

CR 90-33

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

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TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

JUL 25 1990
10:35 am
Revisor of Statutes
Bureau

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 **elderly and handicapped transportation assistance program for private, nonprofit organizations** was duly approved and adopted by this Department on **July 23, 1990**.

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 23rd day of July, 1990.

Ronald R Fiedler

RONALD R. FIEDLER, P.E.)
Secretary

10-1-90

IN THE MATTER OF a rule to renumber
s. Trans 2.07; to amend s. Trans 2.05(3);
and to create s. Trans 2.07, Wis. Admin.
Code, relating to the elderly and handi-
capped transportation assistance program
for private, nonprofit organizations

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ORDER ADOPTING RULE

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Analysis Prepared by the Wisconsin Department of Transportation.

General Summary of Rule. The Wisconsin Department of Transportation has authority under s. 85.22, Stats., to administer a program providing assistance to private, nonprofit organizations providing transportation services to elderly and handicapped persons. Chapter Trans 2, Wis. Admin. Code, sets forth the administrative policies and procedures for this program. The Department of Transportation has authority under s. 85.16(1), Stats., to promulgate rules for this program.

This rulemaking amends s. Trans 2.05(3), Wis. Admin. Code, to provide for earlier scoring and processing of applications under the program.

This rulemaking renumbers s. Trans 2.07 and creates s. Trans 2.07, Wis. Admin. Code, to limit the types, makes and sizes of vehicles to be funded under the program.

Final Regulatory Flexibility Analysis. This rule change will not effect 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.

RULE TEXT

Under authority vested in the state of Wisconsin, department of transportation, by s. 85.16(1), Stats., the department of transportation hereby renumbers s. Trans 2.07, amends ss. Trans 2.05(3) and creates s. Trans 2.07, Wis. Admin. Code, relating to the elderly and handicapped transportation assistance program for private, nonprofit organizations, as follows:

SECTION 1. Trans 2.05(3) is amended to read:

Trans 2.05(3) At the same time that an applicant submits the original manuscript of its application to the department's appropriate district office, it shall also submit copies for review and comment to the appropriate intergovernmental review agency in accordance with Presidential Executive Order E. O. 12372, to the appropriate area agency on aging, and to the appropriate department of health and social services' division of community services' regional office. In order to be considered by the department, comments from these agencies must be submitted to the department's appropriate district office within ~~45~~ 15 days following submission of the application to the department. The department shall give appropriate consideration to review comments.

SECTION 2. Trans 2.07 is renumbered 2.075.

SECTION 3. Trans 2.07 is created to read:

Trans 2.07 VEHICLES OFFERED. Small, medium and large school bus type vehicles, equipped as either human service vehicles or standard yellow school buses, and 15-passenger vans, equipped as human service vehicles, shall, subject to the availability of funds, be offered under this chapter. The specification and equipment options to be offered with the vehicles shall be determined by the department. A list of such specification and equipment options shall be included with the application booklet provided to each applicant by the department. No application for a vehicle other than one of the three school bus type vehicles or a 15-passenger van shall be considered by the department. The vehicles offered under this chapter may be modified as approved by the department or as required by law. Such vehicle modifications may include wheelchair lifts and securements or raised roofs and doors. No communications equipment shall be offered under this chapter.

(END OF RULE TEXT)

Effective Date. 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 27th day of July, 1990.

Ronald R. Fiedler

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

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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

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Mr. Gary Poulson
Assistant Revisor of Statutes
30 West Mifflin Street
Suite 702
Madison, Wisconsin 53703

RE: CLEARINGHOUSE RULE 90-33

In the Matter of the Adoption of **TRANS 2**, Wisconsin Administrative Code, Relating to the Elderly and Handicapped Transportation Assistance Program for Private, Nonprofit Organizations

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 90-33**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Tom Walker
Linda Thelke
Sandy Beaupre
John Evans
Toya Nelson
Frank Potts
Beth Trautsch