

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

Chapter Trans 102, Operator's Licenses and Identification Cards

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3. Subject

This rule change clarifies the steps taken during an application for a no-fee identification card for voting purposes, including issuing receipt documentation to an applicant during the petition process described in TRANS 102. This rule change also adds specific procedures setting forth mandatory duties of the Wisconsin Department of Transportation (the "Department"), Division of Motor Vehicles ("DMV") administrator and limiting discretion of the DMV administrator during the petition process. This rule change also codifies the common law process for name change.

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

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5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

This rule change is needed to ensure that qualified applicants are able to obtain acceptable photographic identification for voting purposes before the next scheduled statewide elections in February 2017 and April 2017 with reasonable effort. This rule change also codifies existing common law that recognizes the acceptable process for an individual's name change.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The Department did not contact any of these non-individual entities for comments, as the rule affects only individuals. This rule change will affect qualified individuals who may not be able to obtain acceptable photographic identification for voting purposes before the next scheduled statewide elections in February 2017 and April 2017 with reasonable effort in order to permit such individuals to obtain acceptable photographic identification for voting purposes. This rule also affects individuals that seek a name change under existing common law requirements.

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11. Identify the local governmental units that participated in the development of this EIA.

N/A

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

DMV has completed training for all appropriate personnel and will continue to instruct them on specific steps to process ID card requests made without the documentary proof ordinarily required. DMV will incur costs to process application receipts on an ongoing basis until the process is completed.

DMV anticipates issuing about 442 receipts and about 55 receipt renewals annually.

Material costs for 497 receipts equate to \$242 annually.

Receipt production is projected to require 17 minutes per unit.

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Annual impact for receipt processing is projected to be .08 FTE.

The Department intends to promulgate a permanent rule on this subject and will include in the fiscal estimate for the permanent rule an estimate of costs that reflects the numbers and costs experienced under this emergency rule, and its predecessor emergency rule, EmR 1618.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The rule change will allow DMV to issue a receipt to an applicant in the petition process that would permit the individual to vote in the upcoming elections as the petition process proceeds. This rule change will also set forth specific criteria, standards and procedures with mandatory duties of the DMV administrator, thus limiting the use of the DMV administrator's discretion in the petition process. Finally, this rule change will benefit the public because common law principles recognizing name changes will be codified within the Wisconsin Administrative Code.

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14. Long Range Implications of Implementing the Rule

This change would adjust the process of identification card issuance for the term of the emergency rule. The approved Statement of Scope for this rule contemplated both an emergency rule and a permanent rule. The Department still intends to promulgate a permanent rule on this subject.

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15. Compare With Approaches Being Used by Federal Government

N/A

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Michigan is the only neighboring state that has a voter-ID law in place. Michigan does not have an exception process in place for individuals who are missing documents, and requires applicants to present documentary proof without regard to whether payment of a government fee is required to obtain such documentary proof. Because Michigan does not have an extraordinary proof process, it does not have legal requirements specifying the process or mandatory duties required within an extraordinary proof process.

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17. Contact Name	18. Contact Phone Number
Robert Combs, DMV, Wisconsin Dept. of Transportation	(608) 266-1449

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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

N/A

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses  
Small businesses are not involved in the issuance of these identification cards and are not eligible to receive them

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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