

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date 3/11/2022</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Wisconsin Administrative Code ch. Trans 134</p>	
<p>4. Subject Relating to the issuance or discontinuation of issuance of special group plates</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input checked="" type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected s. 20.395 (5) (cj), Stats.</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect   <input checked="" type="checkbox"/> Increase Existing Revenues   <input checked="" type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate   <input type="checkbox"/> Decrease Existing Revenues   <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule Wisconsin Administrative Code ch. Trans 134 administratively interprets s. 341.14 (6r) (fm), Stats. Specifically, it establishes standards and procedures for the authorization and issuance of specialty license plates in Wisconsin. Changes to s. 341.14 (6r) (fm), Stats., made by 2015 Wisconsin Act 227 as required by that act.</p>	
<p>12. 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. Any group that holds or seeks a specialty license plate authorized under Wis. Stat. s. 341.14(6r)(fm) may be affected by this proposed rule. At present this includes the following groups:</p> <ul style="list-style-type: none"><li>• Choose Life Wisconsin</li><li>• Musky Clubs Alliance</li><li>• Medical College of Wisconsin</li><li>• 4H Foundation</li><li>• Operating Engineers Local 139</li><li>• Keeping the Lights On</li><li>• Children's Hospital of Wisconsin</li><li>• Scouting Alumni</li><li>• Midwest Athletes Against Childhood Cancer (MACC Fund)</li><li>• Rocky Mountain Elk Foundation</li><li>• Nurses Change Lives</li><li>• Road America</li><li>• Versiti</li><li>• Whitetails Unlimited</li></ul>	
<p>These organizations were not contacted for comments in development of this EIA.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</p>	

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None

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14. 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 rulemaking makes various modifications to the process and requirements for the Department of Transportation (DOT) to designate authorized special groups and issue special motor vehicle registration plates to group members consistent with the requirements of 2015 Wis. Act 227.

Under the act and this rulemaking, special group applications are required to include a payment to DOT in the amount of \$15,500 for the Department's initial costs of production of the special plates. Also under the act, DOT must post notice on the Department's website of a group's application, in which the notice must identify the group applying for designation as an authorized special group and describe the process by which a person may object to this designation.

One-time costs necessary for OMV to implement this bill are anticipated to be minimal and could be absorbed within DMV's budget.

Ongoing costs associated with this bill are anticipated to be minimal.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule  
To bring Ch. Trans 134 into conformity with 2015 Wisconsin Act 227.

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16. Long Range Implications of Implementing the Rule  
No fiscal impact.

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17. Compare With Approaches Being Used by Federal Government  
Not applicable

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

(625 ILCS 5/3-600) (from Ch. 95 1/2, par. 3-600)

Sec. 3-600. Requirements for issuance of special plates.

(a) The Secretary of State shall issue only special plates that have been authorized by the General Assembly. Except as provided in subsection (a-5), the Secretary of State shall not issue a series of special plates, or Universal special plates associated with an organization authorized to issue decals for Universal special plates, unless applications, as prescribed by the Secretary, have been received for 2,000 plates of that series. Where a special plate is authorized by law to raise funds for a specific civic group, charitable entity, or other identified organization, or when the civic group, charitable entity, or organization is authorized to issue decals for Universal special license plates, and where the Secretary of State has not received the required number of applications to issue that special plate within 2 years of the effective date of the Public Act authorizing the special plate or decal, the Secretary of State's authority to issue the special plate or a Universal special plate associated with that decal is nullified. All applications for special plates shall be on a form designated by the Secretary and shall be accompanied by any civic group's, charitable entity's, or other identified fundraising organization's portion of the additional fee associated with that plate or decal. All fees collected under this Section are non-refundable and shall be deposited in the special fund as designated in the enabling legislation, regardless of whether the plate or decal is produced. Upon the adoption of this amendatory Act of the 99th General Assembly, no further special license plates shall be authorized by the General Assembly unless that special license plate is authorized under subsection (a-5) of this Section.

Iowa.

There is a legislative and an administrative process for the creation of new special license plates. For the creation of a

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special plate through the legislative process, the special license plate concept must be in the form of legislation sponsored by a Senator or Representative, or by a Senate or House committee. The legislation must follow the traditional process of being approved by both the Senate and the House before being sent to the Governor for final approval. An alternate administrative process for the creation of a special license plate is established in Iowa Administrative Code section 761, Chapter 401. Through this administrative process, any individual, group, or State department may submit a proposal for a new special license plate to the Department of Transportation (DOT). If the DOT approves the proposal then the requestor has one calendar year to submit 500 paid applications before the new plate can be manufactured or issued.

Michigan.

Fundraising plates (a non-profit benefits from plate sales & renewals) in Michigan these plates are required to be created statutorily. The number of different designs available for sale is capped at 20, and the beneficiary organization must pay for the upfront costs incurred by the Department of State for developing the plates and making them available for sale.

In addition to the initial startup payment, the organization must file an annual report accounting for the disposition of the proceeds, as well as maintain a sales quota, in order for the plates to remain available for sale for new registrations:

- 2,000 plates sold the first year the plate is made available for purchase,
- and 500 new plates each of the next five years,
- and 500 new plates every two years thereafter

If the sales numbers are not met, the Department of State is required to cease sales of the plate.

Minnesota.

New special plates must be enacted in law, and there are regularly legislative proposals to add plates. Under a 2003 law that was modified in 2010, proponents for a new special plate must submit an application to the Department of Public Safety that includes information on the plate, a proposed plate fee amount, an analysis of likely plate purchasers, an application fee to cover administrative costs, and a plate marketing plan. The department must provide information to the legislature on each special plate proposal, including determination of whether the application requirements have been met. Minn. Stat. § 168.1293.

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19. Contact Name

Reed McGinn

20. Contact Phone Number

608 266-7857

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**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)

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

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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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