

ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

Ch. ATCP 136 Mobile Air Conditioners; Reclaiming or Recycling Refrigerant

Subject

Mobile Air Conditioners; Reclaiming or Recycling Refrigerant

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Chapter 20, Stats. Appropriations Affected

20.115 (1)(hm)

Fiscal Effect of Implementing the Rule

No Fiscal Effect
 Indeterminate

Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs
 Could Absorb Within Agency's Budget
 Decrease Costs

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

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

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

Yes No

Policy Problem Addressed by the Rule

The existing chapter ATCP 136, Wisconsin Administrative Rules, establishes requirements for buying, selling, reclaiming and recycling ozone depleting refrigerants. The requirements are consistent with those under federal law. The rule also requires businesses that install, repair or service mobile air conditioners to pay an annual registration fee and obtain an annual registration certificate from the department. The rule requires businesses to register their mobile air service technicians and technicians to successfully complete a department approved training course or satisfy other training requirements.

2013 Act 312 eliminated the department's authority to register businesses that install, repair or service mobile air conditioners. Act 312 also repealed the department's authority to establish training requirements for technicians performing those services in Wisconsin.

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)

This proposed rule eliminates registration fees and modifies training requirements. Businesses will benefit from the reduction in fee and training expenses. The rule would save approximately 3,500 businesses a \$120 annual registration fee for a total savings of about \$420,000 each year. In addition, the 11,000 technicians who register annually with the department would be able to use their EPA-approved training course to meet Wisconsin's training requirements. This cost savings is indeterminate, but would save technicians and businesses both training registration fees and time away from their jobs. This rule will not have a negative effect on small business.

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

Benefits

This rule benefits technicians who service mobile air conditioners, and the businesses that employ them, by

eliminating state-approved training currently required in addition to mandatory federal training. These businesses also benefit from no longer needing to pay for annual registration to the department.

Alternatives

There is no alternative. The rule must be updated so as not to contradict changes made in the statute as a result of 2013 Act 312.

Long Range Implications of Implementing the Rule

There are no long-term implications of implementing this rule.

Compare With Approaches Being Used by Federal Government

At the federal level, the EPA requires technicians to be trained and certified by an EPA-approved organization. The training must cover specific content areas, and technicians must pass a test demonstrating competency to be certified. Under the proposed rule, a technician who completes the EPA-approved course would be qualified to install, repair or service mobile air conditioners in Wisconsin.

This rule is consistent with federal laws related to buying, selling, reclaiming, and recycling ozone-depleting refrigerants.

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

The EPA administers the mobile air conditioner regulations used in adjacent states. Wisconsin has adopted EPA's regulations into state law to improve the ability to enforce the regulations. The proposed rule brings Wisconsin's training requirements into conformity with the EPA training regulations used in neighboring states.

Name and Phone Number of Contact Person

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