

## **Response to Comments by Legislative Council Staff**

### **Child Care Vehicle Safety Alarm**

#### **DCF 201, 250, 251, and 252 CR14-028**

All comments were accepted or rendered moot by revisions, except the following:

Comment 1.a. Until recently, s. 48.658 (4), Stats., required that a county department conduct the inspection for vehicles used by certified child care providers to determine whether the child safety alarm is in good working order. While s. 48.658 (4), Stats., required the inspection to be done by a county department, s. 48.651 (2), Stats., authorized the department to contract with a Wisconsin Works agency, child care resource and referral agency, or “other agency to certify child care providers under sub. (1) within a particular geographic area or for a particular Indian tribal unit.” 2015 Wisconsin Act 172 amends s. 48.658 (4), Stats., to allow the required agency inspection of child care vehicles to be done by “an agency with which the department contracts under s. 48.651 (2), Stats. “

Comment 1.b. The term “children in care” is more easily understood by the primary users of this rule. Using the term to describe when the child care vehicle safety alarm is required is equivalent with “to and from the child care provider” because arrivals, departures, and field trips all involve transportation to or from the child care provider’s location.

Comment 2.b. The requirement applies to other providers in Sections 3, 4, 7, and 12 of the rulemaking order.

Comment 5.b. The department’s current language will be more easily understood by the primary users of the rule than a cross-reference to a statutory provision.

Comment 5.c. Section 48.658 (2), Stats., provides that “a person who is required under this subsection to have a child safety alarm installed in a child care vehicle shall ensure that the child safety alarm is properly maintained and in good working order each time the child care vehicle is used for transporting children to or from a child care provider.” The proposed rules have been rewritten to provide that “the child safety alarm shall be in good working order each time the vehicle is used for transporting children to or from a child care provider.” The department and certification agencies will assume a child safety alarm has been properly maintained if it is in good working order.