

**SUBSTITUTE FOR
HOUSE BILL NO. 4409**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the state transportation department for the fiscal year ending September 30, 2022, from the following funds:

DEPARTMENT OF TRANSPORTATION

APPROPRIATION SUMMARY

Full-time equated unclassified positions	1.0
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1	Full-time equated classified positions	2,817.6
2	GROSS APPROPRIATION	\$ 5,835,839,200
3	Total interdepartmental grants and	
4	intradepartmental transfers	4,044,800
5	ADJUSTED GROSS APPROPRIATIONS	\$ 5,831,794,400
6	Federal revenues:	
7	Total federal revenues	1,448,519,000
8	Special revenue funds:	
9	Total local revenues	80,782,000
10	Total private revenues	900,000
11	Total other state restricted revenues	3,701,593,400
12	State general fund/general purpose	\$ 600,000,000
13	Sec. 102. DEBT SERVICE	
14	Airport safety and protection plan	\$ 3,438,700
15	Blue Water Bridge fund	6,809,800
16	Comprehensive transportation	10,899,800
17	Economic development	11,485,600
18	Local bridge fund	2,330,400
19	State trunkline	218,679,300
20	GROSS APPROPRIATION	\$ 253,643,600
21	Appropriated from:	
22	Federal revenues:	
23	Federal aid - transportation programs	50,582,100
24	Special revenue funds:	
25	Blue Water Bridge fund	6,809,800
26	Comprehensive transportation fund	10,899,800
27	Economic development fund	11,485,600
28	Local bridge fund	2,330,400

1	State aeronautics fund		3,438,700
2	State trunkline fund		168,097,200
3	State general fund/general purpose	\$	0
4	Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER		
5	AGENCY SUPPORT SERVICES		
6	CTF grant to civil service commission	\$	250,000
7	CTF grant to department of attorney general		107,600
8	CTF grant to department of technology,		
9	management, and budget		34,500
10	CTF grant to department of treasury		46,900
11	CTF grant to legislative auditor general		43,200
12	MTF grant to department of environment, Great		
13	Lakes, and energy		1,491,400
14	MTF grant to department of state for collection		
15	of revenue and fees		20,000,000
16	MTF grant to department of treasury		3,011,900
17	MTF grant to legislative auditor general		350,200
18	SAF grant to civil service commission		150,000
19	SAF grant to department of attorney general		188,200
20	SAF grant to department of technology,		
21	management, and budget		28,000
22	SAF grant to department of treasury		84,100
23	SAF grant to legislative auditor general		33,800
24	STF grant to civil service commission		6,321,000
25	STF grant to department of attorney general		2,123,200
26	STF grant to department of state police		12,154,500
27	STF grant to department of technology,		
28	management, and budget		1,177,900

1	STF grant to department of treasury		148,800
2	STF grant to legislative auditor general		813,500
3	GROSS APPROPRIATION	\$	48,558,700
4	Appropriated from:		
5	Special revenue funds:		
6	Comprehensive transportation fund		482,200
7	Michigan transportation fund		24,853,500
8	State aeronautics fund		484,100
9	State trunkline fund		22,738,900
10	State general fund/general purpose	\$	0
11	Sec. 104. DEPARTMENTAL ADMINISTRATION AND		
12	SUPPORT		
13	Full-time equated unclassified positions	1.0	
14	Full-time equated classified positions	251.3	
15	Unclassified salaries--FTE position	1.0	\$ 173,400
16	Asset management council		1,876,400
17	Business support services--FTEs	41.0	6,727,800
18	Commission audit and support services--FTEs	29.3	3,553,000
19	Economic development and enhancement programs--		
20	FTEs	10.0	1,723,300
21	Finance, contracts, and support services--FTEs	171.0	22,352,900
22	Property management		6,957,400
23	Worker's compensation		1,721,800
24	GROSS APPROPRIATION	\$	45,086,000
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG for accounting service center user charges		4,044,800
28	Special revenue funds:		

