

**2015 DRAFTING REQUEST**

**Bill**

Received: **9/5/2014** Received By: **emueller**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget** By/Representing: **Mette**  
May Contact: Drafter: **emueller**  
Subject: **Transportation - mass trnst/rail** Addl. Drafters:  
**Transportation - other** Extra Copies: **ARG, ZDW**

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov**

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**Pre Topic:**

DOA:.....Mette, BB0443 -

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**Topic:**

Capital assistance program for specialized transportation

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**Instructions:**

See attached

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**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>
/?	emueller 9/24/2014			_____			
/P1	emueller 11/4/2014	csicilia 10/1/2014	rschlue 10/1/2014	_____	lparisi 10/1/2014		
/P2	emueller	csicilia	rschlue	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	1/13/2015	11/11/2014	11/11/2014	_____	11/11/2014		
/P3		csicilia 1/14/2015		_____ _____	lparisi 1/14/2015		

FE Sent For:

<END>

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 Transportation - other Extra Copies: ARG, ZDW

Submit via email: YES  
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 Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov  
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DOA:.....Mette, BB0443 -

Topic:

Capital assistance program for specialized transportation

Instructions:

See attached

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/?	emueller 9/24/2014			_____			
/P1	emueller 11/4/2014	csicilia 10/1/2014	rschluet 10/1/2014	_____	lparisi 10/1/2014		
/P2	emueller	csicilia	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		11/11/2014	11/11/2014	_____	11/11/2014		

/P3 EUM  
FE Sent For: 1/13/15

/P3 js 1/14/15 <END>

2015 DRAFTING REQUEST

Bill

Received: 9/5/2014

Received By: emueller

Wanted: As time permits

Same as LRB:

For: Transportation

By/Representing: Anna Richter

May Contact:

Drafter: emueller

Subject: Transportation - mass trnst/rail  
Transportation - other

Addl. Drafters:

Extra Copies: ARG, ZDW

Submit via email: YES  
Requester's email: Anna.Richter@dot.wi.gov  
Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Specialized transportation assistance program

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>
/?	emueller 9/24/2014			_____			
/P1	emueller 11/4/2014	csicilia 10/1/2014	rschluet 10/1/2014	_____	lparisi 10/1/2014		
/P2		csicilia 11/11/2014	rschluet 11/11/2014	_____	sbasford 11/11/2014		

FE Sent For:

<END>

**2015 DRAFTING REQUEST**

**Bill**

Received: **9/5/2014** Received By: **emueller**  
Wanted: **As time permits** Same as LRB:  
For: **Transportation** By/Representing: **Anna Richter**  
May Contact: Drafter: **emueller**  
Subject: **Transportation - mass trnst/rail** Addl. Drafters:  
**Transportation - other** Extra Copies: **ARG, ZDW**

Submit via email: **YES**  
Requester's email: **Anna.Richter@dot.wi.gov**  
Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Specialized transportation assistance program

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**Instructions:**

See attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	emueller 9/24/2014			_____			
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/P1		csicilia 10/1/2014	rschluet 10/1/2014		lparisi 10/1/2014		
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RP2 EVM  
11/4/14  
FE Sent For: /P2 gjs 11/11/14  
/P2 gjs 11/11/14  
<END> 11/14 5P

**2015 DRAFTING REQUEST**

**Bill**

Received: **9/5/2014** Received By: **emueller**  
Wanted: **As time permits** Same as LRB:  
For: **Transportation** By/Representing: **Anna Richter**  
May Contact: Drafter: **emueller**  
Subject: **Transportation - mass trnst/rail** Addl. Drafters:  
**Transportation - other** Extra Copies: **ARG, ZDW**

Submit via email: **YES**  
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Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**

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**Pre Topic:**

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**Topic:**

Specialized transportation assistance program

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See attached

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1?	emueller						
1/1	6/24/14	10/1	10/1				
FE Sent For:		14	14				

10/1/14

<END>



**Department of Transportation  
2015-17 Biennial Budget Request  
STATUTORY MODIFICATIONS**

**DIVISION:** DTIM

**TOPIC:** 85.22 Capital assistance program for specialized transportation

**DESCRIPTION OF CHANGE:**

All sections: We are requesting that the word "capital" be removed from the language because going forward other project types are also eligible for funding. The federal language has changed the word "elderly" to "senior" and we request that change be made throughout.

