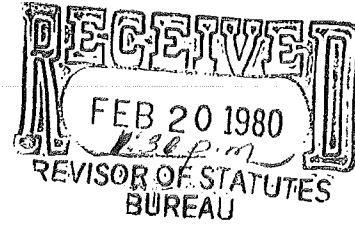


TRANS 2

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF TRANSPORTATION)



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Lowell B. Jackson Secretary of the Department of Transportation and custodian of the official records of said department do hereby certify that the annexed ammendments to rules relating to elderly and handicapped transportation programs for private, nonprofit organizations, were duly approved and adopted by this department on February 18, 1980.

I further certify that said 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 here-
unto set my hand and affixed the
official seal of the Department of
Transportation at 4802 Sheboygan
Avenue in the city of Madison, this
18th day of February, 1980.

Lowell B. Jackson
Secretary
Wisconsin Department of Transportation



In the Matter of the Amendment	:	
of Chapter TRANS 2,	:	
Wis. Admin. Code, Relating to	:	ORDER ADOPTING AND
Elderly and Handicapped Trans-	:	AMENDING RULES
portation Programs for Private,	:	
Nonprofit Organizations	:	

Analysis Prepared by the Department of Transportation

The Department of Transportation administers a program of financial assistance to private, nonprofit organizations for elderly and handicapped transportation, as authorized by sec. 85.08(6), Wis. Stats. Prior to the enactment of the 1979 Budget Act (Chapter 34, Laws of 1979), section 85.08(6)(c)4 allowed for operating assistance block grants not to exceed \$5,000 per vehicle. No eligible recipient could receive more than one operating assistance block grant.

The 1979 Budget Act amended this section to remove operating assistance block grants from the program. This order amends TRANS 2 to remove future operating assistance block grants from private, nonprofit organizations. This amendment should encourage private, nonprofit applications to look to their respective counties for operating assistance. Thus, greater integration of programs financed under sec. 85.08(6) and sec. 85.08(5) [county aid programs - see Ch. TRANS 1] can be achieved.

By this order the Department requires applicants to include evidence in their applications that the proposed projects will not duplicate other services provided under the county aid program [sec. 85.08(5) and Ch. TRANS 1]. Applicants shall also discuss how their projects are integrated with previous 16(b)(2) grantees and public transit systems in their area. Initially the rule said "urban" transit systems; however, this was expanded to include both rural and urban transit systems. The proposal also requires applicants to design their projects to serve the general elderly and handicapped public with the cooperation of the appropriate county agencies such as committees or commissions on aging and boards created under secs. 51.42 and 51.437, Stats. The purpose of these changes is to increase the integration of the two state elderly and handicapped transportation assistance programs. Also, these changes will encourage applicants to devote more effort to designing nonclient service with input from existing providers and financing sources.

By this order the Department also requires applicants for federal assistance under the 16(b)(2) program to file the original application with the appropriate DOT district office. One copy is sent to each of the following: the appropriate A-95 review agency, the area agency on aging, and the appropriate DH & SS's Division of Community Services' regional office. This change will simplify the current application submittal process and will expedite the distribution of application copies to review agencies. Two changes have been made in the application submittal and review process. The initial text

of TRANS 2 required the applicant to submit one copy of the application to the regional planning commission. Since several counties have no regional planning commission, the text now reads "the appropriate A-95 review agency." The regional review process has been expanded from 30 to 45 days.

Statement of Fiscal Effect

These proposed rule changes will have no direct fiscal impact on local units of government or on the cost of administering the program. However, the elimination of the state operating assistance grant may result in some counties using their proportionate share received under sec. 85.08(5), Stats., for this purpose. In fiscal year 1978, \$186,865 was allocated to 26 eligible applications as operating assistance; and, in fiscal year 1979, \$110,000 to 10 agencies. Under the proposed change, these moneys would be available to provide additional 100% state capital grants. Depending on the type of equipment requested, these moneys would cover the cost of 5 to 10 more vehicles in each grant cycle. Integration of the state programs should help to reduce costly fragmentation and duplication of services and may reduce the need for public agencies to acquire vehicles through other financing sources. At this time, it is not possible to determine what the dollar amount of such savings to local communities might be.

Pursuant to authority vested in the Wisconsin Department of Transportation by secs. 110.06(1), 85.08(2)(g), and 227.014, Wis. Stats., the Department of Transportation hereby amends rules interpreting sec. 85.08(6), Wis. Stats., as follows:

SECTION 1. Section TRANS 2.03 of the Wisconsin Administrative Code is amended to read:

TRANS 2.03 (title) Capital project costs. (1) Commencing with the highest ranking application as determined under TRANS 2.06, and to the extent state moneys are available, the Department shall offer to each eligible applicant who receives a federal 16(b)(2) program grant state financial assistance in an amount equal to 20% of the capital project costs and an operating assistance grant equal to \$5,000 per vehicle. Operating assistance grants are available only on a one-time basis to each eligible applicant. State aids under this program are not available for operating assistance.