1	Comprehensive transportation fund		1,550,200
2	Economic development fund		402,100
3	Michigan transportation fund		4,386,900
4	State aeronautics fund		756,100
5	State trunkline fund		33,945,900
6	State general fund/general purpose	\$	0
7	Sec. 105. INFORMATION TECHNOLOGY		
8	Information technology services and projects	\$	39,512,400
9	GROSS APPROPRIATION	\$	39,512,400
10	Appropriated from:		
11	Federal revenues:		
12	Federal aid - transportation programs		520,500
13	Special revenue funds:		
14	Blue Water Bridge fund		56,900
15	Comprehensive transportation fund		231,700
16	Economic development fund		38,400
17	Michigan transportation fund		302,800
18	State aeronautics fund		180,700
19	State trunkline fund		38,181,400
20	State general fund/general purpose	\$	0
21	Sec. 106. TRANSPORTATION PLANNING		
22	Full-time equated classified positions	136.0	
23	Planning services--FTEs	136.0	\$ 41,656,400
24	Grants to regional planning councils		488,800
25	GROSS APPROPRIATION	\$	42,145,200
26	Appropriated from:		
27	Federal revenues:		
28	Federal aid - transportation programs		24,000,000

1	Special revenue funds:		
2	Comprehensive transportation fund		622,000
3	Michigan transportation fund		9,816,400
4	State aeronautics fund		15,700
5	State trunkline fund		7,691,100
6	State general fund/general purpose	\$	0
7	Sec. 107. DESIGN AND ENGINEERING SERVICES		
8	Full-time equated classified positions	1,506.3	
9	Program development and delivery--FTEs	1,012.3	\$ 96,634,600
10	System operations management--FTEs	337.0	56,892,400
11	Business services--FTEs	157.0	23,551,900
12	GROSS APPROPRIATION		\$ 177,078,900
13	Appropriated from:		
14	Federal revenues:		
15	Federal aid - transportation programs		23,529,800
16	Special revenue funds:		
17	Comprehensive transportation fund		187,100
18	Michigan transportation fund		15,621,100
19	State aeronautics fund		160,300
20	State trunkline fund		137,580,600
21	State general fund/general purpose	\$	0
22	Sec. 108. HIGHWAY MAINTENANCE		
23	Full-time equated classified positions	762.0	
24	State trunkline operations--FTEs	762.0	\$ 425,881,200
25	GROSS APPROPRIATION		\$ 425,881,200
26	Appropriated from:		
27	Special revenue funds:		
28	State trunkline fund		425,881,200

1	State general fund/general purpose	\$	0
2	Sec. 109. ROAD AND BRIDGE PROGRAM		
3	Cities and villages	\$	652,686,200
4	County road commissions		1,170,643,500
5	Grants to local programs		33,000,000
6	Local agency wetland mitigation bank fund		2,000,000
7	Local bridge program		27,812,600
8	Local federal aid and road and bridge		
9	construction		290,587,800
10	Movable bridge		5,553,000
11	Rail grade crossing		3,000,000
12	Rail grade crossing - surface improvements		3,000,000
13	State trunkline federal aid and road and bridge		
14	construction		1,328,645,000
15	GROSS APPROPRIATION	\$	3,516,928,100
16	Appropriated from:		
17	Federal revenues:		
18	Federal aid - transportation programs		1,141,836,600
19	Special revenue funds:		
20	Local funds		30,003,500
21	Blue Water Bridge fund		4,079,500
22	Local bridge fund		27,812,600
23	Michigan transportation fund		1,869,882,700
24	State trunkline fund		443,313,200
25	State general fund/general purpose	\$	0
26	Sec. 110. BLUE WATER BRIDGE		
27	Full-time equated classified positions	41.0	
28	Blue Water Bridge operations--FTEs	41.0 \$	6,714,700

