

**ADMINISTRATIVE RULES
FISCAL ESTIMATE
AND ECONOMIC IMPACT ANALYSIS**

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

Ch. ATCP 136, Mobile Air Conditioners; Reclaiming or Recycling Refrigerant

Subject

Mobile Air Conditioners, fees and training

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Chapter 20 , Stats. Appropriations Affected

20.115(1)(hm)

Fiscal Effect of Implementing the Rule

No Fiscal Effect

Indeterminate

Increase Existing Revenues

Decrease Existing Revenues

Increase Costs

Could Absorb Within Agency's Budget

Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

Policy Problem Addressed by the Rule

ATCP 136, Wisconsin's mobile air conditioner; recycling and reclaiming refrigerant rule, contains requirements that duplicate federal requirements. This rule revision is needed to harmonize Wisconsin's rules with federal regulations and reduce costs for businesses.

This proposed rule will modify the existing ch. ATCP 136, Wis. Adm. Code in three main areas. The rule:

- Eliminates unneeded business registration fees; surcharge fees required by statute that apply to late registrations will continue.
- Harmonizes current rules with existing federal regulations related to training of mobile air conditioner technicians.
- Removes references to obsolete Department of Safety and Professional Services (DSPS) regulations.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This proposed rule updates current rules related to mobile air conditioners. This rule modifies existing rule language to eliminate registration fees, harmonizes state training requirements with existing federal requirements, and makes needed administrative changes. There will be cost savings for the regulated community as a result of these changes.

Local Governments

This rule will not impact local governments. Local governments will not have any implementation or

compliance costs.

Mobile Air Conditioning Businesses

This rule will impact mobile air conditioning businesses. The changes to the rule are advantageous to businesses, including small businesses. These changes are discussed under the “Benefits” section of this analysis.

This proposed rule eliminates registration fees and eliminates duplicate training requirements. These changes benefit businesses and their technicians, with no negative effects on consumers or the environment.

Utility Rate Payers

The rule will have no impact on utility rate payers.

General Public

This rule will have no impact on the general public.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Benefits

This rule will benefit mobile air conditioner repair businesses and technicians.

Mobile Air Conditioner Repair Technicians

Mobile air conditioner repair technicians will benefit from this rule because they will no longer need to take a Wisconsin specific training course to maintain their registration in Wisconsin. Under this rule, completion of the federally approved training program will satisfy Wisconsin’s training requirements.

Mobile Air Conditioner Repair Businesses

Mobile air conditioner repair businesses will benefit as this rule will eliminate the annual registration fee and additional training requirements for technicians. This will save each business location a minimum of \$120 annually, plus associated administrative costs.

Alternatives

This rule will eliminate fees and ensure regulatory consistency between Wisconsin and federal law. If DATCP does not adopt this rule, Wisconsin will continue to require training for technicians that duplicates federal training requirements. In addition, if DATCP does not adopt this rule, businesses will continue to be required to pay the \$120 annual registration fee to the department. The alternative to adopting this rule is to maintain the existing ATCP 136 requirements.

Long Range Implications of Implementing the Rule

Long-term, implementing the rule will benefit business. The rule modifications will save businesses a minimum of \$120 annually for each business location currently required to be registered, or approximately \$420,000 annually, statewide. In addition, businesses will no longer need to pay for technicians to complete (or ensure they have completed) a Wisconsin specific training program. This rule will have no impact on the environment, as existing environmental protections in the rule and in state and federal laws will remain in effect.

Compare With Approaches Being Used by Federal Government

The training requirements in the existing rule duplicate federal requirements. With the proposed changes, the rule will be consistent with federal law.

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

All surrounding states, including Michigan, Minnesota, Illinois and Iowa, let EPA implement the mobile air conditioner regulations. Any state-specific regulations must be at least as stringent as EPA's. With the proposed changes, Wisconsin's regulations will be consistent with the EPA regulations applied in surrounding states.

Comments Received in Response to Web Posting and DATCP Response

DATCP received no comments in response to the web posting.