

CR 89-110

RECEIVED

CERTIFICATE

NOV 16 1989
11:25am
Revisor of Statutes
Bureau

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 urban mass transit operating 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, P.E.
Secretary
Wisconsin Department of Transportation

1-1-90

RECEIVED

NOV 16 1989

STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION

Revisor of Statutes
Bureau

OFFICE OF THE SECRETARY

IN THE MATTER OF REPEALING AND	*	
RECREATING TRANS 4.02(9) AND 4.03,	*	ORDER
WISCONSIN ADMINISTRATIVE CODE,	*	ADOPTING
RELATING TO THE URBAN MASS TRANSIT	*	RULE
OPERATING ASSISTANCE PROGRAM	*	

Analysis Prepared by the Wisconsin Department of Transportation.

General Summary of Rule. The Wisconsin Department of Transportation has authority under s. 85.20, Stats., to administer a program providing assistance for public transportation in urban areas. Chapter Trans 4, 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 bring the rule into conformity with recent statutory changes, this rulemaking repeals and recreates s. Trans 4.02(9), Wis. Admin. Code.

To eliminate all referendum requirements except those required by statute as criteria for determining the appropriateness of urban areas for mass transit systems for purposes of granting aid under the program, this rulemaking repeals and recreates s. Trans 4.03, 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 85.20(3), Stats., the department of transportation hereby repeals and recreates ss. Trans 4.02(9) and 4.03, Wis. Admin. Code, relating to the urban mass transit operating assistance program, as follows:

SECTION 1. Trans 4.02(9) is repealed and recreated to read:

Trans 4.02(9) "Urban area" means any area that includes a city or village having a population of 2,500 or more or an area that includes 2 American Indian reservations and that is served by a mass transit system operated by a transit commission. The department shall determine the population of a city or village within an urban area using the most recent estimates prepared by the department of administration.

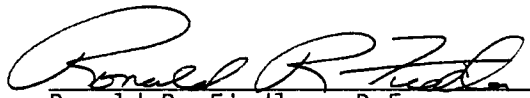
SECTION 2. Trans 4.03 is repealed and recreated to read:

Trans 4.03 APPROPRIATENESS OF URBAN AREAS. All urban areas shall be deemed appropriate for an urban mass transit system for purposes of receiving state aid, except that no city or village shall be deemed appropriate for a municipal bus transportation system 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.

(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 89-167

RECEIVED

NOV 16 1989

Revisor of Statutes
Bureau

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

RE: Clearinghouse Rule 89-110
In the Matter of Rulemaking Affecting Trans 4, Wisconsin
Administrative Code, Relating to the Urban Mass Transit Operating
Assistance Program.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of CR 89-110, an administrative rule relating to the urban mass transit operating 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
Richard Martin
Ronald Morse
Sandy Beaupre