1	GROSS APPROPRIATION		\$	6,714,700
2	Appropriated from:			
3	Special revenue funds:			
4	Blue Water Bridge fund			6,714,700
5	State general fund/general purpose		\$	0
6	Sec. 111. TRANSPORTATION ECONOMIC DEVELOPMENT			
7	Community service infrastructure fund		\$	3,000,000
8	Forest roads			5,000,000
9	Rural county primary			7,650,500
10	Rural county urban system			2,500,000
11	Target industries/economic redevelopment			15,800,900
12	Urban county congestion			7,650,500
13	GROSS APPROPRIATION		\$	41,601,900
14	Appropriated from:			
15	Special revenue funds:			
16	Economic development fund			41,601,900
17	State general fund/general purpose		\$	0
18	Sec. 112. AERONAUTICS SERVICES			
19	Full-time equated classified positions	46.0		
20	Air fleet operations and maintenance--FTEs	8.0	\$	1,774,500
21	Air service program			50,000
22	Aviation services--FTEs	38.0		5,303,200
23	GROSS APPROPRIATION		\$	7,127,700
24	Appropriated from:			
25	Special revenue funds:			
26	State aeronautics fund			7,127,700
27	State general fund/general purpose		\$	0
28	Sec. 113. PUBLIC TRANSPORTATION SERVICES			

1	Full-time equated classified positions	36.0		
2	Passenger transportation services--FTEs	36.0	\$	6,040,200
3	GROSS APPROPRIATION		\$	6,040,200
4	Appropriated from:			
5	Federal revenues:			
6	Federal aid - transportation programs			972,100
7	Special revenue funds:			
8	Comprehensive transportation fund			5,068,100
9	State general fund/general purpose		\$	0
10	Sec. 114. LOCAL BUS TRANSIT			
11	Local bus operating		\$	196,750,000
12	Nonurban operating/capital			30,027,900
13	GROSS APPROPRIATION		\$	226,777,900
14	Appropriated from:			
15	Federal revenues:			
16	Federal aid - transportation programs			28,027,900
17	Special revenue funds:			
18	Local funds			2,000,000
19	Comprehensive transportation fund			196,750,000
20	State general fund/general purpose		\$	0
21	Sec. 115. INTERCITY PASSENGER AND FREIGHT			
22	Full-time equated classified positions	39.0		
23	Detroit/Wayne County Port Authority		\$	400,000
24	Freight property management			1,000,000
25	Intercity services			8,060,000
26	Marine passenger service			1,012,000
27	Office of rail--FTEs	39.0		6,752,500
28	Rail operations and infrastructure			98,738,000

1	GROSS APPROPRIATION	\$	115,962,500
2	Appropriated from:		
3	Federal revenues:		
4	Federal aid - transportation programs		24,500,000
5	Special revenue funds:		
6	Local funds		760,000
7	Private funds		900,000
8	Comprehensive transportation fund		80,316,800
9	Intercity bus equipment fund		600,000
10	Michigan transportation fund		2,116,400
11	Rail freight fund		6,000,000
12	State trunkline fund		769,300
13	State general fund/general purpose	\$	0
14	Sec. 116. PUBLIC TRANSPORTATION DEVELOPMENT		
15	Municipal credit program	\$	2,000,000
16	Service initiatives		8,475,100
17	Specialized services		22,313,900
18	Transit capital		109,070,700
19	Van pooling		150,000
20	GROSS APPROPRIATION	\$	142,009,700
21	Appropriated from:		
22	Federal revenues:		
23	Federal aid - transportation programs		48,550,000
24	Special revenue funds:		
25	Local funds		35,510,000
26	Comprehensive transportation fund		57,949,700
27	State general fund/general purpose	\$	0
28	Sec. 117. CAPITAL OUTLAY		

1	Salt storage buildings and containment control	\$	2,500,000
2	Special maintenance, remodeling, and additions		3,001,500
3	Airport safety, protection, and improvement		
4	program		121,576,500
5	Detroit Metropolitan Wayne County Airport		5,200,000
6	GROSS APPROPRIATION	\$	132,278,000
7	Appropriated from:		
8	Federal revenues:		
9	Federal aid - transportation programs		106,000,000
10	Special revenue funds:		
11	Local funds		12,508,500
12	Qualified airport fund		5,200,000
13	State aeronautics fund		3,068,000
14	State trunkline fund		5,501,500
15	State general fund/general purpose	\$	0
16	Sec. 118. ONE-TIME BASIS ONLY		
17	Local road and bridge bundling initiative	\$	226,000,000
18	Rail freight/rail economic development		8,492,500
19	Transportation bond repayment sinking trust		
20	fund		374,000,000
21	GROSS APPROPRIATION	\$	608,492,500
22	Appropriated from:		
23	Comprehensive transportation fund		8,492,500
24	State general fund/general purpose	\$	600,000,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2021-2022

