

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*  
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CHARLES H. THOMPSON  
Secretary

IN THE MATTER OF a rule amending  
ss. Trans 8.03(1)(a) and Trans 8.03(3),  
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: s. 85.16(1) and s. 85.20, Stats.

STATUTES INTERPRETED: s. 85.20, Stats., and 49 U.S.C. Appx. § 1607

**General Summary of Rule.** This rule changes the method of allocating the federal funding received under section 9 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 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 proposed rule has no significant adverse impact on small businesses.

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

**TEXT OF RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by s. 85.20, Stats., and 49 U.S.C. Appx. § 1607, the department of transportation hereby amends a rule interpreting s. 85.20, Stats., relating to the urban mass transit operating assistance program.

**SECTION 1.** Trans 8.03(1)(a) and Trans 8.03(3) are amended to read:

Trans 8.03(1)(a) Funds apportioned to the governor and available for operating assistance shall be allocated annually among eligible recipients in proportion to each

~~recipients~~ recipient's share of the projected operating expenses of all eligible recipients for the project year. No recipient may receive an allocation that exceeds 50% of its operating deficit for any project year in accordance with 49 U.S.C. § 1607a(k)(1); and no recipient shall receive an allocation that when combined with state s. 85.20, Stats., operating assistance funds exceeds 70% of its projected operating expenses.

(3) Any uncommitted balances of the governor's apportionment after capital assistance needs are met under sub. (2)(a) shall be available to all eligible applicants for operating assistance beyond the 70% limitation initially imposed in sub. (1)(a), not to exceed 50% of the operating deficit or the federally-imposed operating assistance cap. Any uncommitted balances of the governor's apportionment available after this additional operating assistance distribution or any unexpended balances from previous years under this section shall be carried forward to the following year.

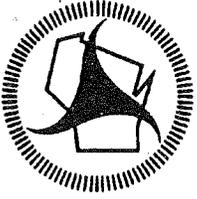
(END OF RULE TEXT)

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2), Stats.

Signed at Madison, Wisconsin, this 5<sup>th</sup> day of May, 1992.

  
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CHARLES H. THOMPSON  
Secretary  
Wisconsin Department of Transportation



## Wisconsin Department of Transportation

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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

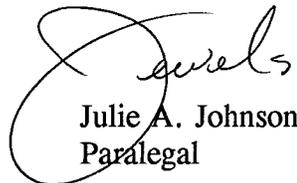
**RE: CLEARINGHOUSE RULE 92-35**

In the Matter of the Adoption of **TRANS 8**, 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 92-35**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,



Julie A. Johnson  
Paralegal

Enclosures

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