

CR 92-134

**CERTIFICATE**

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

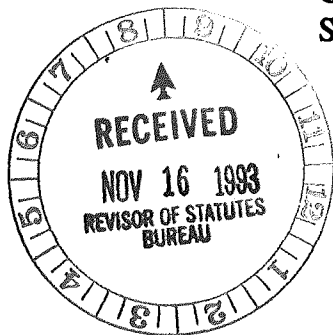
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **specialized transportation assistance program for counties**, was duly approved and adopted by this Department on November 11, 1993.

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 11 day of November, 1993.

*Charles H. Thompson*  
\_\_\_\_\_  
CHARLES H. THOMPSON  
Secretary



IN THE MATTER OF a rule AMENDING  
ss. Trans 1.015(5), 1.02(2)(b), (c) and (3),  
1.03(1), (2)(c) and (d), 1.035(1), 1.04 and  
1.09(3), relating to specialized transporta-  
tion assistance program for counties.

**ORDER ADOPTING RULE**

**Analysis Prepared by the Department of Transportation**

**STATUTORY AUTHORITY:** ss. 85.16(1) and 85.21(3), Stats.

**STATUTE INTERPRETED:** s. 85.21, Stats.

**General Summary of Rule.** The amendments to this rule are as follows:

(1) Increases the "threshold" dollar amounts for certain financial transactions. The current rule requires competitive bidding for purchase of service contracts that are \$5,000 or more. This rule change increases this amount to \$10,000.

(2) Eliminates the parenthetical phrase "rounded to the nearest thousand dollars" as it relates to the allocation of aids under the program. This rule change ensures that all counties receive at least .5 percent of the available aids in a calendar year as intended by the rule and eliminates an unnecessary step in the aids allocation process.

(3) Substitutes the word "disabled" for "handicapped" throughout the rule. This rule change brings the rule into conformity with the language in the Wisconsin Statutes.

**Fiscal Impact.** No fiscal impact is anticipated from the promulgation of this rule change.

**Final Regulatory Flexibility Analysis.** This rule will have no adverse significant impact on small businesses.

**Copies of Rule and Contact Person.** Copies of this rule may be obtained upon request, without cost, by writing to the Division of Transportation Assistance, P. O. Box 7914, 4802 Sheboygan Avenue, Room 701, Madison, WI 53707-7914, or by calling Larry Kieck at (608) 266-9476.

---

**TEXT OF RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 85.21(3), Stats., the department of transportation hereby amends a rule

interpreting s. 85.21, Stats., relating to specialized transportation assistance program for counties.

**SECTION 1.** Trans 1.015(5) is amended to read:

Trans 1.015(5) "Space available" means passenger carrying capacity which is in excess of the capacity necessary to meet the transportation needs of elderly or ~~handicapped~~ disabled persons.

**SECTION 2.** Trans 1.02(2)(b), (c) and (3) are amended to read:

Trans 1.02(2)(b) For the purposes of determining a county's proportionate share, the department shall include all elderly and ~~handicapped~~ disabled persons who reside in institutions within that county.

(c) ~~Handicapped~~ Disabled persons who are age 65 or older shall be counted only once for aid allocation purposes.

(3) Subject to adjustments that ensure that each county receives not less than 0.5% ~~(rounded to the nearest thousand dollars)~~ of the total annual appropriation for the program, the amount of aids allocated to each county shall equal the total amount available for allocation for the calendar year multiplied by the ratio of the number of elderly and ~~handicapped~~ disabled persons in the county to the total number of elderly and ~~handicapped~~ disabled persons in Wisconsin. (The final aids allocation figures for each county and the data and statistics used in making the aid allocations are available for inspection at the department upon request.)

**SECTION 3.** Trans 1.03(1) and (2)(c) and (d) are amended to read:

**Trans 1.03 USE OF ALLOCATED AID.** (1) A county shall use its allocated aid to provide or assist transportation services designed for use by elderly or ~~handicapped~~ disabled

persons. A county may, at its discretion, make these services also available to any other person on a space available basis.

(2)(c) Directly subsidize elderly of ~~handicapped~~ disabled passengers for their use of transportation service;

(d) Reimburse elderly or ~~handicapped~~ disabled persons for use of their personal means of transportation, when prior approval of such transportation has been given by the county based on qualification standards which the county establishes;

**SECTION 4.** Trans 1.035(1) is amended to read:

Trans 1.035(1) Effective July 31, 1987, counties may establish the transportation of elderly and ~~handicapped~~ disabled persons to medical, nutritional and work-related activities as the priority for the specialized transportation services receiving program aid, as allowed under s. 85.21(4)(a), Stats. These priorities need not be established on a project-by-project basis if the combined services of 2 or more projects give priority to the specified trip purposes.

**SECTION 5.** Trans 1.04 is amended to read:

**Trans 1.04 ACCESSIBILITY.** A county application for aids shall address the issue of the need for transportation services that are accessible to the developmentally and physically ~~handicapped~~ disabled population of that county. A county shall either make efforts to make accessible transportation available to the elderly and ~~handicapped~~ disabled persons or demonstrate that accessible transportation services are currently available. A county shall also propose specific steps to improve accessible transportation services for a 3-5 year period following the project year.

**SECTION 6.** Trans 1.09(3) is amended to read:

Trans 1.09(3) Effective January 1, 1989, a third party contract for transportation services purchased by a county with allocated aids shall, at least once every 5 years, be subject to and awarded through a competitive, public bidding process established in full accordance with s. Trans 1.05(8) when the total amount of the contract is ~~\$5,000~~ \$10,000 or more.

(END OF RULE TEXT)

---

**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.

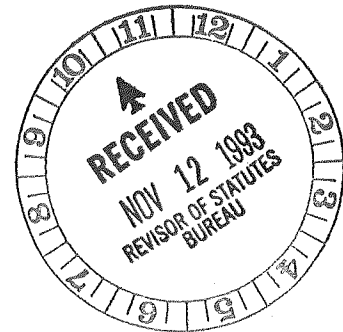
Signed at Madison, Wisconsin, this 11 day of November, 1993.

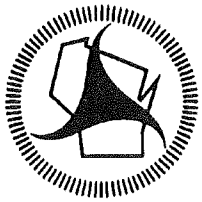
*Charles H. Thompson*

CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation





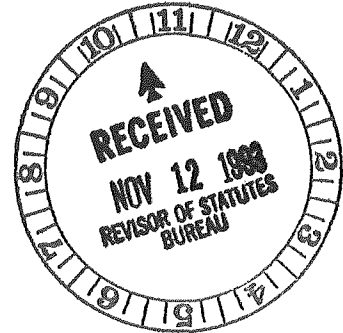
## Wisconsin Department of Transportation

Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

OFFICE OF GENERAL COUNSEL  
P. O. Box 7910  
Madison, WI 53707-7910

November 12, 1993



Mr. Gary Poulson  
Deputy Revisor of Statutes  
131 West Wilson Street, Suite 800  
Madison, Wisconsin 53703

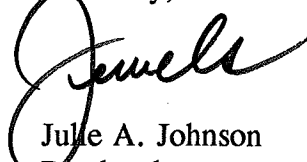
RE: **CLEARINGHOUSE RULE 93-145**

In the Matter of the Adoption of **TRANS 1**, Wisconsin Administrative Code, relating to **specialized transportation assistance program for counties.**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 93-145**, 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  
Larry Kieck