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GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2021-2022 is \$4,301,593,400.00 and state spending from state sources to be paid to local units of government for fiscal year 2021-2022 is \$2,410,816,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

STATE TRANSPORTATION DEPARTMENT

Grants to regional planning councils	\$ 488,800
Cities and villages	652,686,200
County road commissions	1,170,643,500
Grants to local programs	33,000,000
Local bridge program	27,812,600
Local agency wetland mitigation	2,000,000
Movable bridge	2,776,500
Rail grade crossing	1,500,000
Rail grade surface crossing improvements	3,000,000
Transportation economic development	27,129,400
Air service program	50,000
Local bus operating	196,750,000
Detroit/Wayne County Port Authority	400,000
Marine passenger service	512,000
Municipal credit program	2,000,000
Service initiatives	6,500,100
Specialized services	8,228,900
Transit capital	41,070,700

1	Airport safety, protection, and improvement	
2	program	3,068,000
3	Detroit Metropolitan Wayne County Airport	5,200,000
4	Total payments to local units of government	\$ 2,410,816,700

5 Sec. 202. The appropriations authorized under this part and
6 part 1 are subject to the management and budget act, 1984 PA 431,
7 MCL 18.1101 to 18.1594.

8 Sec. 203. As used in this part and part 1:

- 9 (a) "CTF" means comprehensive transportation fund.
- 10 (b) "Department" means the state transportation department.
- 11 (c) "Director" means the director of the department.
- 12 (d) "DOT" means the United States Department of
13 Transportation.
- 14 (e) "DOT-FHWA" means DOT, Federal Highway Administration.
- 15 (f) "FTE" means full-time equated.
- 16 (g) "IDG" means interdepartmental grant.
- 17 (h) "MTF" means Michigan transportation fund.
- 18 (i) "SAF" means state aeronautics fund.
- 19 (j) "STF" means state trunkline fund.

20 Sec. 204. The departments and agencies receiving
21 appropriations in part 1 shall use the internet to fulfill the
22 reporting requirements of this part. This requirement shall include
23 transmission of reports via email to the recipients identified for
24 each reporting requirement, and it shall include placement of
25 reports on an internet site.

26 Sec. 205. Funds appropriated in part 1 shall not be used for
27 the purchase of foreign goods or services, or both, if
28 competitively priced and of comparable quality American goods or
29 services, or both, are available. Preference shall be given to

1 goods or services, or both, manufactured or provided by Michigan
2 businesses, if they are competitively priced and of comparable
3 quality. In addition, preference shall be given to goods or
4 services, or both, that are manufactured or provided by Michigan
5 businesses owned and operated by veterans, if they are
6 competitively priced and of comparable quality.

7 Sec. 206. The director shall take all reasonable steps to
8 ensure businesses in deprived and depressed communities compete for
9 and perform contracts to provide services or supplies, or both.
10 Each director shall strongly encourage firms with which the
11 department contracts to subcontract with certified businesses in
12 depressed and deprived communities for services, supplies, or both.

13 Sec. 207. The departments and agencies receiving
14 appropriations in part 1 shall prepare a report on out-of-state
15 travel expenses not later than January 1 of each year. The travel
16 report shall be a listing of all travel by classified and
17 unclassified employees outside this state in the immediately
18 preceding fiscal year that was funded in whole or in part with
19 funds appropriated in the department's budget. The report shall be
20 submitted to the senate and house appropriations committees, the
21 house and senate fiscal agencies, and the state budget director.
22 The report shall include the following information:

23 (a) The dates of each travel occurrence.

24 (b) The transportation and related costs of each travel
25 occurrence, including the proportion funded with state general
26 fund/general purpose revenues, the proportion funded with state
27 restricted revenues, the proportion funded with federal revenues,
28 and the proportion funded with other revenues.

29 Sec. 208. Funds appropriated in part 1 shall not be used by a

1 principal executive department, state agency, or authority to hire
2 a person to provide legal services that are the responsibility of
3 the attorney general. This prohibition does not apply to legal
4 services for bonding activities and for those activities that the
5 attorney general authorizes.

