lm) Length/weight-based tape or appropriate reference material for pediatric equipment sizing and drug dosing based on estimated or known weight.
- (m) Thermometer with low temperature capability.
- (n) Commercial cold packs and hot packs.

- (o) Sterile saline solution for irrigation in bottles or bags.
- (p) Blanket, a minimum of 4 sheets, linen or paper and pillow.
- (pm) Towels.
- (q) Disposable emesis bags or basins.
- (qm) Disposable bed pan.
- (qr) Disposable urinal.
- (r) Infection control equipment to include:
 1. Three or more eye protection units (full peripheral glasses or shield).
 2. Three or more surgical masks.
 3. Three or more pairs of nonsterile gloves.
 4. Three or more jumpsuits or gowns that are disposable and impervious to body fluids.
 5. Three or more disposable shoe covers.
 6. Waterless hand cleanser, commercial antimicrobial, in towelette, spray or liquid form.
 7. Standard commercial sharps containers fixed and portable.
 8. Bio-hazard bags of identifiable color or markings, or both.
 9. Disinfectant solution for cleaning equipment.
 10. N95 or N100 respiratory protection masks.
- (s) Patient physical restraints.
- (t) Medications and drugs specified in the standard operating procedures approved by the medical director that the ambulance service provider reports to and included in the plan approved by the department of health services.
- (2) In addition to the medical and surgical equipment specified in sub. (1), ambulances staffed with emergency medical technicians may carry the equipment below based on a services scope of practice, approved protocols and required by training approved by the medical director the ambulance service provider reports to. Ambulances staffed with advanced emergency medical technicians and emergency medical technician-intermediates shall be equipped with the following:
 - (a) Sterile intravenous infusion agents, in plastic containers, with necessary IV starting equipment, including an assortment of appropriately sized adult and pediatric IV catheters, including small sized catheters to at least 24 gauge.
 - (b) Electrocardiogram monitor with acquisition and transmission.

- (c) Electrocardiogram monitor 12, 15 or 18 lead with acquisition and transmission.
 - (d) Two or more intraosseous needles.
 - (e) Prepackaged medications, drugs and solutions specified in the standard operating procedures approved by the medical director that the ambulance service provider reports to and the department of health services.
- (3) In addition to the medical and surgical equipment specified in subs. (1) and (2), ambulances staffed with emergency medical technician - intermediates may carry the equipment below based on a services scope of practice, approved protocols and with training approved by the medical director that the ambulance service provider reports to. Ambulances staffed by paramedics shall carry the following:
- (a) Electrocardiogram monitor with interpretation.
 - (b) Electrocardiogram monitor 12, 15 or 18 lead with interpretation.
 - (c) Medications and drugs specified in the standard operating procedures approved by the medical director that the ambulance service provider reports to and the department of health services.
 - (4) No medications, drugs, fluids, solutions or containers shall be kept beyond their expiration date.
 - (5) All ambulance service providers shall perform tests or maintenance as recommended or required by the original equipment manufacturer on all medical equipment carried.

Trans 309.25 Subchapter III is repealed on July 15, 2023 or upon promulgation by the Department of Health Services of administrative rules establishing standards and inspections, as well as legislative appropriation of resources for such inspections, whichever comes sooner.

SECTION 48. Subchapter III is repealed.

SECTION 49. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats., except that Section 51 shall take effect on July 15, 2023.

(END OF RULE TEXT)

Signed this ____ day of _____ 2020.

Craig Thompson
Secretary
State of Wisconsin Department of Transportation