Section 1: Removing the word "capital" and changing "elderly" to "senior" are the only requested changes.

Section 2:

- Section (am): The definition of eligible applicant in the federal language is different depending on the type of project that is being applied for. We suggest removing the specific definition and referencing the federal language for eligible applicants.
- Section (b): Change "elderly" to "senior" and the age from 55 to 65 as stated in the federal language.

Section 3:

- Section (a): Remove the word "annually" in reference to the application cycle. We would like the flexibility of running the competitive application cycle on a two-year basis.
- Section (c): Change "elderly" to "senior".
- Section (g): Remove the word "annual" from the application cycle to allow the flexibility of running the competitive application cycle on a two-year basis.
- Section (h): Change "elderly" to "senior" and remove the reference to section 2.b. as we are recommending that section be eliminated.

Section 4:

- Section (a): Sentence 1 be rewritten to "Commencing with the highest ranked application and to the extent that state and federal moneys are available, the department shall offer to each eligible applicant an amount of state and / or federal aid such that the sum of federal and state aid received by an applicant does not exceed the funding limitations defined in 49 USC 5310. The first two additions allow for flexibility in using federal and state funds. The final change is requested because various project types can have different funding limitations in the new 5310 program.
- Section (a): Remove the remainder of the language in sections 1., 2., and 2(b), where we recommend that the reference to the 49 USC 5310 language be used.

**JUSTIFICATION:**

Under s. 85.22, Wis. Stats., WisDOT administers a competitive grant program to award a combination of state funds and federal (49 U.S.C. 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities program) funds for provision of transportation service to the State's senior and disabled residents.

Historically federal 5310 funds were limited to use on capital projects and s. 85.22 was constructed consistent with the original federal program. New federal legislation (MAP-21) now allows projects that were previously eligible under Section 5317 (New Freedom), including operating projects, to be eligible under this expanded Section 5310 program.

With these recent rule changes, the current construction of the statute threatens to constrain the Department's ability to optimally administer the Section 5310 program and especially its ability to fully fund the types of projects previously funded under the New Freedom program. A handful of simple changes in statutory text could remedy this by enabling the use of state funds for the full range of purposes permitted under Section 5310.



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0038/P1  
EVM:.....

(DNote)

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

(RMR)

cjs

Agency Budget Drafts

9/24/14

SM  
xrcb

do NOT gen

Under the bill

1 **AN ACT ...; relating to: the budget.**

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

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.

This bill changes several of the requirements of the program. Among these: 1) the program is not limited to capital costs, 2) the assistance beneficiary category of elderly persons, defined as persons age 55 or older, is changed to seniors, defined as age 65 or older, 3) DOT is not required to maintain an annual application cycle, and 4) several statutory requirements that are in addition to federal requirements related to applicants and award amounts are eliminated.

3

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

- x 2 **SECTION 1.** 20.395 (1) (cq) of the statutes is amended to read:
- 3 20.395 (1) (cq) *Elderly Senior and disabled capital specialized transportation*
- 4 *aids, state funds.* As a continuing appropriation, the amounts in the schedule for

3

1 specialized transportation ~~capital~~ assistance for the ~~elderly~~ seniors and disabled  
2 persons under s. 85.22.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; s. 13.92 (1) (bm) 2.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 85.22 (title) of the statutes is amended to read:

4 85.22 (title) ~~Capital assistance program for specialized~~ Specialized  
5 transportation program.

**History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

6 SECTION 3. 85.22 (1) of the statutes is amended to read:

7 85.22 (1) PURPOSE. The purpose of this section is to promote the general public  
8 health and welfare by providing ~~capital~~ assistance to eligible applicants providing  
9 transportation services to elderly seniors and disabled persons.

**History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

10 SECTION 4. 85.22 (2) (am) (intro.) of the statutes is amended to read:

renumbered 85.22(2) (am) and

11 85.22 (2) (am) (intro.) "Eligible applicant" means any applicant that meets  
12 eligibility requirements for federal assistance under 49 USC 5310 (a) and is one of  
13 the following:

fix component

**History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

14 SECTION 5. 85.22 (2) (am) 1. of the statutes is repealed.

15 SECTION 6. 85.22 (2) (am) 2. of the statutes is repealed.

16 SECTION 7. 85.22 (2) (b) of the statutes is repealed.

17 SECTION 8. 85.22 (2) (d) of the statutes is created to read:

18 85.22 (2) (d) "Senior" means any individual age 65 or older.

