

C E R T I F I C A T E

STATE OF WISCONSIN )  
 )  
DEPARTMENT OF TRANSPORTATION )


TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

I, William J. Buglass, Deputy Secretary of the Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rule relating to the state urban mass transit capital grant program (CR 80-29) was duly approved and adopted by this Department on July 17th, 1980.

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 at the Hill Farms State Office Building in the city of Madison, this 17th day of July, 1980.



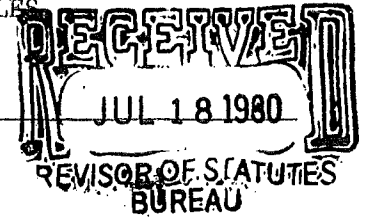
  
WILLIAM J. BUGLASS  
Deputy Secretary  
Wisconsin Department of Transportation

*Tent. eff. date 10-1-80*

OFFICE OF THE SECRETARY

IN THE MATTER OF CHAPTER :  
 TRANS 7, WIS. ADMIN. CODE, :  
 RELATING TO THE STATE URBAN :  
 MASS TRANSIT CAPITAL GRANT :  
 PROGRAM. :

ORDER ADOPTING  
RULES



Text of Rule

Pursuant to authority vested in the Wisconsin Department of Transportation by sections 110.06(1) and 227.014, Wis. Stats., the Department of Transportation hereby creates rules interpreting section 85.055, Wis. Stats., as follows:

CHAPTER TRANS 7

STATE URBAN MASS TRANSIT  
CAPITAL GRANT PROGRAM

TRANS 7.01 Purpose and scope of rule. The purposes of this chapter are to establish the department of transportation's administrative interpretation of s.85.055 Stats., and to prescribe administrative policies and procedures for implementing the urban mass transit capital expenditure (grant) program.

TRANS 7.02 Eligible applicants. (1) In accordance with the statutory definitions in s.85.055, Stats., eligible applicants are local public bodies in urban areas which are served by urban mass transit systems.

(2) "Local public bodies" are defined to be:

(a) Counties, municipalities or towns, or agencies thereof;

(b) Transit or transportation commissions or authorities and public corporations established by law or by interstate compact to provide mass transportation services and facilities; or

(c) Two or more of any such bodies acting jointly under s.66.30, Stats.

(3) "Urban mass transit system" means a mass transit system operating within an urban area.

(4) "Mass transit system" means a public agency or private firm which provides the general public with passenger transportation services on a regular basis. The transportation services for the general public may be provided by buses, rail, shared-ride taxicabs or other conveyance.

(5) "Urban area" means any area that includes a city or village having a population of 5,000 or more that is appropriate, in the department's judgement, for an urban mass transit system. The department will determine the population of a city or village within an urban area using the most recent estimates prepared by the department of administration.

(6) "Revenue miles" means the total miles traveled by urban mass transit vehicles while in revenue services. Revenue miles excludes miles traveled to and from storage facilities and other deadhead travel.

(7) "Revenue passengers" means "revenue passenger trips" as defined in chapter TRANS 3.

TRANS 7.03 Appropriate urban mass transit for urban areas; criteria. In determining whether an urban mass transit system is appropriate for an urban area for purposes of granting state aid, the department shall use the following criteria:

(1) For "nonurbanized" areas (urban areas not defined as "urbanized" by the U.S. bureau of the census), the urban mass transit system must provide at least two-thirds of its services within the boundaries of the urban area.

(2) For "urbanized" areas (urban areas defined as "urbanized" by the U.S. bureau of the census), the urban mass transit system must provide service within the urbanized area and may not extend such service to any point further than 15 miles from the boundaries of the "urbanized area."

TRANS 7.04 Eligible project costs. (1) Eligible project costs are limited to the purchase price of buses acquired for use in urban mass transit service. The buses may be either newly manufactured or used buses. Only the costs of equipment (including tires and fareboxes) integral to the bus shall be considered in computing the acquisition cost. Spare parts are not eligible project costs.

(2) Approval by the department is required prior to the acquisition of any buses to be purchased with state assistance in order to insure that the proposed acquisition is eligible under this Chapter.

TRANS 7.05 State share of costs. (1) The department may award a grant to an eligible applicant to pay up to 50% of eligible project costs that are not paid by the federal government.

(2) State funds can be used to match federal assistance only if the federal grant application, or applications, was formally submitted by the eligible applicant on or after January 1, 1980.

TRANS 7.06 Distribution of state aids. The department shall distribute the biennial appropriation for the program among those urban areas having urban mass transit service as of July 1, 1979. One-half of the appropriation shall be distributed to eligible applicants based on the ratio of revenue passengers carried by each urban mass transit system during calendar year 1979 to the total carried by all urban mass transit systems during calendar year 1979. One-half of the appropriation shall be distributed to eligible applicants based on the ratio of revenue miles operated by each urban mass transit system during calendar 1979 to the total operated by all urban mass transit systems during calendar year 1979.

TRANS 7.07 Applications for state aids. (1) An eligible applicant must notify the department by December 1, 1980 whether it intends to apply for its allocation of state aids. If it intends to make an application, its governing body must pass a formal resolution to that effect. The necessary funds to match the state aids must have been appropriated for local fiscal year 1980 or must be appropriated for local fiscal year 1981.

(2) Any allocations made under s. TRANS 7.06 that will not be applied for shall be redistributed among those eligible applicants that are applying for funds in accordance with the distribution method described in s. TRANS 7.06.


(3) Applications shall be made in a manner and form prescribed by the department and shall be submitted to the department March 1, 1981.

(4) Eligible applicants from areas defined as "urbanized" by the U.S. bureau of the census shall submit a copy of their application to their appropriate metropolitan planning organization.

(END)

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

Signed at Madison, Wisconsin, this 17th day of July, 1980.

  
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Deputy Secretary  
Wisconsin Department of Transportation



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION  
Division of Transportation Assistance



July 17, 1980

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

Mr. Gary L Poulson  
Assistant Revisor of Statutes  
411 West, State Capitol  
Madison, Wisconsin 53702



Dear Mr. Poulson:

Pursuant to the administrative rule-making procedure specified in sec. 227.023 Stats., enclosed is one certified copy and one printer's copy of the Order Adopting Chapter TRANS 7 of the Wisconsin Administrative Code.

The enclosed rule was approved by the Joint Committee for Review of Administrative Rules on July 17, 1980.

If you have any questions concerning this transmittal, please contact me at 266-0658.

Sincerely,

John M. Hartz, Director  
Bureau of Transit

JMH:dkm

Enclosures