6 Sec. 209. Not later than November 30, the state budget office
7 shall prepare and transmit a report that provides for estimates of
8 the total general fund/general purpose appropriation lapses at the
9 close of the prior fiscal year. This report shall summarize the
10 projected year-end general fund/general purpose appropriation
11 lapses by major departmental program or program areas. The report
12 shall be transmitted to the chairpersons of the senate and house of
13 representatives standing committees on appropriations and the
14 senate and house fiscal agencies.

15 Sec. 210. (1) In addition to the funds appropriated in part 1,
16 there is appropriated an amount not to exceed \$40,000,000.00 for
17 federal contingency authorization. These funds are not available
18 for expenditure until they have been transferred to another line
19 item in part 1 pursuant to section 393(2) of the management and
20 budget act, 1984 PA 431, MCL 18.1393.

21 (2) In addition to the funds appropriated in part 1, there is
22 appropriated an amount not to exceed \$5,000,000.00 for state
23 restricted contingency authorization. These funds are not available
24 for expenditure until they have been transferred to another line
25 item in part 1 pursuant to section 393(2) of the management and
26 budget act, 1984 PA 431, MCL 18.1393.

27 (3) In addition to the funds appropriated in part 1, there is
28 appropriated an amount not to exceed \$1,000,000.00 for local
29 contingency authorization. These funds are not available for

1 expenditure until they have been transferred to another line item
2 in part 1 pursuant to section 393(2) of the management and budget
3 act, 1984 PA 431, MCL 18.1393.

4 (4) In addition to the funds appropriated in part 1, there is
5 appropriated an amount not to exceed \$1,000,000.00 for private
6 contingency authorization. These funds are not available for
7 expenditure until they have been transferred to another line item
8 in part 1 pursuant to section 393(2) of the management and budget
9 act, 1984 PA 431, MCL 18.1393.

10 Sec. 211. The department shall cooperate with the department
11 of technology, management, and budget to maintain a searchable
12 website accessible by the public at no cost that includes, but is
13 not limited to, all of the following:

14 (a) Fiscal year-to-date expenditures by category.

15 (b) Fiscal year-to-date expenditures by appropriation unit.

16 (c) Fiscal year-to-date payments to a selected vendor,
17 including the vendor name, payment date, payment amount, and
18 payment description.

19 (d) The number of active department employees by job
20 classification.

21 (e) Job specifications and wage rates.

22 Sec. 212. Within 14 days after the release of the executive
23 budget recommendation, the department shall cooperate with the
24 state budget office to provide the senate and house appropriations
25 chairs, the chairpersons of the senate and house appropriations
26 subcommittees on transportation, and the senate and house fiscal
27 agencies with an annual report on estimated state restricted fund
28 balances, state restricted fund projected revenues, and state
29 restricted fund expenditures for the fiscal years ending September

1 30, 2021 and September 30, 2022.

2 Sec. 213. The department shall maintain, on a publicly
3 accessible website, a department scorecard that identifies, tracks,
4 and regularly updates key metrics that are used to monitor and
5 improve the department's performance.

6 Sec. 214. Total authorized appropriations from all sources
7 under part 1 for legacy costs for the fiscal year ending September
8 30, 2022 are \$66,849,000.00. From this amount, total agency
9 appropriations for pension-related legacy costs are estimated at
10 \$37,452,900.00. Total agency appropriations for retiree health care
11 legacy costs are estimated at \$29,397,000.00.

12 Sec. 215. A department shall not take disciplinary action
13 against an employee of the department or departmental agency in the
14 state classified civil service because the employee communicates
15 with a member of the senate or house of representatives or a
16 member's staff, unless the communication is prohibited by law and
17 the department or agency taking disciplinary action is exercising
18 its authority as provided by law.

19 Sec. 216. (1) On a quarterly basis, the department shall
20 report to the senate and house appropriations committees, the
21 senate and house appropriations subcommittees on the department
22 budget, and the senate and house fiscal agencies the following
23 information:

24 (a) The number of FTEs in pay status by type of staff and
25 civil service classification.

