

CR 89-109

CERTIFICATE

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STATE OF WISCONSIN)
DEPARTMENT OF TRANSPORTATION) s.s.

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule relating to the rural and small urban area public transportation assistance program was duly approved and adopted by this department on November 16th, 1989.

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 16th day of November, 1989.



Ronald R. Fiedler

RONALD R. FIEDLER, P.E.
Secretary
Wisconsin Department of Transportation

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STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION

NOV 16 1989

OFFICE OF THE SECRETARY

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IN THE MATTER OF AMENDING TRANS	*	
6.02(10), REPEALING AND RECREAT	*	
ING TRANS 6.04(1)(c) AND CREAT-	*	ORDER
ING TRANS 6.04(1)(d), WISCONSIN	*	ADOPTING
ADMINISTRATIVE CODE, RELATING TO	*	RULE
THE RURAL AND SMALL URBAN AREA	*	
PUBLIC TRANSPORTATION ASSISTANCE	*	
PROGRAM	*	

Analysis Prepared by the Wisconsin Department of Transportation.

General Summary of Rule. The Wisconsin Department of Transportation has authority under s. 85.23, Stats., to administer a program providing assistance for public transportation in rural and small urban areas. Chapter Trans 6, Wis. Admin. Code, sets forth the administrative policies and procedures for this program. The Wisconsin Department of Transportation has authority under s. 85.16(1), Stats., to promulgate rules for this program.

To eliminate unnecessary language in the rule, this rulemaking amends s. Trans 6.02(10), Wis. Admin. Code.

To eliminate all referendum requirements except those required by statute as criteria for determining the appropriateness of small urban areas for mass transit systems for purposes of granting aid under the program, this rulemaking repeals and recreates s. Trans 6.04(1)(c) and creates s. Trans 6.04(1)(d), Wis. Admin. Code.

Initial Regulatory Flexibility Analysis. This rule change will not have an effect on any small businesses.

Fiscal Estimate. This rule change will have no fiscal impact on local public bodies or on the state. No added expenditures or administrative costs will result for either local or state government.

Preparation. This analysis was prepared by Frederick G. Wisner of the Department of Transportation Office of General Counsel (608)266-8810

Under authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 85.23, Stats., the department of transportation hereby amends s. Trans 6.02(10), repeals and recreates s. Trans 6.04(1)(c) and creates s. Trans 6.04(1)(d), Wis. Admin. Code, relating to the rural and small urban area public transportation assistance program, as follows:

SECTION 1. Trans 6.02(10) is amended to read:

Trans 6.02(10) "Small urban area" means any area that includes a city or village having a population of at least 2,500, but not more than 49,999, ~~that is appropriate, in the department's judgment, for an urban mass transit system.~~ The department shall determine the population of a city or village within a small urban area using the most recent estimates prepared by the department of administration.

SECTION 2. Trans 6.04(1)(c) is repealed and recreated to read:

Trans 6.04(1)(c) Apportionments from the general fund are initially available for operating assistance grants to eligible applicants, except that no city or village shall be appropriate for a municipal bus transportation system for purposes of receiving federal section 18 funds unless the system is approved by action of its governing body and by referendum vote of its electorate pursuant to s. 66.065(5), Stats.

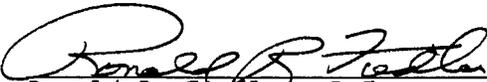
SECTION 3. Trans 6.04(1)(d) is created to read:

Trans 6.04(1)(d) Any balance remaining in the apportionment referred to in par. (c) after operating assistance needs are met under par. (c) shall be available to all eligible applicants for capital grants awarded in accordance with criteria set forth under s. Trans 6.06.

(END OF RULE TEXT)

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)(intro.), Stats.

Signed at Madison, Wisconsin, this
16th day of November, 1989.



Ronald R. Fiedler, P.E.
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

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

November 16, 1989
OGC 89-130

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Mr. Gary Poulson
Assistant Revisor
Revisor of Statutes Bureau
Suite 702, 30 West Mifflin Street
Madison, Wisconsin 53702

RE: Clearinghouse Rule 89-109
In the Matter of Rulemaking Affecting Trans 6, Wisconsin
Administrative Code, Relating to the Rural and Small Urban Area
Public Transportation Assistance Program.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of CR 89-109, an administrative rule relating to the rural and small urban area public transportation assistance program. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frederick G. Wisner".

Frederick G. Wisner
Assistant General Counsel

Enclosures

cc: Thomas Walker
Linda Thelke
John Evans
Toya Nelson
Ronald Morse
Richard Martin
Sandy Beaupre