19 SECTION 9. 85.22 (3) (a) of the statutes is amended to read:

20 85.22 (3) (a) To receive and review ~~annually~~ applications for aid under this  
21 section and to prescribe the form, nature, and extent of information which shall be

1 contained in applications. Each applicant shall indicate whether the transportation  
2 services it provides or proposes to provide conflict with any transportation services  
3 being assisted under s. 85.21.

4 **History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

**SECTION 10.** 85.22 (3) (c) of the statutes is amended to read:

5 85.22 (3) (c) To make and execute agreements with eligible applicants to  
6 provide for the undertaking of transportation services to elderly seniors or disabled  
7 persons.

8 **History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

**SECTION 11.** 85.22 (3) (g) of the statutes is amended to read:

9 85.22 (3) (g) To establish an annual application cycle for the program.

10 **History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

**SECTION 12.** 85.22 (3) (h) of the statutes is amended to read:

11 85.22 (3) (h) To establish, by rule, standards for the coordination of  
12 transportation services to elderly seniors and disabled persons ~~for purposes of s.~~  
13 ~~85.22 (2) (am) 2. b.~~ These standards may require certification by a local public body  
14 that any application for aid under this section shall be consistent with the  
15 recommendations of a local coordinating committee on transportation that has  
16 membership which is, in the department's judgment, sufficient to provide for  
17 adequate coordination of services available in the applicable area.

18 **History:** 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

**SECTION 13.** 85.22 (4) (a) (intro.) of the statutes is renumbered 85.22 (4) and  
19 amended to read:

20 85.22 (4) (intro.) Commencing with the highest ranked application and to the  
21 extent that state and federal moneys are available, the department shall offer to each  
22 eligible applicant an amount of state aid such that the sum of federal and state aid

1 received by an applicant does not exceed ~~any of the following:~~ the funding limitations  
 2 defined in 49 USC 5310.

History: 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.

3 **SECTION 14.** 85.22 (4) (a) 1. of the statutes is repealed. ✓

4 **SECTION 15.** 85.22 (4) (a) 2. of the statutes is repealed. ✓

5 **SECTION 16.** 85.22 (4) (b) of the statutes is repealed. ✓

6 **SECTION 17.** 121.53 (3) (c) of the statutes is amended to read:

7 121.53 (3) (c) When the school bus is used as specified in s. 340.01 (56) (am) for  
 8 the purpose of transporting ~~elderly~~ seniors or disabled persons in connection with a  
 9 transportation assistance program for such persons. ✓

History: 1975 c. 60; 1977 c. 29 s. 1654 (7) (b); 1979 c. 281; 1981 c. 25; 1985 a. 287; 1991 a. 239; 1993 a. 492; 1995 a. 27 s. 9145 (1); 1997 a. 27; 2005 a. 220.

10 **SECTION 18.** 340.01 (23g) (a) of the statutes is amended to read:

11 340.01 (23g) (a) Means a motor vehicle which is not painted in accordance with  
 12 s. 347.44 (1) and which is used for the purpose of transporting disabled persons as  
 13 defined in s. 85.21 (2) (cm) or ~~elderly persons~~ seniors as defined in s. 85.22 (2) (b) (d)  
 14 in connection with any transportation assistance program for ~~elderly~~ seniors or  
 15 disabled persons.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377.

16 **SECTION 19.** 340.01 (56) (am) of the statutes is amended to read:

17 340.01 (56) (am) Means a motor vehicle which is painted in accordance with  
 18 s. 347.44 (1) and is used for the purpose of transporting disabled persons as defined  
 19 in s. 85.21 (2) (cm) or ~~elderly persons~~ seniors as defined in s. 85.22 (2) (b) (d) in  
 20 connection with any transportation assistance program for ~~elderly~~ seniors or  
 21 disabled persons.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a.

29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377.

1

(END)

DNote

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

LRB-0038/P1dn

EVM:.....

gjs

- date -

ATTN: Anna Richter

Does s. 85.52 (1) (ag) require any change? Do the changes made in this draft to ss. 121.53 (3) (c) and 340.01 (23g) (a) and (56) (am) meet your intent?

