

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original  Updated  Corrected

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2. Administrative Rule Chapter, Title and Number

SPS 210

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3. Subject

Transportation Network Companies

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4. Fund Sources Affected

GPR  FED  PRO  PRS  SEG  SEG-S

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5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect  Increase Existing Revenues  Increase Costs  
 Indeterminate  Decrease Existing Revenues  Could Absorb Within Agency's Budget  
 Decrease Cost

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

State's Economy  Specific Businesses/Sectors  
 Local Government Units  Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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

Yes  No

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9. Policy Problem Addressed by the Rule

Pursuant to the enactment of 2015 Wisconsin Act 16, the Department of Safety and Professional Services is authorized to execute and enforce a statewide uniform licensure program for transportation network companies. Currently, the Wisconsin Administrative Code does not address transportation network companies. The proposed rule will implement and delineate the requirements enacted under 2015 Wisconsin Act 16 for the regulation of transportation network companies.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This proposed rule was posted for a period of 14 days to solicit comments from the public. No businesses, business sectors, associations representing businesses, local governmental units, or individuals contacted the department about the economic impact of the proposed rule during that time period.

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11. Identify the local governmental units that participated in the development of this EIA.

None. This rule does not affect local government units.

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12. 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)

The rule will not have an economic or fiscal impact in addition to the impact of the provisions 2015 Wisconsin Act 16 on specific businesses, business sectors, public utility rate payers, local government units, or the state's economy as a whole.

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

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The benefits of implementing this rule include bringing the Wisconsin Administrative Code in compliance with 2015 Wisconsin Act 16 and providing a clear regulatory landscape for entities seeking licensure as transportation network companies.

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### 14. Long Range Implications of Implementing the Rule

The benefits of implementing this rule include bringing the Wisconsin Administrative Code in compliance with 2015 Wisconsin Act 16 and providing a clear regulatory landscape for entities seeking licensure as transportation network companies.

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### 15. Compare With Approaches Being Used by Federal Government

None

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

**Illinois:** Illinois Statutes contain many similar requirements for transportation network companies as those created by 2015 Wisconsin Act 16 in the Wisconsin Statutes; however, individual municipalities are responsible for licensing transportation network companies. (625 Illinois Compiled Statutes 57). There are no effective rules regarding transportation network companies in Illinois.

**Iowa:** The state of Iowa does not regulate transportation network companies.

**Michigan:** The state of Michigan does not regulate transportation network companies.

**Minnesota:** A transportation network company driver or transportation network company on the driver's behalf shall maintain primary automobile insurance that recognizes that the driver is a transportation network company driver. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network: (1) the insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; (2) that the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride depending on its terms; and (3) that using a vehicle with a lien against the vehicle to provide transportation network services may violate the transportation network driver's contract with the lienholder [65B.472, MN Statutes]. Other specific requirements for insurance are spelled out in MN Statute. There are no effective rules regarding transportation network companies in Minnesota.

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### 17. Contact Name

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### 18. Contact Phone Number

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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