



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 05-072

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Section 285.11 (6), Stats., requires that rules or control strategies submitted to the federal Environmental Protection Agency under the federal Clean Air Act for the control of atmospheric ozone shall *conform* with the federal Clean Air Act unless specified conditions are met. The summary accompanying the rule states that “These [federal emissions] standards are more stringent than those in the proposed rule.... Wisconsin’s I/M program currently meets this [federal] performance standard and will continue to meet this standard under the proposed rule revisions.” To avoid any ambiguity over whether the rule complies with the requirement in s. 285.11 (6), Stats., the department should consider stating, in the summary accompanying the rule, whether the rule conforms with the federal Clean Air Act, and, if it does not conform, how the department will comply with s. 285.11 (6), Stats.

b. To provide consistency between the amended title of s. NR 485.04 Table 1 (4) and the existing titles of s. NR 485.04 Table 1 (1) to (3), the department should consider revising the title of s. NR 485.04 Table 1 (4) as follows: MOTOR VEHICLES INSPECTED ~~ON AND AFTER~~ BETWEEN DECEMBER 1, 1998 AND THE EFFECTIVE DATE OF THIS SECTION....[revisor inserts date].