

## Chapter Trans 78

### TRANSPORTATION SYSTEM MANAGEMENT PROGRAM

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**Trans 78.01 Purpose and scope of rule.** The purpose of this chapter is to prescribe the department of transportation's administrative interpretation of s. 85.045, Stats., and to prescribe the administrative policies and procedures for implementing the transportation system management (TSM) program.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.

**Trans 78.02 Definitions.** (1) "Eligible applicant" means county, city, village, town or combination thereof.

(2) "Project" means a transportation system management planning and demonstration project for which a grant is requested under this chapter.

**Note:** The above definitions are specified in s. 84.045 (1) (a) and (b), Stats.

(3) "Department" means the Wisconsin department of transportation.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80; r. (4), Register, June, 1981, No. 306, eff. 7-1-81.

**Trans 78.03 TSM program objectives.** The goals of this program are to improve air quality, conserve energy, and increase transportation efficiency through the coordinated management and operation of the existing transportation facilities and services. Where possible, the program should encourage interjurisdictional cooperation in the planning and the implementation of TSM projects.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.

**Trans 78.04 Eligible projects.** The projects to be financed under the program shall involve the coordinated management and operation of existing transportation services and facilities. The projects shall be designed to plan and demonstrate how new initiatives which require minimal capital investment could be used to achieve program objectives. The projects shall include new initiatives which improve vehicular flow and transit services, give preferential treatment to high occupancy vehicles (HOV's), reduce peak period travel and promote nonvehicular travel modes and the use of high occupancy vehicles. Projects, therefore, should reflect intermodal considerations and interjurisdictional planning and coordination, where appropriate. Also, these projects can include non-government conducted actions, if accomplished under the direction of an eligible applicant.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.

Register, June, 1981, No. 306

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**Trans 78.05 State share of project costs.** (1) The state share of project costs may not exceed 75% of the actual cost of the project up to the maximum of the grant contract. The actual level of financing may vary from project to project and shall be based on consideration of the criteria expressed in s. Trans 78.07 and the amount of monies available to the department to fund projects.

(2) The types of costs that are eligible for reimbursement will be negotiated in the grant contract.

(3) If available funds are not sufficient to fund all projects meeting the evaluation criteria, the department may ask applicants to reduce the scope or timing of proposed projects to fit available funding or to increase the local share of the project.

(4) There are no restrictions on the source of the matching funds or in-kind services.

(5) Projects, including the evaluation and preparation of a final report, shall be completed within 2 years from the date of execution of the grant contract, unless a different time period is negotiated in the grant contract.

(6) Grant recipients shall be reimbursed in accordance with specific procedures prescribed in each grant contract.

(7) Continuation of the TSM action beyond the negotiated project time schedule will be at the initiative and responsibility of the project applicant.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.

**Trans 78.06 Application for state grants.** (1) Eligible applicants may apply to the department for TSM funds. Applications shall be made in a manner and form prescribed by the department.

**Note:** Forms are available without charge and can be obtained through local district offices.

(2) (a) 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 October 31st of the odd numbered year of each biennium.

(b) An applicant shall concurrently submit a copy of its application for review and comment purposes to the appropriate metropolitan planning organization (MPO) or regional planning commission (RPC). In order to be considered by the department, comments by such agencies shall be submitted to the department's appropriate transportation district office within 30 days following the submission of the application to the department. The department shall give appropriate consideration to the review comments of such agencies. Within 60 days of the application submittal deadline, the department will notify all applicants of the results of the evaluation.

(3) The application at a minimum shall contain the following information:

(a) A formal request for assistance.

(b) The names of the representatives of the applying, eligible applicant:

1. Who are authorized to sign forms or claims; and,
2. Who will be the contact person for the project. In the case of a joint application, a central contact person, with the agreement of the parties involved, will be identified.

(c) A detailed description of the proposed project and its objectives as they relate to those expressed in s. Trans 78.03.

(d) A detailed estimate of the cost of the project, indicating the eligible applicant's share, the requested amount of state funds, and the extent of all other sources or potential sources of funds.

(e) A statement assuring that money or in-kind services will be made available to cover the applicant's share of the actual cost of the proposed project and identifying the source of such funds.

(f) The anticipated time schedule for the project.

(g) The proposed staff assignments with their defined tasks.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80; am. (2) (a), r. (3), renum. (4) to be (3), Register, June, 1981, No. 306, eff. 7-1-81.

**Trans 78.07 Application evaluation.** (1) The secretary of the department will establish an advisory council composed of qualified individuals with experience in transportation system planning, project design, facility and service operation and management to evaluate the applications. This council may include individuals from both outside and within the department. The responsibility of the advisory evaluation council shall be to determine which of the applications are most consistent with the program objectives and guidelines and make recommendations.

(2) The evaluation shall be based upon the following criteria:

(a) Responsiveness to the TSM Program objectives

1. The proposed project constitutes a new initiative for that local area.
2. The proposed project has a potentially significant positive impact on air quality, energy conservation, or transportation efficiency.
3. The proposed project is non-capital intensive.
4. The results of the proposed project will be applicable in other areas of the state.

(b) Feasibility of the implementation and evaluation plan.

1. The proposed implementation schedule is realistic.
2. Adequate financial resources are being allocated.
3. There are not legal or administrative barriers to be overcome.
4. The evaluation plan is reasonable and consistent with the project objectives.

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5. There is a possibility that a successful project will be continued after the demonstration period.

(c) Adequacy of staffing plan

1. The applicant has the necessary staff resources to carry out the project.

2. A qualified project manager has been identified.

3. The applicant has prior experience in conducting evaluation studies.

(3) High priority shall be given to those projects which would provide the opportunity to demonstrate TSM actions which:

(a) Have yet to receive widespread local application;

(b) Do not fall within the normal program activities of existing agencies; and

(c) Involve a set of coordinated modal or intermodal actions.

(4) The department may reject or delay applications for the following reasons:

(a) The proposed project is not consistent with the intent of the Transportation System Management program;

(b) The state funds are insufficient;

(c) The application is incomplete; or,

(d) The proposed project duplicates another project which has received a higher evaluation.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.

**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, the management and budget and the scheduling of the project.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80; am. Register, June, 1981, No. 306, eff. 7-1-81.

**Trans 78.09 Reporting requirements.** All grant recipients are required to maintain books and records as required by the department and to make such items available for audit purposes. In addition, grant recipients shall make periodic and special reports, including a final evaluation report, to the department as required by the department. No grant may be made to an eligible applicant under this section unless the applicant agrees to provide the department, upon completion of the project, a report which documents the effect of the project on air quality, energy conservation, and transportation efficiency.

**History:** Cr. Register, September, 1980, No. 297, eff. 10-1-80.