

Chapter Comm 131

DIESEL TRUCK IDLING REDUCTION GRANTS

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Note: Chapter Comm 131 was created as an emergency rule effective July 1, 2006.

Comm 131.10 Purpose. Pursuant to s. 560.125 (5m), Stats., this chapter sets forth the requirements for applying for, receiving, and using grants for purchasing and field testing diesel truck idling reduction units.

History: CR 06-034: cr. Register December 2006 No. 612, eff. 1-1-07.

Comm 131.20 Definitions. In this chapter:

(1) The definitions in s. 560.125 (1), Stats., shall apply.

Note: See Appendix for a reprint of s. 560.125 (1), Stats., and the statute sections referenced in that section.

(2) "Department" means the department of commerce.

(3) "Headquartered in this state," as referenced under s. Comm 131.30 (1), means the applicant's principal central administrative office is located in Wisconsin, or the applicant's business pays at least 80% of its payroll to employees employed in Wisconsin.

History: CR 06-034: cr. Register December 2006 No. 612, eff. 1-1-07.

Comm 131.30 Eligibility. (1) ELIGIBLE APPLICANTS. (a) Only applicants meeting all of the eligibility criteria in s. 560.125 (3), Stats., and in par. (b) may receive grants under this chapter.

(b) 1. The applicant is not failing to comply with any conditions imposed by the department on any previous grant received under this chapter.

2. If requested by the department, the applicant agrees to pay a percentage of the eligible costs that exceeds the 50 percent specified in s. 560.125 (3) (c), Stats.

(2) **ELIGIBLE COSTS.** Grants awarded under this chapter shall only be used to cover costs that are established as eligible in s. 560.125 (4) (a) and (b), Stats.

Note: See Appendix for a reprint of s. 560.125 (3) and (4) (a) and (b), Stats.

History: CR 06-034: cr. Register December 2006 No. 612, eff. 1-1-07; CR 08-037: am. (1) (b) 2. Register October 2008 No. 634, eff. 11-1-08.

Comm 131.40 Applications for grants. Every application for a grant under this chapter shall be submitted to the department on a fully completed, valid form provided by the department.

Note: The department's application form is generally available at the department's web site at www.commerce.wi.gov, through links there for the diesel truck idling reduction grant program.

History: CR 06-034: cr. Register December 2006 No. 612, eff. 1-1-07.

Comm 131.50 Awarding of grants. (1) LIMITS. Every grant awarded under this chapter shall comply with the limits established in s. 560.125 (4) (d) and (f), Stats.

Note: A cross-reference to s. 560.125 (4) (c), Stats., was removed under s. 13.92 (4) (b) 7., Stats., due to the repeal of s. 560.125 (4) (c) by 2009 Wis. Act 28. See the Appendix for the text of s. 560.125 (3) and (4), as affected by 2009 Wis. Act 28.

Note: As specified in s. 560.125 (2), Stats., the department's authority to award grants under this chapter expires on June 30, 2015.

(2) **TRUCK TRACTORS WITHOUT SLEEPER CABS.** The department may refuse to award a grant for purchasing and installing an idling reduction unit on a truck tractor that does not have a sleeper berth.

(3) **ALLOCATION FOR SMALL FLEETS.** The department may annually allocate up to 25 percent of the grant funding under this chapter, for awarding only to applicants who own and operate 50 or fewer truck tractors.

(4) **PREFERENCE FOR FLEETS WITHOUT PREVIOUS AWARDS.** The department may preferentially direct funding to an applicant who owns a fleet for which no previous grant has been awarded under this chapter.

(5) **PRORATING AWARDS.** The department may set cutoff dates for accepting the applications specified in s. Comm 131.40, and then prorate the awards to the applicants if the total funding requested in the applications exceeds the available revenue.

(3) **CONDITIONS. (a) General.** Each recipient of a grant awarded under this chapter shall comply with any corresponding conditions imposed by the department, as authorized under s. 560.125 (4) (f), Stats.

(b) **Reports.** Each recipient of a grant awarded under this chapter shall submit six- and twelve-month post-installation reports in a format prescribed by the department. These reports shall include evidence of being derived from on-board, electronically recorded data.

Note: As required by s. 560.125 (4) (g), Stats., the department will withhold payment of at least 20 percent of any grant under this chapter until the recipient has complied with the conditions of the grant, as established by the department, including providing to the department information relating to the operation and performance of each idling reduction unit covered by the grant.

Note: As required by s. 560.125 (5), Stats., the department will collect information from recipients of grants under this section relating to the operation and performance of idling reduction units. The department will also summarize the information collected and make it available to common motor carriers, contract motor carriers, and private motor carriers, on the department's Web site at www.commerce.wi.gov, through links there for the diesel truck idling reduction grant program.

History: CR 06-034: cr. Register December 2006 No. 612, eff. 1-1-07; **correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register December 2009 No. 648.**