✓  
✓

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: [eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)



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

LRB-0038/P1dn  
EVM:cjs:rs

October 1, 2014

ATTN: Anna Richter

Does s. 85.52 (1) (ag) require any change? Do the changes made in this draft to ss. 121.53 (3) (c) and 340.01 (23g) (a) and (56) (am) meet your intent?

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: [eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

## Mueller, Eric

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**From:** Etzler, John M - DOT <JohnM.Etzler@dot.wi.gov>  
**Sent:** Tuesday, October 21, 2014 10:39 AM  
**To:** Mueller, Eric  
**Cc:** Richter, Anna - DOT  
**Subject:** LRB 15-0038\_P1 (Elderly and Disabled Program ) - DOT Comments  
**Attachments:** E&D Program - 15-0038\_P1.pdf

Eric,

We are requesting "disabled persons" be replaced throughout the attached draft with "individuals with disabilities". The specific changes are defined below:

### Line 3

20.395 (1) (c) ~~Elderly~~ Seniors and ~~disabled individuals with disabilities~~ *specialized transportation*

### Page 2

#### Lines 1 and 2

specialized transportation ~~capital assistance for the elderly~~ seniors and ~~disabled persons~~ individuals with disabilities under s. 85.22

#### Line 9

transportation services to ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities.

**An additional change what should follow Line 9 but come before Line 10. It should be the first entry under (2) DEFINITIONS.**

(ag) ~~"Disabled Persons"~~ "Individuals with disabilities" means any individual who, because of any temporary or permanent physical or mental condition or institutional residence is unable without special facilities or special planning or design to use available transportation facilities and services as effectively as persons who are not so affected.

### Page 3

#### Lines 5 and 6

provide for the undertaking of transportation services to ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities.

#### Line 11

transportation services to ~~elderly~~ seniors and ~~disabled persons~~ individuals with disabilities ~~for the purposes of s.~~

### Page 4

#### Line 4

the purpose of transporting ~~elderly~~ seniors or ~~disabled persons~~ individuals with disabilities in connection with a

**Line 8**

s. 347.44 (1) and which is used for the purpose of transporting ~~disabled persons~~ individuals with disabilities as

**Line 11**

~~disabled persons~~ individuals with disabilities.

**Line 14**

s. 347.44 (1) and is used for the purpose of transporting ~~disabled persons~~ individuals with disabilities as defined

**Line 17**

~~disabled persons~~ individuals with disabilities.

Please let me know if you have any questions or concerns.

Thanks.

John M. Etzler  
WisDOT - OPBF  
608-266-1876



slays

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

INSERT

11/4/14

Soon

agency budget draft

do NOT gen

SN

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, 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.

This bill changes several of the requirements of the program. Under the bill: 1) the program is not limited to capital costs; 2) the assistance beneficiary category of elderly persons, defined as persons age 55 or older, is changed to seniors, defined as age 65 or older; 3) DOT is not required to maintain an annual application cycle; and 4) several statutory requirements that are in addition to federal requirements related to applicants and award amounts are eliminated.

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

2 SECTION 1. 20.395 (1) (cq) of the statutes is amended to read:

3 20.395 (1) (cq) ~~Elderly~~ <sup>Seniors</sup> ~~and disabled~~ <sup>strike</sup> capital specialized transportation

4 aids, state funds. As a continuing appropriation, the amounts in the schedule for

individuals with disabilities

① specialized transportation capital assistance for the elderly seniors and ~~disabled~~ <sup>individuals with disabilities</sup> <sup>strike</sup>

② ~~persons~~ under s. 85.22.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 85.22 (title) of the statutes is amended to read:

4 85.22 (title) ~~Capital assistance program for specialized~~ Specialized

5 transportation program.

6 SECTION 3. 85.22 (1) of the statutes is amended to read:

7 85.22 (1) PURPOSE. The purpose of this section is to promote the general public

8 health and welfare by providing capital assistance to eligible applicants providing

9 transportation services to elderly seniors and ~~disabled persons~~ <sup>individuals with disabilities</sup> <sup>strike</sup>

NS  
2-9

10 SECTION 4. 85.22 (2) (am) (intro.) of the statutes is renumbered 85.22 (2) (am)

11 and amended to read:

12 85.22 (2) (am) "Eligible applicant" means any applicant that meets eligibility

13 requirements for federal assistance under 49 USC 5310 (a) ~~and is one of the~~

14 ~~following:~~

15 SECTION 5. 85.22 (2) (am) 1. of the statutes is repealed.

16 SECTION 6. 85.22 (2) (am) 2. of the statutes is repealed.

17 SECTION 7. 85.22 (2) (b) of the statutes is repealed.

18 SECTION 8. 85.22 (2) (d) of the statutes is created to read:

19 85.22 (2) (d) "Senior" means any individual age 65 or older.

