

CR 92-34

CERTIFICATE

RECEIVED

MAY 6 1992
11:20 am
Revisor of Statutes
Bureau

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to the **Urban Mass Transit Program**, was duly approved and adopted by this Department on May 5th, 1992.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 5th day of **May**, 1992.

Charles H. Thompson
CHARLES H. THOMPSON
Secretary

7-1-92

IN THE MATTER OF a rule repealing s. Trans 6.04(1)(b); renumbering and amending s. Trans 6.04(1)(c) and (d); amending ss. Trans 6.05 and Trans 6.06(1); and creating s. Trans 6.04(1)(d), Wisconsin Administrative Code, relating to the Urban Mass Transit Operating Assistance Program.

ORDER ADOPTING RULE

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: ss. 85.16(1), 85.20(3) and 85.23, Stats.

STATUTES INTERPRETED: ss. 85.20 and 85.23, Stats., and 49 USC Appx. § 1614

General Summary of Rule. This rule changes the method of allocating the federal funding received for public transportation in non-urbanized areas under Section 18 of the Urban Mass Transit Act of 1964, as amended. The rule establishes an initial combined state and federal operating assistance cap of 70% of the operating expenses so that funds will be available for capital funding needs. Any excess over the amount needed for capital funding needs shifts back to provide additional funding for operating assistance, over and above the 70% cap.

Fiscal Impact. No significant fiscal impact is anticipated from the promulgation of this rule change.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses.

Contact Person. The persons to contact for further information are Linda Lovejoy (608) 266-1379 or Ronald H. Morse (608) 266-9637.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.20 and 85.23, Stats., and 49 USC Appx. § 1614, the department of transportation hereby amends a rule interpreting ss. 85.20 and 85.23, Stats., relating to the urban mass transit operating assistance program.

SECTION 1. Trans 6.04(1)(b) is repealed.

SECTION 2. Trans 6.04(1)(c) and (d) are renumbered (b) and (c) and amended to read:

Trans 6.04(1)(b) Apportionments ~~from the general fund~~ are initially available for operating assistance grants to eligible applicants, but when combined with state s. 85.20, Stats., operating assistance funds are limited to the lesser of either 70% of the total eligible operating expenses or the operating project cost. ~~except that no~~ No city or village shall be appropriate for a municipal bus transportation system for purposes of receiving federal section 18 funds unless the system is approved by action of its governing body and by referendum vote of its electorate pursuant to s. 66.065(5), Stats.

(1)(c) Any balance remaining in the apportionment referred to in par. ~~(e)~~ (b) after operating assistance ~~needs~~ limits are met under par. ~~(e)~~ (b) shall be available to all eligible applicants for capital grants awarded in accordance with criteria set forth under s. Trans 6.06.

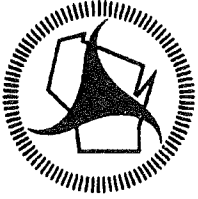
SECTION 3. Trans 6.04(1)(d) is created to read:

Trans 6.04(1)(d) Any balance remaining in the apportionment after capital assistance needs are met under par. (c) shall be available to all eligible applicants for operating assistance beyond the 70% limitation initially imposed in par. (b), not to exceed 50% of the operating project cost.

SECTION 4. Trans 6.05 and Trans 6.06(1) are amended to read:

Trans 6.05 OPERATING GRANTS TO AREAS OTHER THAN URBANIZED.

Subject to the limitations set forth in s. Trans 6.03(1), the operating assistance funds available in s. Trans 6.04(1)~~(e)~~ (b) and (d) shall be allocated among eligible applicants in proportion to each applicant's share of the projected operating project costs of all applications.



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

May 6, 1992

Mr. Gary Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr. Blvd.
2nd Floor
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 92-34**

In the Matter of the Adoption of **TRANS 6**, Wisconsin Administrative Code, relating to the **Urban Mass Transit Program**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 92-34**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Tom Walker
Dorothy Kapke
Jim McDonnell
John Evans
Linda Lovejoy
Ron Morse