(2) If any applicant is eligible for, but does not receive, a federal 16(b)(2) grant because federal moneys are not available for that applicant's project, then, to the extent that state moneys are available, the department may provide a capital assistance grant and an operating assistance grant to that applicant solely from state moneys allocated under ~~s.85.08(6)(e)3~~ and ~~4~~ 85.08(6)(d), Stats. Capital assistance grants under this subsection may be in an amount up to 100% of eligible capital costs. Operating assistance grants may be in amounts up to \$5,000 per vehicle awarded in accordance with sub. (1).

(3) Eligible applicants may elect not to receive state capital ~~or operating assistance~~ grants offered under this chapter. Regardless of whether state assistance is accepted, eligible applicants receiving federal 16(b)(2) program grants shall continue to be subject to all applicable federal requirements, including but not limited to carrying out prescribed coordination responsibilities.

SECTION 2. Section TRANS 2.04(1) of the Wisconsin Administrative Code is amended to read:

TRANS 2.04(1) It is the department's policy to encourage the coordination of elderly and handicapped transportation among providers of such services. To that end, eligible applicants receiving aids under this chapter shall: make

(a) Make affirmative efforts to coordinate its activities with other service providers in its service area;

(b) Include in its application evidence that the proposed project will not duplicate other services provided under sec. 85.08(5), Stats.;

(c) Demonstrate how the proposed project will be integrated with specialized transportation services provided by public transit systems and previous 16(b)(2) grantees located within the applicant's service area; and,

(d) Include in its application evidence that the transportation service proposed for the general elderly and handicapped public was designed with the cooperation of the appropriate county agencies, such as committees or commissions on aging and boards created under secs. 51.42 and 51.437, Stats.

SECTION 3. Section TRANS 2.05 of the Wisconsin Administrative Code is amended to read:

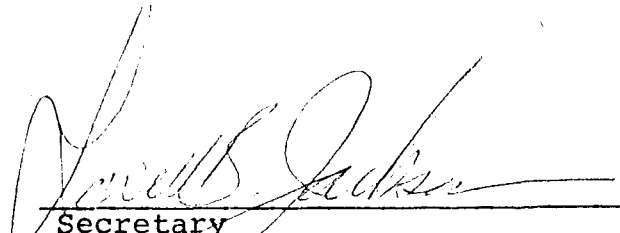
TRANS 2.05 Filing of application; distribution of copies. Applicants for federal assistance under the federal 16(b)(2) program shall file an the original and 4 copies of their application with the appropriate department of health and social services division of community services regional office for review and processing in accordance with the interagency agreement between the departments of transportation and of health and social services application with the appropriate department district transportation office. An applicant shall also submit a copy of the application for review and comment purposes to the appropriate A-95 review agency, to the appropriate area agency on aging, and to the appropriate department of health and social services' division of community services' division of community services' regional office. In order to be considered by the department, comments by such agencies must be submitted to the department's appropriate transportation district office within 45 days following the submission of the application to the department. The department shall give appropriate consideration to review comments of such agencies.

(End)

The rule and amendment contained in this order shall take effect upon publication as provided in sec. 227.026(1) (Intro), Wis. Stats.

Signed at Madison, Wisconsin, this 18th day of February, 1980.



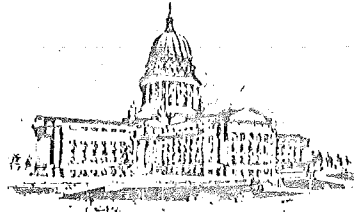

Secretary
Wisconsin Department of Transportation

LBJ - Hartz

KEVIN SOUCIE

Home Address:
115 South 63rd Street
Milwaukee, Wisconsin 53219
Telephone: (414) 541-7840

Capitol Address:
Room 16 North, Capitol
Madison, Wisconsin 53702
Telephone: (608) 266-9870



WISCONSIN LEGISLATURE
ASSEMBLY CHAMBER
MADISON
53702

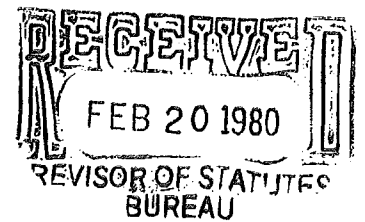
REPRESENTATIVE
7th District

CHAIRMAN:
Committee on Transportation

MEMBER:
Committee on Environmental Resources
Committee on Labor
Committee on Governmental Operations

February 12, 1980

Secretary Lowell Jackson
Wisconsin Dept. of Transportation
4802 Sheboygan Avenue
PO Box 7910
Madison, WI 53707



Dear Secretary Jackson:

In accordance with the Clearinghouse procedures in s. 227 Wis. Stats. I am hereby providing notice that the Assembly Transportation Committee has scheduled a public hearing on the DOT proposed administrative rules TRANS 2 (Clearinghouse Rule Assembly 80-1) and TRANS 6 (Clearinghouse Rule Assembly 79-51).

Sincerely,

Kevin Soucie
Kevin Soucie
STATE REPRESENTATIVE
7th Assembly District

KS/ph

Enc.