20 SECTION 9. 85.22 (3) (a) of the statutes is amended to read:

21 85.22 (3) (a) To receive and review annually applications for aid under this

22 section and to prescribe the form, nature, and extent of information which shall be

23 contained in applications. Each applicant shall indicate whether the transportation

1 services it provides or proposes to provide conflict with any transportation services  
2 being assisted under s. 85.21.

3 SECTION 10. 85.22 (3) (c) of the statutes is amended to read:

4 85.22 (3) (c) To make and execute agreements with eligible applicants to  
5 provide for the undertaking of transportation services to elderly seniors or ~~disabled~~<sup>strike</sup>  
6 ~~persons.~~ individuals with disabilities

7 ~~strike~~ SECTION 11. 85.22 (3) (g) of the statutes is amended to read:

8 85.22 (3) (g) To establish an ~~annual~~ application cycle for the program.

9 SECTION 12. 85.22 (3) (h) of the statutes is amended to read:

10 85.22 (3) (h) To establish, by rule, standards for the coordination of  
11 transportation services to elderly seniors and ~~disabled persons~~<sup>strike</sup> for purposes of s.  
12 ~~85.22 (2) (am) 2. b.~~ individuals with disabilities These standards may require certification by a local public body  
13 that any application for aid under this section shall be consistent with the  
14 recommendations of a local coordinating committee on transportation that has  
15 membership which is, in the department's judgment, sufficient to provide for  
16 adequate coordination of services available in the applicable area.

17 SECTION 13. 85.22 (4) (a) (intro.) of the statutes is renumbered 85.22 (4) and  
18 amended to read:

19 85.22 (4) Commencing with the highest ranked application and to the extent  
20 that state and federal moneys are available, the department shall offer to each  
21 eligible applicant an amount of state aid such that the sum of federal and state aid  
22 received by an applicant does not exceed ~~any of the following:~~ the funding limitations  
23 defined in 49 USC 5310.

24 SECTION 14. 85.22 (4) (a) 1. of the statutes is repealed.

25 SECTION 15. 85.22 (4) (a) 2. of the statutes is repealed.

1 SECTION 16. 85.22 (4) (b) of the statutes is repealed.

2 SECTION 17. 121.53 (3) (c) of the statutes is amended to read:

3 121.53 (3) (c) When the school bus is used as specified in s. 340.01 (56) (am) for  
4 the purpose of transporting elderly seniors or ~~disabled persons~~ <sup>strike</sup> in connection with a <sup>individuals with disabilities</sup>  
5 transportation assistance program for such persons.

6 SECTION 18. 340.01 (23g) (a) of the statutes is amended to read:

7 340.01 (23g) (a) Means a motor vehicle which is not painted in accordance with  
8 s. 347.44 (1) and which is used for the purpose of transporting ~~disabled persons~~ <sup>strike</sup> as  
9 defined in s. ~~85.21 (2) (cm)~~ <sup>strike</sup> or elderly persons seniors as defined in s. 85.22 (2) (b) (d)  
10 in connection with any transportation assistance program for elderly seniors or  
11 ~~disabled persons~~ <sup>strike</sup> <sup>individuals with disabilities</sup>

12 SECTION 19. 340.01 (56) (am) of the statutes is amended to read:

13 340.01 (56) (am) Means a motor vehicle which is painted in accordance with  
14 s. 347.44 (1) and is used for the purpose of transporting ~~disabled persons~~ <sup>strike</sup> as defined  
15 in s. ~~85.21 (2) (cm)~~ <sup>strike</sup> or elderly persons seniors as defined in s. 85.22 (2) (b) (d) in  
16 connection with any transportation assistance program for elderly seniors or  
17 ~~disabled persons~~ <sup>strike</sup> <sup>individuals with disabilities</sup>

18 (END)

individuals with disabilities

2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0038/P2ins  
EVM:cjs:rs

1 INS 2-9

2

^ x

3

SECTION 1. 85.22 (2) (ag) of the statutes is renumbered 85.22 (2) (bm) and  
4 amended to read:

4

5

85.22 (2) (bm) "~~Disabled person~~ Individual with a disability" means any  
6 individual who, because of any temporary or permanent physical or mental condition  
7 or institutional residence is unable without special facilities or special planning or  
8 design to use available transportation facilities and services as effectively as persons  
9 who are not so affected.