26 (b) A comparison by line item of the number of FTEs authorized
27 from funds appropriated in part 1 to the actual number of FTEs
28 employed by the department at the end of the reporting period.

29 (2) By April 1 of the current fiscal year and semiannually

1 thereafter, the department shall report to the senate and house
2 appropriations committees, the senate and house appropriations
3 subcommittees on the department budget, and the senate and house
4 fiscal agencies the following information:

5 (a) Number of employees that were engaged in remote work in
6 2021.

7 (b) Number of employees authorized to work remotely and the
8 actual number of those working remotely in the current reporting
9 period.

10 (c) Estimated net cost savings achieved by remote work.

11 (d) Reduced use of office space associated with remote work.

12 Sec. 217. Appropriations in part 1 shall, to the extent
13 possible by the department, not be expended until all existing work
14 project authorization available for the same purposes is exhausted.

15 Sec. 218. If the state administrative board, acting under
16 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
17 appropriated under this article, the legislature may, by a
18 concurrent resolution adopted by a majority of the members elected
19 to and serving in each house, intertransfer funds within this
20 article for the particular department, board, commission, officer,
21 or institution.

22 Sec. 219. The departments and agencies receiving
23 appropriations in part 1 shall receive and retain copies of all
24 reports funded from appropriations in part 1. Federal and state
25 guidelines for short-term and long-term retention of records shall
26 be followed. The department may electronically retain copies of
27 reports unless otherwise required by federal and state guidelines.

28 Sec. 220. The department shall report no later than April 1 on
29 each specific policy change made to implement a public act

1 affecting the department that took effect during the prior calendar
2 year to the senate and house appropriations committees, the senate
3 and house subcommittees on transportation, the joint committee on
4 administrative rules, and the senate and house fiscal agencies.

5 Sec. 221. To the extent possible, the department shall provide
6 notice to the speaker of the house, the house minority leader, the
7 senate majority leader, the senate minority leader, the house and
8 senate standing committees on transportation, the appropriate house
9 and senate appropriations subcommittees on transportation, and the
10 house and senate fiscal agencies on proposed federal rule changes
11 related to the department that would require amendments to the laws
12 of this state. The notice shall be given within 30 business days of
13 the proposed federal rule being posted to the Federal Register and
14 shall include a description of the proposed federal rule, the
15 publication date, the date when public comment closes, the document
16 citation, and a description of the statutory changes needed when
17 the rule is finalized.

18 Sec. 222. (1) From the funds appropriated in part 1, the
19 department shall do all of the following:

20 (a) Report to the house and senate appropriations committees,
21 the house and senate fiscal agencies, the house and senate policy
22 offices, and the state budget office any amount of severance pay
23 for a department director, deputy director, or other high-ranking
24 department official not later than 14 days after a severance
25 agreement with the director or official is signed. The name of the
26 director or official and the amount of severance pay must be
27 included in the report required by this subdivision.

28 (b) Maintain an internet site that posts any severance pay in
29 excess of 6 weeks of wages, regardless of the position held by the

1 former department employee receiving severance pay.

2 (c) By February 1, 2022, report to the house and senate
3 appropriations subcommittees on the department budget, the house
4 and senate fiscal agencies, the house and senate policy offices,
5 and the state budget office on the total amount of severance pay
6 remitted to former department employees during the fiscal year
7 ending September 30, 2021 and the total number of former department
8 employees that were remitted severance pay during the fiscal year
9 ending September 30, 2021.

10 (2) As used in this section, "severance pay" means
11 compensation that is both payable or paid upon the termination of
12 employment and in addition to either wages or benefits earned
13 during the course of employment or generally applicable retirement
14 benefits.

15 Sec. 223. Any department, agency, board, commission,
16 subdivision, or other executive branch entity or official of this
17 state that receives funding under part 1 shall not do any of the
18 following:

19 (a) Require as a condition of accessing any state services or
20 facilities that an individual provide proof he or she has received
21 a COVID-19 vaccine.

22 (b) Produce, develop, and issue a COVID-19 vaccine passport
23 for the purpose of certifying that an individual has received a
24 COVID-19 vaccine.

