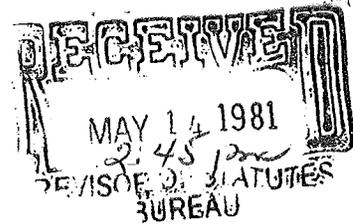


CR 80-77

C E R T I F I C A T E

STATE OF WISCONSIN)
)
DEPARTMENT OF TRANSPORTATION) SS



TO ALL TO WHOM THESE PRESENTS COME:

I, Lowell B. Jackson, Secretary of the Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rule amendments relating to the Transportation System Management Demonstration Program (CR 80-77) was duly approved and adopted by this Department on May 13th, 1981.

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 at the Hill Farms State Office Building in the City of Madison, this 13th day of May, 1981.



Lowell B. Jackson, P.E.
Secretary
Wisconsin Department of Transportation

OFFICE OF THE SECRETARY

IN THE MATTER OF THE	:	
REPEAL, RENUMBERING, AND AMEND-	:	
MENT OF CHAPTER TRANS 78, <u>WIS.</u>	:	ORDER ADOPTING
<u>ADM. CODE</u> , RELATING TO THE	:	<u>RULES</u>
<u>TRANSPORTATION SYSTEM MANAGE-</u>	:	
<u>MENT PROGRAM</u>	:	

Analysis by the Department of Transportation

In chapter 34, Laws of 1979, the Legislature enacted sec. 85.045 which directed the Department of Transportation to administer a Transportation System Management Program to encourage more efficient management of existing transportation systems. Section 85.045 authorizes the Department to provide grants to a county, city, village, town, or combination thereof which wishes to develop a local TSM project. The rules implementing the TSM program became effective on October 1, 1980.

The Department now proposes to make the following changes to the rule:

Under the current rule, a project year is defined as a calendar year and the project applications that are to be submitted to the Department are due on July 1 of the preceding year. Under the proposed change in SECTIONS 1 and 2 of the draft, the Department will accept applications only once during the state's fiscal biennium. This change will better permit the Department to accurately assess the interest in the local TSM planning and demonstration program and fairly evaluate all applications received. With one review and evaluation during the biennium, applications will be examined as one group rather than two and projects are less likely to be rejected or delayed for lack of funds. In addition, this new schedule provides an applicant with a full construction season during the even numbered year of the biennium.

SECTION 3 of the draft repeals section TRANS 78.06(3) as that provision is no longer necessary since it refers to project applications for the 1981 project year. These applications have already been processed and approved; therefore, this section is obsolete.

SECTION 4 is a technical renumbering change due to the repeal of section TRANS 78.06(3).

The current rule provides that applicants for grants have an opportunity to negotiate the technical approach and the management and budget of the project with the Department. SECTION 5 of the draft provides that in addition to these items, the applicant may also negotiate the scheduling of a project.

Fiscal Estimate

The Transportation System Management (TSM) program established under Wisconsin Statutes 85.045 authorizes a program of state financial assistance, to support new transportation initiatives in eligible areas throughout the state. The amount of funds to be allocated under this program is \$225,000.

With respect to the \$225,000 allocated to this TSM program, the Department does not know how many applications might be made during the biennium and for what types of projects. The acceptance of applications only once during the state's fiscal biennium will better permit the Department to accurately assess the interest in the program and fairly evaluate all applications received.

One review and evaluation during the biennium will assure an optimum use of available funds because projects will be examined as one group rather than two and project applications are less likely to be rejected or delayed for lack of funds. In addition, this new schedule reduces the cost to the Department of administering the program and evaluating project applications.

Text of Rule

Pursuant to the authority vested in the Department of Transportation by ss. 85.045 and 227.014, the Department of Transportation hereby proposes to repeal, renumber, amend, and adopt rules interpreting s. 85.045, Wis. Stats., as follows:

RULE TEXT

SECTION 1. Section TRANS 78.02(4) of the Wis. Adm. Code is repealed.

SECTION 2. Sections TRANS 78.06(2)(a) of the Wis. Adm. Code is amended to read:

TRANS 78.06(2)(a) ~~Except as provided in sub. (3), applications~~ Project applications will be accepted and evaluated once during the state's fiscal biennium. Applications shall be submitted to the department through the appropriate district office no later than July 1st October 31st of the odd numbered year preceding the proposed "project-year" of each biennium.

SECTION 3. Section TRANS 78.06(3) of the Wis. Adm. Code is repealed.

SECTION 4. Section TRANS 78.06(4) of the Wis. Adm. Code is renumbered TRANS 78.06(3).

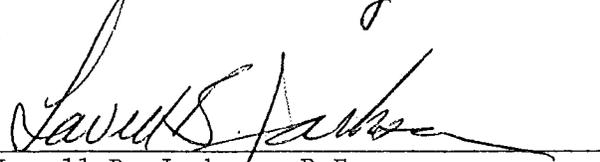
SECTION 5. Section TRANS 78.08 of the Wis. Adm. Code is amended to read:

TRANS 78.08 GRANT CONTRACT. TSM projects shall be implemented through formal contracts between the department and the eligible applicant. The contract formation process shall involve the opportunity to negotiate ~~both~~ the technical approach ~~and~~, the management and budget and the scheduling of the project.

(End)

The rules contained in this order shall take effect upon publication as provided in sec. 227.026(1)(intro.), Wis. Stats.

Signed at Madison, Wisconsin, this 13th day of May, 1981.

A handwritten signature in cursive script, appearing to read "Lowell B. Jackson", written over a horizontal line.

Lowell B. Jackson, P.E.
Secretary
Wisconsin Department of Transportation

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

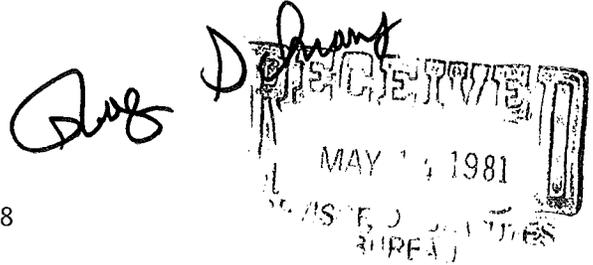
Date: May 14, 1981

File Ref:

To: Orlan L. Prestegard
Revisor of Statutes
Room 411 West, State Capitol

From: Roger Schrantz, Administrator
Division of Planning and Budget
Wisconsin Department of Transportation

Subject: Amendments to Administrative Rule TRANS 78



Attached for filing, please find a certified copy of the amendments the administrative rule (TRANS 78) relating to the Transportation System Management (TSM) planning and demonstration program. Wisconsin Statute 85.045 directs the Department to administer a program which provides grants for TSM planning and demonstration projects.

An additional uncertified copy is attached to be used for printer's copy.

MLW:meh
cc: Arne Gausmann
Howard Bernstein

Attachment