

## Chapter Trans 3

## URBAN MASS TRANSIT OPERATING ASSISTANCE PROGRAM; PROCEDURES FOR COUNTING PASSENGER TRIPS

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**Trans 3.01 Purpose and scope.** (1) The purpose of this chapter is to establish procedures for counting passenger trips taken on participating urban mass transit systems in connection with the administration of the state financial urban mass transit assistance program under s. 85.20, Stats.

(2) The procedures prescribed in this chapter shall apply to all urban mass transit system ridership information collected during calendar year 2019 and in each year thereafter.

**History:** Cr. Register, August, 1978, No. 272, eff. 9–1–78; am. (1) Register, July, 1982, No. 319, eff. 8–1–82; am. Register, May, 1991, No. 425, eff. 6–1–91; CR 18–065; am. (2) Register October 2020 No. 778, eff. 11–1–20.

**Trans 3.02 Definitions.** As used in this chapter:

(1) “Department” means the Wisconsin department of transportation.

(1m) “Free fare passenger” means a person who makes a free fare trip.

(2) “Free fare passenger trip” means a trip on an urban mass transit system by a passenger who is all of the following:

(a) A passenger who does not pay a fare.

(b) A passenger for whom a fare has not been paid by another or under contract or other arrangement with an urban mass transit system.

(c) A passenger who does not use a transfer or other equivalent.

(3) “Holiday” means any one of the 6 following legal holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas, or the day officially designated for its observance.

(3m) “Passenger” means an individual on board, boarding, or alighting a revenue transit vehicle.

(4) “Passenger trip” means an unlinked trip, as defined in s. Trans 4.02 (8m), on an urban mass transit system vehicle.

(5) “Periods” mean the time periods during which a transit system is required to conduct its survey for the purpose of computing average fare factors pursuant to the survey method under s. Trans 3.04. The general limits of the respective periods are: period I, March through April; period II, mid–June through mid–August; period III, mid–September through mid–November. The specific limits of these periods for any year shall be determined by the department and a notice of that determination shall be mailed to participating transit systems by January 31 of that year.

(6) “Revenue passenger” means any passenger who pays a fare or for whom a fare has been paid by another under a contract or other arrangement with an urban mass transit system.

(7) “Revenue passenger trip” means a trip by a revenue passenger taken on an urban mass transit system. The transit system includes all express services, shuttles, trippers, route guarantees, and special contracts for routes or service that are open to the general public, unless the passenger trips on the routes are paid for and reported by another urban mass transit system receiving state transit aids under s. 85.20, Stats. Revenue passenger trips on specialized subsystems shall be included to the extent that the subsystem’s operating expenses are included in the mass transit system’s program under s. 85.20, Stats. If a subsystem’s operating expenses are not fully supported by the participating urban mass transit system, then the revenue passenger trip figures from the subsystem shall be in proportion to the transit system’s share of the subsystem’s operating deficit.

(8) “Special fare day” means any day in which the transit system is operating with a single day or short term special tariff in effect.

(9) “Specialized subsystem” means a transportation service operated as a separate part of an urban mass transit system and which provides transportation exclusively for seniors and individuals with disabilities. The specialized subsystem may be operated directly by the urban mass transit system or by a public or private transportation provider under contract to the urban mass transit system receiving funds under s. 85.20, Stats.

(10) “Transfer passenger” means a person who makes a transfer passenger trip.

(11) “Transfer passenger trip” means a trip taken on an urban mass transit system by any passenger who uses a transfer or other equivalent for the purpose of completing a trip which requires boarding 2 or more vehicles.

(12) “Weekday/no school” means any day Monday through Friday when public elementary and high schools are not in regular session and are not conducting classes. Summer school is not considered to be part of the regular school session. If an urban mass transit system serves 2 or more public school districts with varying school schedules, the term includes only those days when the majority of pupils normally served are not attending regular school sessions.

(13) “Weekday/school” means any day Monday through Friday when public elementary and high schools are in regular session and conducting classes. Summer school is not considered to be part of the regular school session. If an urban mass transit system serves 2 or more public school districts with varying school schedules, the term includes only those days when the majority of the pupils normally served are attending regular school sessions.

**History:** Cr. Register, August, 1978, No. 272, eff. 9–1–78; r. and recr. Register, May, 1991, No. 425, eff. 6–1–91; CR 18–065; renum. (1) to (1m), cr. (1), am. (2) (intro.), (3), cr. (3m), am. (4), (5), (7), (9) Register October 2020 No. 778, eff. 11–1–20.

