

Chapter Trans 4

URBAN MASS TRANSIT OPERATING
ASSISTANCE PROGRAM

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Trans 4.01 Purpose and scope. The purposes of this chapter are to establish the department of transportation's administrative interpretation of s. 85.20, Stats., and to prescribe administrative policies and procedures for implementing the urban mass transit operating assistance program.

History: Cr. Register, November, 1978, No. 275, eff. 12-1-78; am. Register, May, 1982, No. 317, eff. 6-1-82.

Trans 4.02 Eligible applicants. (1) In accordance with the statutory definitions in s. 85.20 (1), Stats., eligible applicants are local public bodies in urban areas which are served by urban mass transit systems incurring operating deficits.

(2) "Local public bodies" are defined to be:

- (a) Counties, municipalities or towns, or agencies thereof;
- (b) Transit or transportation commissions or authorities and public corporations established by law or by interstate compact to provide mass transportation services and facilities; or,
- (c) Two or more of any such bodies acting jointly under s. 66.30, Stats.

(3) "Mass transit system" means an entity which provides the general public with passenger transportation services on a regular and continuing basis. The transportation services for the general public may be provided by buses, rail, shared-ride taxicabs or other conveyance. A mass transit system may provide specialized transportation services for the elderly and the handicapped by operating a subsystem, or by contracting for such services with another agency. An agency which provides transportation services exclusively for a subgroup of the general public is not a "mass transit system" for purposes of this chapter.

(4) "Private provider" means a privately owned entity that owns facilities or revenue passenger vehicles used to provide transit service.

(5) "Public provider" means any provider of mass transit service not defined as a private provider.

(6) "Revenue passenger vehicle" means a vehicle used to transport revenue paying passengers on a mass transit system.

(7) "Shared-ride taxicab" means a taxicab legally able to simultaneously transport passengers having different origins or destinations.

(8) "Subsystem" means that part of a transit system which provides special services to the elderly or the handicapped.

(9) "Urban area" means any area that includes a city or village having a population of 2,500 or more that is appropriate, in the department's judgment, for an urban mass transit system. The department will determine the population of a city or village within an urban area using the most recent estimates prepared by the department of administration.

(10) "Urban mass transit system" means a mass transit system providing at least two-thirds of its revenue miles of service within the boundaries of an urban area.

(11) "User-side subsidy" means financial assistance provided directly to a user of a mass transit system or of a subsystem thereof in the form of a voucher provided to the user by the local public body for use in payment of a fare, or a portion of a fare, for a trip taken on an urban transit system or eligible subsystem.

History: Cr. Register, November, 1978, No. 275, eff. 12-1-78; am. (1), (3) and (6), Register, May, 1982, No. 317, eff. 6-1-82; renum. (3) to (6) to be (10), (3), (9) and (8) and am. (3), cr. (4) to (7) and (11), Register, October, 1986, No. 370, eff. 11-1-86; am. (9), Register, August, 1989, No. 404, eff. 9-1-89.

Trans 4.03 Appropriateness of urban areas. In determining whether an urban area is appropriate for an urban mass transit system for purposes of granting state aid the department shall use the following criteria:

(1) All urban areas receiving state urban mass transit aids and served by urban mass transit systems as of December 31, 1982 shall be deemed appropriate.

(2) Except as provided for in sub. (1), an urban area shall be deemed appropriate if the electorate of its most populous public body approves a referendum question prior to the filing of its second year's application asking whether the public body should subsidize the operations of an urban mass transit system.

History: Cr. Register, November, 1978, No. 275, eff. 12-1-78; r. and recr. Register, May, 1982, No. 317, eff. 6-1-82; emerg. am. (2), eff. 11-18-83; am. (2), Register, April, 1984, No. 340, eff. 5-1-84.

Trans 4.04 Project costs. (1) Eligible project costs are limited to the operating expenses of an urban mass transit system, including labor, fringe benefits, materials and supplies, utilities, insurance, purchased transportation services, license fees and lease expenses. For publicly owned mass transit systems, only the wages and fringe benefits of those employes whose activities are directly related to the day-to-day operation of the system shall be considered eligible project costs. If those employes do not work full time on transit, only that portion of their time spent on transit shall be considered.

(2) Eligible project costs may include the costs of user-subsidies provided to handicapped persons.

(3) (a) This subsection is applicable only to urban areas served exclusively by shared-ride taxicab systems and not served by any other mass transit service. In lieu of using eligible project costs as described in subs. (1) and (2), project costs may consist of the costs of user-side subsidies for the reasonable fares paid by all users of urban mass transit services within the urban area. In determining the eligible project costs, a reasonable fare shall be calculated by dividing total projected annual operating expenses by the projected number of annual revenue passengers. Such projections shall be subject to review and approval by the department.

Register, August, 1989, No. 404