6

7

8

9

History: 1981 c. 20 s. 1222; 1991 a. 239; 1993 a. 437; 1999 a. 9.



## Mueller, Eric

---

**From:** Mette, Bryan - DOA <Bryan.Mette@wisconsin.gov>  
**Sent:** Tuesday, January 13, 2015 2:57 PM  
**To:** Mueller, Eric  
**Subject:** RE: Statutory Language Drafting Request - BB0443

LRB-0038/P2

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**From:** Mueller, Eric [mailto:Eric.Mueller@legis.wisconsin.gov]  
**Sent:** Tuesday, January 13, 2015 2:56 PM  
**To:** Mette, Bryan - DOA  
**Cc:** Wyatt, Zachary - LEGIS  
**Subject:** FW: Statutory Language Drafting Request - BB0443

Bryan,

Do you have an LRB number for this one?

Eric Mueller  
Attorney, Legislative Reference Bureau  
Phone: (608)261-7032  
[eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

**From:** Hanaman, Cathlene  
**Sent:** Tuesday, January 13, 2015 2:40 PM  
**To:** Mueller, Eric; Wyatt, Zachary  
**Subject:** FW: Statutory Language Drafting Request - BB0443

**From:** [Bryan.Mette@Wisconsin.gov](mailto:Bryan.Mette@Wisconsin.gov) [mailto:[Bryan.Mette@Wisconsin.gov](mailto:Bryan.Mette@Wisconsin.gov)]  
**Sent:** Tuesday, January 13, 2015 2:31 PM  
**To:** Hanaman, Cathlene  
**Cc:** Ziegler, Paul - DOA; Mette, Bryan - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0443

Biennial Budget: 2015-17

DOA Tracking Code: BB0443

Topic: Capital Assistance Program for Specialized Transportation

SBO Team: TLGED

SBO Analyst: Mette, Bryan - DOA  
Phone: 608-266-1039  
E-mail: [Bryan.Mette@Wisconsin.gov](mailto:Bryan.Mette@Wisconsin.gov)

Agency Acronym: WisDOT

Agency Number: 395

Priority: Low

Intent:

Creating a SharePoint record of an already completed draft.

Attachments: False

Please send completed drafts to [SBOStatlanguage@webapps.wi.gov](mailto:SBOStatlanguage@webapps.wi.gov)



1P3

stays

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

regen header

1/20/15

SA✓

do NOT gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, 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.

This bill changes several of the requirements of the program. Under the bill: 1) the program is not limited to capital costs; 2) the assistance beneficiary category of elderly persons, defined as persons age 55 or older, is changed to seniors, defined as age 65 or older; 3) DOT is not required to maintain an annual application cycle; and 4) several statutory requirements that are in addition to federal requirements related to applicants and award amounts are eliminated.

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

2 SECTION 1. 20.395 (1) (cq) of the statutes is amended to read:

3 20.395 (1) (cq) Elderly Seniors and disabled capital individuals with  
4 disabilities specialized transportation aids, state funds. As a continuing

1 appropriation, the amounts in the schedule for specialized transportation capital  
2 assistance for the elderly seniors and disabled individuals with disabilities under s.  
3 85.22.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 2. 85.22 (title) of the statutes is amended to read:

5 85.22 (title) ~~Capital assistance program for specialized~~ Specialized  
6 transportation program.

7 SECTION 3. 85.22 (1) of the statutes is amended to read:

8 85.22 (1) PURPOSE. The purpose of this section is to promote the general public  
9 health and welfare by providing capital assistance to eligible applicants providing  
10 transportation services to elderly seniors and disabled ~~persons~~ individuals with  
11 disabilities.

12 SECTION 4. 85.22 (2) (ag) of the statutes is renumbered 85.22 (2) (bm) and  
13 amended to read:

14 85.22 (2) (bm) “~~Disabled person~~ Individual with a disability” means any  
15 individual who, because of any temporary or permanent physical or mental condition  
16 or institutional residence is unable without special facilities or special planning or  
17 design to use available transportation facilities and services as effectively as persons  
18 who are not so affected.