**Trans 3.03 Determination of annual passenger trips.** (1) ALTERNATIVE METHODS. Subject to the department’s review and approval under sub. (2), an urban mass transit system may determine the number of passenger trips taken annually on its system by any of the following methods:

(a) By taking a headcount of each passenger using the system during the calendar year and separately accounting for revenue passengers, transfer passengers, free fare passengers and passengers on specialized subsystems.

(b) By dividing the system’s annual fare revenue by the system’s per–passenger tariff if the system has established and applied a uniform fare for each passenger using the system during the calendar year, and after accounting separately for seniors and individuals with disabilities, transfer and free fare passenger trips and passenger trips on specialized subsystems.

(c) By using the method prescribed in s. Trans 3.04 for surveying the actual revenue and number of revenue passengers using the system on selected representative days during different periods of the year in order to establish an average fare factor for various types of service day categories and then applying those average fare factors to the system’s accumulated passenger revenue and developing ratios of transfer and free fare passengers to revenue passengers.

(d) Using a combination of 2 or more of the methods provided in pars. (a) to (c) when appropriate and practical.

**(2) DEPARTMENT APPROVAL.** (a) Since there are substantial differences among the various participating urban mass transit systems with respect to tariff schedules, senior and disabled reduced fare programs, route service plans, subsystem arrangements, and operating procedures, no single method of calculating annual passenger trips is appropriate for every system. When reviewing a system's proposed election of the methods prescribed in sub. (1), the department shall determine whether its election will be appropriate for that system for the purpose of providing valid and reliable measure of that system's ridership and will allow that system's total to be comparable to the totals of all other participating systems.

(b) Any variance from the counting procedures prescribed in this chapter is permitted only with the express written approval of the department and then only if the department is satisfied that such variance does not adversely affect the statistical reliability, validity and comparability of the data collected pursuant to the variant procedures.

**(3) SPECIAL REQUIREMENTS AND PROCEDURES.** The following apply to each method described in sub. (1) (a) to (c):

(a) Transit riders boarding with a transfer shall be counted as transfer passengers even though a transfer fare may be required.

(b) Transit riders boarding with a daily, weekly or monthly pass shall be counted as revenue passengers each time they board and use their pass.

(c) Children boarding free because they are under a certain age specified by the transit system and accompanied by an adult, or because they meet other special conditions, shall be counted as free fare passengers.

(d) Transit riders boarding and alighting within a free fare zone and not paying a fare shall be counted as free fare passengers unless a fare has been paid by another under a contract or other arrangement with an urban mass transit system. In the latter case, transit riders shall be counted as revenue passengers.

(e) Transit riders boarding on free fare days or during other free fare promotional periods shall be counted as free fare passengers unless a fare has been paid by another under a contract or other arrangement with an urban mass transit system. In the latter case, transit riders shall be counted as revenue passengers.

(f) Transit riders using special subsystems exclusively for seniors and individuals with disabilities shall be counted separately from and included in a transit system's revenue passenger trips. Revenue passenger trips on special subsystems shall be determined by an actual count; or, if the subsystem is operated under contract to the urban mass transit system, the passenger trip figures reported shall be in direct proportion to the urban mass transit system's contribution to the special subsystem's total expenses. Alternative methods for counting transit riders under this paragraph may be used if expressly approved in writing by the department and then only if the department is satisfied that the alternative method does not adversely affect the statistical reliability, validity and comparability of the data collected pursuant to the variant procedures.

(g) Urban mass transit systems exclusively operating shared-ride taxi services shall only be required to report revenue passenger trips.

**History:** Cr. Register, August, 1978, No. 272, eff. 9–1–78; am. (1) (intro.), (a), (b), (c), (2) (a), (c) and (d), cr. (3) (e) to (g), Register, May, 1991, No. 425, eff. 6–1–91; CR 18–065: am. (1) (b), (3) (c), (f) Register October 2020 No. 778, eff. 11–1–20; CR 22–048: am. (2) (a) Register July 2023 No. 811, eff. 8–1–23.