25 (c) Provide information of an individual's COVID-19 vaccine
26 status to any person, company, or governmental entity for inclusion
27 in a COVID-19 vaccine passport.

28 Sec. 270. In order to reduce costs and maintain quality, it is
29 the intent of the legislature that, excluding the fleet of motor

1 vehicles for the department of state police, the department will
2 prioritize the utilization of remanufactured parts as the primary
3 means of maintenance and repair for the state of Michigan's fleet
4 of motor vehicles.

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6 **DEPARTMENT ADMINISTRATION AND SUPPORT**

7 Sec. 301. The department may establish a fee schedule and
8 collect fees sufficient to cover the costs to issue the permits
9 that the department is authorized by law to issue upon request,
10 unless otherwise stipulated by law. All permit fees are
11 nonrefundable application fees and shall be credited to the
12 appropriate fund to recover the direct and indirect costs of
13 receiving, reviewing, and processing the requests.

14 Sec. 302. No funds from the appropriation in part 1 may be
15 used to establish nondirectional markings on the paved surfaces of
16 public roads or streets of this state.

17 Sec. 304. If, as a requirement of bidding on a highway
18 project, the department requires a contractor to submit financial
19 or proprietary documentation as to how the bid was calculated, that
20 bid documentation shall be kept confidential and shall not be
21 disclosed other than to a department representative without the
22 contractor's written consent. The department may disclose the bid
23 documentation if necessary to address or defend a claim by a
24 contractor.

25 Sec. 305. The department may permit space on public passenger
26 transportation properties to be occupied by public or private
27 tenants. The department shall require that revenue from the tenants
28 be placed in an account to be used to pay the costs to maintain and
29 improve the property.

1 Sec. 306. (1) The amounts appropriated in part 1 to support
2 tax and fee collection, law enforcement, and other program services
3 provided to the department and to transportation funds by other
4 state departments shall be expended from transportation funds
5 pursuant to annual contracts between the department and those other
6 state departments. The contracts shall be executed prior to the
7 expenditure or obligation of those funds. The contracts shall
8 provide, but are not limited to, the following data applicable to
9 each state department:

10 (a) Estimated costs to be recovered from transportation funds.

11 (b) Description of services provided to the department and/or
12 transportation funds and financed with transportation funds.

13 (c) Detailed cost allocation methods appropriate to the type
14 of services being provided and the activities financed with
15 transportation funds.

16 (2) Not later than 2 months after publication of the state of
17 Michigan comprehensive annual financial report, each state
18 department receiving funding pursuant to an interdepartment
19 contract with the department shall submit a written report to the
20 department, the state budget director, the house and senate fiscal
21 agencies, and the auditor general stating by spending authorization
22 account the amount of estimated funds contracted with the
23 department, the amount of funds expended, the amount of funds
24 returned to the transportation funds, and any unreimbursed
25 transportation-related costs incurred but not billed to
26 transportation funds. A copy of the report shall be submitted to
27 the auditor general, and the report shall be subject to audit.

28 (3) The auditor general shall use a risk-based approach in
29 developing an audit program for the use of transportation funds.

1 Sec. 307. Before March 1 of each year, the department will
2 provide to the legislature, the state budget director, and the
3 house and senate fiscal agencies its rolling 5-year plan listing by
4 county or by county road commission all highway construction
5 projects for the fiscal year and all expected projects for the
6 ensuing fiscal years.

7 Sec. 310. The department shall provide in a timely manner
8 copies of the agenda, approved minutes, and audio recording of
9 monthly transportation commission meetings to the members of the
10 house and senate appropriations subcommittees on transportation,
11 the house and senate fiscal agencies, and the state budget
12 director.

13 Sec. 313. (1) From funds appropriated in part 1, the
14 department may increase a state infrastructure bank program and
15 grant or loan funds in accordance with regulations of the state
16 infrastructure bank program of the United States Department of
17 Transportation. The state infrastructure bank is to be administered
18 by the department for the purpose of providing a revolving, self-
19 sustaining resource for financing transportation infrastructure
20 projects.

