

1999 DRAFTING REQUEST

Bill

Received: **11/16/98**

Received By: **nilsepe**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Etzler**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies: **TNF**

Topic:

DOA:.....Etzler - Specialized transportation assistance -- federal share

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 11/17/98	ptellez 11/20/98		_____			State
/P1			ismith 11/20/98	_____	lrb_docadmin 11/20/98		

FE Sent For:

<END>

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/?	nilsepe	PI PGT 11/19/98	IS 11/20	IS/HH 11/20			
		PI 11/19/98 JLG					

FE Sent For:

<END>

**Department of Transportation
1999-2001 Biennial Budget Request
STATUTORY MODIFICATIONS**

DRAFT

DIN NUMBER: 5810

TOPIC: Elderly & Disabled Vehicle Grants Federally Eligible Share

DESCRIPTION OF CHANGE:

Modify s.85.22 (4) to provide that "the amount of a capital grant shall not exceed either of the following: the percentage of estimated capital costs that may be provided by rule of the department or, for any specific type or category of capital equipment, the percentage that is eligible for federal aid ~~made available by the department~~ for a particular annual application cycle."

JUSTIFICATION:

Currently s.85.22 (4), titled "AMOUNT AND USE OF AID," directly addresses only the matching ratio when state aid is used. It says, "Commencing with the highest ranked application and to the extent state moneys are available, the department shall offer to each eligible applicant an amount of state aid such that the sum of federal and state aid received by an applicant does not exceed 80% of the estimated capital project costs..." WisDOT's current administrative interpretation of the provision is that the 80% limitation also applies to projects funded solely with federal aid. It has an administrative rule, Chapter Trans 2, interpreting s.85.22; however, this rule repeats the same phrase.

After passage of the Americans With Disabilities Act (ADA), the federal share for transit programs was modified to provide up to 90% of the incremental costs for certain equipment required by the ADA. In the case of the Section 5310 program [formerly known as the Section 16 (b) (2) program], administered under s.85.22, the federally eligible project share includes 90% of the costs of raised roofs, wheelchair lifts, positions, and securements required on vehicles as a result of the ADA, while continuing to cover up to 80% of the rest of the cost of the vehicle.

Grants under s.85.22 are based on an annual ranking of applications for vehicles. Federal funding for the program is expected to increase as a result of the Transportation Equity Act for the 21st Century (TEA 21). However, initial growth in authorizations is not large and will partially go to offset above-inflationary increases in the cost of specialized vehicles. Demand for the s.85.22 vehicles has been steady but future applications are difficult to anticipate. For these reasons, WisDOT is not recommending that the 90% share of eligible vehicle elements be funded at this time. Instead, it is recommending that the statute be clarified and made more general so that the eligible percentage is that specified in Trans 2, up to the percentage that is eligible for the federal funds used in the program. Under this approach, the current language of Trans 2 will continue to provide for an 80% project share until modified, but if WisDOT determines that future federal funding levels are sufficient, a 90% share could be provided for certain equipment without awaiting modification of s.85.22 in a future budget or special legislation.

PI

DOA:.....Etzler - ^{CAP}specialized transportation assistance - federal share

add
SPACES

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Anal: head: TRANSPORTATION ✓
Anal: sub: TRANSPORTATION AIDS

D-note

1 AN ACT ^{don't} ~~relating to~~ ^{WIS. STAT.} relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

Under current law, the department of transportation (DOT) administers an elderly and disabled transportation capital assistance program. Under the program, DOT annually awards grants to qualified private, nonprofit organizations and local public bodies for capital costs related to specialized vehicles and facilities used to provide transportation services to elderly and disabled persons. The sum of federal and state aid may not exceed 80% of the estimated capital costs.

This bill changes the amount of aid that DOT may award under the elderly and disabled transportation capital assistance program. The amount awarded under the program may not exceed the percentage of estimated costs specified by DOT by rule or, for any specific type or category of equipment, the percentage of the equipment costs that is eligible for federal aid.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

7 hrs
1-2
2

SECTION 1. 85.22 (4) of the statutes is renumbered 85.22(4)(a) and amended to

(intro.)

3 read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0886/?dn

PEN ^{pt.}

19

November 17, 1998 } ^{new}
date

85.22

"Specific type or category of equipment", as used in this draft, is not defined in s. 85.52, stats., or ch. Trans 2, Wis. Adm. Code. Is a "bus" a category of equipment? Do you want to try to define this phrase?

Paul E. Nilsen
Legislative Attorney
261-6926

(165
1-2)

✓ (intro.)
Section #. 85.22 (2) (am) of the statutes is amended to read:

(intro.) Appendix
85.22 (2) (am) "Eligible applicant" means any applicant that meets eligibility requirements for federal assistance under 49 USC 1612 (b) (2) and is one of the following:

- 1. A private, nonprofit organization.
 - 2. A local public body that satisfies one of the following conditions:
 - a. After submission and approval of the certification by the department, certifies to the governor that no private, nonprofit organization is readily available to provide transportation services to elderly and disabled persons in the proposed service area.
 - b. Is approved by the department to coordinate transportation services to elderly and disabled persons in a proposed service area.
- History: 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437.

(end insert)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0886/P1dn
PEN:pgt&jlg:ijs

November 20, 1998

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0886/P1
PEN:pgt&jlg:ijs

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FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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TRANSPORTATION

TRANSPORTATION AIDS

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NOTE TO DRAFTING FILE for LRB-0886:

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

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