**Trans 3.04 Survey method.** **(1) GENERAL.** In general, the survey method for determining annual revenue passenger trips involves the calculation of average fare factors per revenue passenger received by a system on various types of service days and the application of those average fare factors to all similar service days during the calendar year. The calculation of average fare fac-

tors takes into account the type of service day, the applicable tariff schedules and the types of service being provided when the fare data are collected. In order to obtain a reliable and valid measure of the number of revenue passenger trips for any system, more than one average fare factor shall be calculated in accordance with the procedures prescribed in this section. In addition, the department may require a system to calculate more than one average fare factor for any particular type of service day in order to reflect special situations, including but not limited to subsystem operations, that may otherwise distort the system's revenue passenger trip figure.

**(2) AVERAGE FARES REQUIRED.** (a) The number of average fare factors that are required to determine annual revenue passenger trips depend on the days of the year when transit service is provided. In general, each transit system is required to establish from 2 to 5 average fare factors that, when applied to the corresponding days of the year, establish the system's ridership. The actual number of average fare factors may be higher for transit systems required to determine average fare factors for special subsystem routes. The number of average fare factors required for a system is calculated by classifying each day of the year on which service is provided into one of the following categories:

1. Weekday/school.
2. Weekday/no school.
3. Saturday.
4. Sunday/holiday.
5. Special fare day.

(b) Each participating system shall establish an average fare factor for each of the 2 weekday categories in par. (a) 1. and 2. Transit systems providing Saturday service are required to establish an average fare factor for Saturday, and systems providing Sunday and holiday service shall establish an average fare factor for those days. Revenue ridership figures shall be calculated for each special fare day during the year; special fare day passenger trip figures for one or more special fare days may not be used to project a system's revenue passenger trip total on such days on which a survey is not taken.

**(3) DETERMINATION OF AVERAGE FARE FACTORS.** The average transit fare shall be established for each category of day by using a special survey procedure. The methodology for establishing the average fare factor for each category is as follows:

(a) *Weekday/school.* The average fare factor for the weekday/school day category is established by accurately counting both revenue and revenue passenger trips for 5 consecutive weekdays when both public and private schools are in session. The 5 days selected shall fall within period I or period III. The actual days selected within the period shall be normal days; special downtown or other promotion days may not be included. The regular tariff schedule shall be in effect during the entire 5–day survey period. Total revenue passengers and total revenue shall be recorded for each day of the survey. The average fare factor is computed by dividing the 5–day total revenue by the 5–day total of revenue passengers.

(b) *Weekday/no school.* The average fare factor for the weekday/no school category is established by counting total revenue and revenue passenger trips for 5 consecutive weekdays when both public and private schools are not in regular session. The actual days of the survey shall be normal days and shall fall within period II. Survey days may not be during the week immediately following the end of school or immediately before the opening of school. The regular non–school day tariff shall be in effect during each day of the survey period. Total revenue and total revenue passengers shall be recorded for each day of the survey. The average fare factor is computed by dividing the 5–day revenue total by the 5–day total of revenue passengers.

(c) *Saturday.* The average fare factor for Saturdays is established by counting both revenue and revenue passenger trips for 2 Saturdays. One Saturday shall be selected from either period I

or III and one Saturday shall be selected from period II. The total revenue from the 2 Saturdays divided by the total revenue passenger trips for the 2 Saturdays equals the Saturday average fare factor.

(d) *Sunday/holiday.* The average fare factor for Sundays and holidays is established by counting both revenue and revenue passenger trips for 2 Sundays. One Sunday shall be counted in either period I or III and one Sunday shall be counted in period II. The total revenue from the 2 Sundays divided by the total revenue passenger trips for the 2 Sundays equals the Sunday/holiday average fare factor.

(e) *Special fare day.* Revenue passenger trips on days when a special tariff is in effect shall be established by taking actual revenue passenger counts during the entire period in which the special tariff applies, unless the special fare is the same for all riders. If the special fare is the same for all riders, revenue passenger trips may be determined by dividing total special fare day revenues by the per-rider fare. On free fare days sponsored by the subsidizing governmental units, no revenue is recorded and no revenue passenger trips may be counted. On free fare or reduced fare days sponsored by an agency that actually pays the fare of those riding, a revenue may be recorded and the actual number of passengers counted may be included as revenue passengers.

**(4) PROCEDURES FOR COUNTING REVENUE PASSENGERS USING PASSES OR OTHER PREPAID FARE METHODS.** Urban mass transit systems using the average fare factor method shall use one of the following methods to count daily, weekly, and monthly pass riders and other prepaid fare riders:

(a) Revenue from daily, weekly and monthly passes, route guarantee revenue, contract service revenue and other revenue not paid in the farebox may be excluded from the total revenue used in calculating average fare factors for the respective service day categories. The revenue passengers using passes or other prepaid fare methods may be determined by the actual count method.