19 SECTION 5. 85.22 (2) (am) (intro.) of the statutes is renumbered 85.22 (2) (am)  
20 and amended to read:

21 85.22 (2) (am) “Eligible applicant” means any applicant that meets eligibility  
22 requirements for federal assistance under 49 USC 5310 (a) ~~and is one of the~~  
23 ~~following:~~

1           **SECTION 6.** 85.22 (2) (am) 1. of the statutes is repealed.

2           **SECTION 7.** 85.22 (2) (am) 2. of the statutes is repealed.

3           **SECTION 8.** 85.22 (2) (b) of the statutes is repealed.

4           **SECTION 9.** 85.22 (2) (d) of the statutes is created to read:

5           85.22 (2) (d) “Senior” means any individual age 65 or older.

6           **SECTION 10.** 85.22 (3) (a) of the statutes is amended to read:

7           85.22 (3) (a) To receive and review ~~annually~~ applications for aid under this  
8 section and to prescribe the form, nature, and extent of information which shall be  
9 contained in applications. Each applicant shall indicate whether the transportation  
10 services it provides or proposes to provide conflict with any transportation services  
11 being assisted under s. 85.21.

12           **SECTION 11.** 85.22 (3) (c) of the statutes is amended to read:

13           85.22 (3) (c) To make and execute agreements with eligible applicants to  
14 provide for the undertaking of transportation services to elderly seniors or disabled  
15 ~~persons~~ individuals with disabilities.

16           **SECTION 12.** 85.22 (3) (g) of the statutes is amended to read:

17           85.22 (3) (g) To establish an ~~annual~~ application cycle for the program.

18           **SECTION 13.** 85.22 (3) (h) of the statutes is amended to read:

19           85.22 (3) (h) To establish, by rule, standards for the coordination of  
20 transportation services to elderly seniors and ~~disabled persons for purposes of s.~~  
21 ~~85.22 (2) (am) 2. b~~ individuals with disabilities. These standards may require  
22 certification by a local public body that any application for aid under this section  
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8 received by an applicant does not exceed ~~any of the following:~~ the funding limitations  
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14 121.53 (3) (c) When the school bus is used as specified in s. 340.01 (56) (am) for  
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18 340.01 (23g) (a) Means a motor vehicle which is not painted in accordance with  
19 s. 347.44 (1) and which is used for the purpose of transporting ~~disabled persons~~  
20 individuals with disabilities as defined in s. ~~85.21 (2) (em)~~ 85.22 (2) (bm) or elderly  
21 ~~persons seniors~~ seniors as defined in s. 85.22 (2) (b) (d) in connection with any transportation  
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1           340.01 **(56)** (am) Means a motor vehicle which is painted in accordance with  
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3 with disabilities as defined in s. ~~85.21 (2) (cm)~~ 85.22 (2) (bm) or elderly persons  
4 seniors as defined in s. 85.22 (2) ~~(b)~~ (d) in connection with any transportation  
5 assistance program for elderly seniors or ~~disabled persons~~ individuals with  
6 disabilities.

7

(END)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0038/P3

EVM:cjs:rs

DOA:.....Mette, BB0443 - Capital assistance program for specialized transportation

**FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, 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.

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3 *~~disabilities specialized transportation aids, state funds.~~* As a continuing  
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5 assistance for ~~the elderly~~ seniors and ~~disabled~~ individuals with disabilities under s.  
6 85.22.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 2.** 85.22 (title) of the statutes is amended to read:

8           **85.22** (title) ~~Capital assistance program for specialized~~ **Specialized**  
9 **transportation program.**

10          **SECTION 3.** 85.22 (1) of the statutes is amended to read:

11          85.22 (1) PURPOSE. The purpose of this section is to promote the general public  
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21 who are not so affected.

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13 **SECTION 16.** 85.22 (4) (a) 2. of the statutes is repealed.

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22 individuals with disabilities as defined in s. ~~85.21 (2) (em)~~ 85.22 (2) (bm) or elderly  
23 ~~persons seniors~~ as defined in s. 85.22 (2) (b) ~~(d)~~ in connection with any transportation  
24 assistance program for elderly seniors or ~~disabled persons~~ individuals with  
25 disabilities.

