

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

DCF 202, Child Care Certification; DCF 250, Family Child Care Centers; DCF 251, Group Child Care Centers; and DCF 252, Day Camps for Children and Day Care Programs Established by School Boards.

3. Subject

Child Care Vehicle Safety Alarm

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

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

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)

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

Yes No

9. Policy Problem Addressed by the Rule

Section 48.658 (4), Stats., directs the department to promulgate rules that include the requirement that the department, whenever it inspects a child care provider that is licensed under s. 48.65 (1) or established or contracted for under s. 120.13 (14), and a certification agency, whenever it inspects a child care provider that is certified under s. 48.651, to inspect the child safety alarm of each child care vehicle that is used to transport children to and from the child care provider to determine whether the child safety alarm is in good working order.

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.

Certification agencies, Wisconsin Child Care Administrators Association, Wisconsin Family Child Care Association, Wisconsin Early Childhood Association, Supporting Families Together Association, AFSCME, and Wisconsin Intertribal Child Care Association.

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

Waukesha County Health and Human Services

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)

Section 48.658, Stats., requires a child care vehicle that is used to transport children to and from a child care provider have a child safety alarm installed before the child care vehicle is placed in service. The economic impact of the child care vehicle alarm requirement is in statute. The rules do not have an additional economic effect on child care providers.

The rules affect the department and certification agencies. A certification agency may be the department in a county having a population of 750,000 or more, a county department, a Wisconsin Works agency, a child care resource and referral agency, or other agency under contract with the department to certify child care providers in a particular geographic area or for a particular Indian tribal unit. Section 48.658 (4), Stats., directs the department to promulgate rules that include the requirement that the department or certification agency inspect the child care vehicle of child care licensees and certified child care operators to determine whether the child safety alarm is in good order. The rules

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provide that the department shall inspect a child care vehicle of licensees at least once per year. Certification agencies shall inspect a child care vehicle before initial certification, recertification, or within 30 days following a child care operator's move to a new location.

The economic or fiscal effect of the rules on certification agencies and the department is the cost of the difference between the frequency that the rules require inspections of child care vehicles and the cost of less frequent inspections. Inspection of child care vehicles can be time-consuming if the vehicle is not on the child care premises when the department or certification agency is there for other reasons. The department's inspections of child care licensees are unannounced. Certification agencies are required to conduct inspections at initial certification and at least once every 2 years. Inspections may be scheduled or unscheduled. The vehicle may not be present at the time of an inspection because the child care provider contracts with a third-party transportation company or the vehicle may be in use transporting children.

One certification agency commented.

Waukesha County Health and Human Service's certification program does not have a financial impact in doing inspections with monitoring the car alarms for this proposed rule. The certifiers have been checking this for the past few years as part of the routine transportation section for car alarms in DCF 202 standards. We check this at initial visits, re-certifications, and, if needed, during monitoring visits. Most of our providers have chosen to either not transport or use a car that has less than 6 passengers, so we do not have many providers transporting at this time.

Four group child care centers commented.

1. I do not see any issues. The alarm requirement is already effective. The rules clarify what the licensing specialist expects.
2. I agree with the rules. All safeguards should be in place to ensure no harm comes to the children.
3. The cost is around \$125 for each vehicle, which is not bad.
4. There was a cost to this requirement, especially because we have 3 vehicles. We are looking at the safety of our children and that is worth more than any amount of money. The alarm requirement should apply to any vehicle that carries groups of children.

Three family child care centers commented. In general, licensed family child care centers may not provide care to more than 8 children under the age of 7, and certified child care providers may not provide care for more than 3 unrelated children under the age of 7.

1. The alarm requirement should not apply to family child care centers. It is an unnecessary cost that I cannot afford. We already are required to have a system of counting to know how many and where children are at all times. A center that cannot handle that should not be caring for children. The alarm requirement is an unnecessary cost that I cannot afford. It has taken away the field trips that the children looked forward to. The alarm may be warranted for larger centers and centers with larger vehicles, but it is not warranted for family child care centers.

2. Field trips used to be a vital part of my child care program, but I ended the field trips and sold my van because of the alarm requirement. I could not figure out how to comply with the requirement and keep the children safe. I would have to unload the children and leave them unattended to enter the van and climb to the back to turn off the alarm.

3. The alarm requirement should be changed to apply only to passenger vehicles of 8 or more in addition to the driver instead of 6 or more. Child care programs are already facing hardship because of Youngstar and other Shares policies. School buses are not required to have a safety alarm.

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Section 48.658 (4), Stats., directs the department to promulgate the rules.

14. Long Range Implications of Implementing the Rule
None

15. Compare With Approaches Being Used by Federal Government
NA

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
None of the adjacent states have a child care vehicle safety alarm requirement.

17. Contact Name
Mark Andrews

18. Contact Phone Number
(608) 422-6030

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ATTACHMENT A

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)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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

5. Describe the Rule's Enforcement Provisions

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

- Yes No
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