(b) An urban mass transit system that includes revenue from pass sales and counts all pass riders in the computation of average fare factors shall allocate an appropriate amount of pass revenue to the various types of service days. An urban mass transit system shall obtain the approval of the department before using a proposed method for allocating and computing pass revenue and counting pass riders for the various types of service days.

(c) An urban mass transit system may estimate pass ridership by multiplying the number of each type of pass sold by the average number of passenger trips taken per pass during the time period for which the pass is valid. The average number of passenger trips taken by pass riders shall be estimated at least once every 3 years by a survey method approved by the department or when a change in a system's fare structure may significantly alter the average use of passes.

**(5) DETERMINATION OF ANNUAL REVENUE PASSENGER TRIPS.** (a) Each transit system shall segregate its revenue according to the category of day on which it is collected. A transit system computing average fare factors for special subsystems shall segregate the revenue for each subsystem and shall use the procedures set forth in par. (b) for each subsystem. A subsystem's total annual revenue passenger trips shall be added to the system total.

(b) The annual revenue passenger trips for each transit system shall be calculated as follows:

1. Add all weekday/school day revenue for the entire year and divide by weekday/school day average fare factor.

2. Add all weekday/no school day revenue and divide by weekday/no school day average fare factor.

3. Add all Saturday revenue and divide by the Saturday average fare factor.

4. Add all Sunday and holiday revenue and divide by the Sunday/holiday average fare factor.

5. Add all revenue passenger trips established from special fare days.

6. Add all revenue passenger trips from pass user as determined under sub. (4).

7. Determine annual passenger trips by adding the passenger trips calculated in subs. 1. to 6.

**(6) DETERMINATION OF TRANSFER RIDERS.** Transfer riders shall be determined by an actual count of all passengers boarding with a transfer during the survey weeks, or by a count of all transfer slips turned in by passengers to the transit vehicle operator, or a combination of the 2 methods. The ratio of transfer passengers to revenue passenger trips shall be determined for each type of service day. The ratios shall be applied to the ridership figures derived from the average fare factors to determine transfer riders for each type of service day.

**(7) DETERMINATION OF FREE FARE RIDERS.** Free fare riders shall be determined by an actual count of all riders boarding without payment of a cash or cash equivalent fare or for whom a fare has not been paid by another under a contract or other arrangement with an urban mass transit system. The ratio of free fare passengers to revenue passenger trips shall be computed for each type of service day. The ratios shall be applied to the ridership figures derived from the average fare factors to determine free fare rides for each type of service day.

**(8) SPECIAL SURVEY REQUIREMENTS AND PROCEDURES.** (a) Each participating transit system shall submit a survey schedule to the department 30 days before beginning any transit survey. Transit systems need not, however, obtain approval for their survey dates unless a special request is made to conduct surveys outside of the designated periods.

(b) Transit systems that do not segregate Friday from Saturday revenue or Sunday from Monday revenue are required to segregate the revenue during the survey period and to establish a formula which can be applied to the unsegregated funds for the remainder of the year.

(c) The department may require a system to conduct a resurvey if it determines that a particular survey is inaccurate or that the data collected does not properly reflect a service level or tariff change.

**(9) FORMS.** (a) Revenue, transfer and free fare passenger trip determinations and surveys of passenger trips and computations of average fare factors shall be made on forms furnished by the department.

(b) The average fare factor computation forms shall be submitted to the department within 15 working days after the completion of the survey. Annual passenger trip forms shall be submitted to the department within 15 calendar days after the last transit day in the calendar year.

**History:** Cr. Register, August, 1978, No. 272, eff. 9-1-78; am. (1) to (3) (d), r. (5) (c), renum. (4) (a) to (b) 5., (4) (b) 6., (5) (a), (b) and (d) and (6) to be (5) (a) and (b) 5., (5) (b) 7., (8) (a) to (c) and (9) and am. (5) (a) and (b) 1. to 4., and 7. and (9), cr. (4), (5) (b) 6., (6) and (7), Register, May, 1991, No. 425, eff. 6-1-91; CR 18-065: am. (3) (e), (4) (c) Register October 2020 No. 778, eff. 11-1-20.