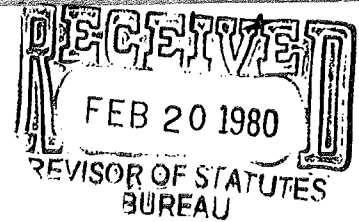
Jo Pebarwith

723-6113

RECEIVED

FEB 13 1980

ASSEMBLY



Committee on TRANSPORTATION

NOTICE OF PUBLIC HEARINGS

Room No. 415 NW / 421 NW

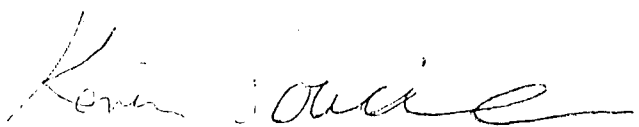
Note: Proposals will not necessarily be heard in the order listed.

WEDNESDAY, FEBRUARY 20, 1980

1:00 PM

The Assembly Transportation Committee will hold a public hearing on the following bills:

- AB 1131 (Representatives Smith, Duren, Hasenohrl, D. Travis, Ulichny, Shoemaker, Omernick, Ward, Leopold, Gerlach and Dilweg, co-sponsored by Senators Offner, Braun, Lorge and McCallum) AN ACT relating to permitting persons over 70 years of age to obtain a school bus operators license.
- AB 1135 (Representatives R. Travis, Schneider, Harsdorf and Harer) AN ACT relating to eliminating the flagging requirements for trains of agriculture vehicles crossing highway intersections.
- AB 1143 (Representative Helbach, co-sponsored by Senator Bear) AN ACT relating to the issuance of motorized bicycle operators' permits and providing a penalty.
- AB 1150 (Representatives Ulichny, Behnke, Duren, Metz, Norquist, Schmidt, and Omernick, co-sponsored by Senators Frank, and Cullen) AN ACT relating to offenses which disqualify a person from eligibility for a school bus operator's license for 10 years.
- TRANS 2 CLEARINGHOUSE RULE ASSEMBLY 80-1 (DOT) A RULE relating to elderly and handicapped transportation programs for private, nonprofit organizations.
- TRANS 6 CLEARINGHOUSE RULE ASSEMBLY 79-51 (DOT) A RULE relating to the rural public transportation assistance program.


KEVIN SOUCIE, Chairman



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION



December 27, 1979

DIVISION OF TRANSPORTATION
ASSISTANCE

P. O. Box 7914
Madison, WI 53707
(608) 266-3351

Mr. David Stube, Director
Wisconsin Legislative Council
101 N. State Capital
Rules Clearinghouse

RE: Amendments to TRANS 2 of the
Wisconsin Administrative Code

Dear Mr. Stube:

Enclosed are seven copies of the rule report required under sec. 227.018 Stats. In accordance with your instructions, we ask that you forward three copies to the Chief Clerk of the Assembly and three copies to the Chief Clerk of the Senate in appropriate rule jackets. The seventh copy is for your files.

We held a formal hearing on these proposed amendments to TRANS 2 on October 26, 1979. Since this hearing occurred prior to November 2, 1979, we understand that a Legislative Council report on the amendments is not required.

Please let me know if you have any further questions about the handling of these proposed changes to TRANS 2.

Sincerely,

John M. Hartz, Director
Bureau of Transit

JMH:hml

Enclosure



State of Wisconsin \

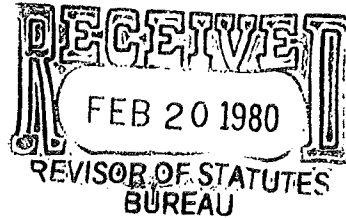
DEPARTMENT OF TRANSPORTATION
Division of Transportation Assistance



February 20, 1980

BUREAU OF TRANSIT
4802 Sheboygan Avenue
P. O. Box 7914
Madison, WI 53707
(608) 267-7350

Gary Poulson
Revisor of Statutes
Room 411 West, State Capitol
Madison, WI 53702



RE: Amendments to TRANS 2 of the
Wisconsin Administrative Code

Dear Mr. Poulson:

Pursuant to the new administrative rule procedure specified in sec. 227.023 Stats. please find enclosed one certified copy and one printer's copy of the Order Adopting & Amending TRANS 2 Wisconsin Administrative Code.

The proposed order was transmitted to the Wisconsin Legislative Council Rules Clearinghouse December 27, 1979.

The Senate Aging, Business, and Financial Institutions, and Transportation Committee chose not to hold a public hearing, and cleared the proposed rule for final adoption.

The Assembly Transportation Committee was assigned to review TRANS 2 on January 7, 1980. No action was taken during the 30 day review period. However, in a letter dated February 12, 1980 Kevin Soucie, Chairman of the Assembly Transportation Committee, informed Lowell Jackson that a hearing would be held on TRANS 2 February 20, 1980. This hearing has no legal force because the time for action by the Committee had expired. However, to avoid confusion, the Department of Transportation has waited until after the Assembly Transportation Committee meeting to file the certified copies of this rule.

Sincerely,

John M. Hartz, Director
Bureau of Transit

GBH:dkm

Enclosures