21 (2) In addition to funds provided in subsection (1), money
22 received by the state as federal grants, repayment of state
23 infrastructure bank loans, or other reimbursement or revenue
24 received by the state as a result of projects funded by the program
25 and interest earned on that money shall be deposited in the
26 revolving state infrastructure bank fund and shall be available for
27 transportation infrastructure projects. At the close of the fiscal
28 year, any unencumbered funds remaining in the state infrastructure
29 bank fund shall remain in the fund and be carried forward into the

1 succeeding fiscal year.

2 (3) The department shall submit a report to the state budget
3 director, the house and senate appropriations subcommittees on
4 transportation, and the house and senate fiscal agencies on the
5 status of the state infrastructure bank. The report shall be
6 submitted on or before December 1, 2021. The report shall include
7 all of the following:

8 (a) The balance in the state infrastructure bank at September
9 30, 2021, including a breakdown of the balance by cash and cash
10 equivalents, outstanding loans, and balance available for loan to
11 local agencies.

12 (b) A breakdown of the state infrastructure loan balance by
13 amounts designated as originating from federal sources and the
14 amounts originating from nonfederal sources.

15 (c) A list of outstanding loans by agency, original loan
16 amount, project description, loan term, and amount outstanding.

17 Sec. 319. The department shall post signs at each rest area to
18 identify the agency or contractor responsible for maintenance of
19 the rest area. The signs shall include a department telephone
20 number and shall indicate that unsafe or unclean conditions at the
21 rest area may be reported to that telephone number.

22 Sec. 353. (1) The department shall review its contractor
23 payment process and ensure that all prime contractors are paid
24 promptly. The department shall ensure that prime contractors are in
25 compliance with special provision 109.10 regarding the prompt
26 payment of subcontractors.

27 (2) The department shall report to the house and senate
28 appropriations subcommittees on transportation and the house and
29 senate fiscal agencies, by April 10 of each year, on its compliance

1 with this section. The report shall include each instance of late
2 payment of contractors and subcontractors, the amounts due each
3 contractor and subcontractor, and copies of those documents.

4 Sec. 357. When presented with complete local federal aid
5 project submittals, the department shall complete all necessary
6 reviews and inspections required to let local federal aid projects
7 within 120 days of receipt. The department shall implement a system
8 for monitoring the local federal aid project review process.

9 Sec. 375. The department is prohibited from reimbursing
10 contractors or consultants for costs associated with groundbreaking
11 ceremonies, receptions, open houses, or press conferences related
12 to transportation projects funded, in whole or in part, by revenue
13 appropriated in part 1.

14 Sec. 377. No funds from the appropriation in part 1 may be
15 expended for any contractual service contract with a value in
16 excess of \$100,000.00 with any vendor in which a former department
17 director has direct input into the solicitation response or
18 contract negotiation process, or will be compensated for any work
19 performed on the contract within 24 months of that former
20 director's last employment with the department. This section may be
21 waived by resolution of the Michigan house of representatives and
22 senate.

23 Sec. 381. The department shall require as a condition of each
24 contract or subcontract for construction, maintenance, or
25 engineering services that the prequalified contractor or
26 prequalified subcontractor agree to use the E-Verify system to
27 verify that all persons hired during the contract term by the
28 contractor or subcontractor are legally present and authorized to
29 work in the United States. The department may verify this

1 information directly or may require contractors and subcontractors
2 to verify the information and submit a certification to the
3 department. The department shall report to the house and senate
4 appropriations committees and the house and senate fiscal agencies
5 by March 1 of each year describing the processes it has developed
6 and implemented under provisions of this section. As used in this
7 section, "E-Verify" means an internet-based system operated by the
8 Department of Homeland Security, U.S. Citizenship and Immigration
9 Services in partnership with the Social Security Administration.

10 Sec. 382. In administering a contract with a county road
11 commission, city, or village that allocates costs of construction
12 or reconstruction of highways, roads, and streets as provided in
13 section 18d of 1951 PA 51, MCL 247.668d, the department shall
14 submit the final cost-sharing bill to the county road commission,
15 city, or village not later than 2 years after the date of the final
16 contract payment to the construction contractor.

17 Sec. 383. (1) The department shall prepare a report on use of
18 department-owned aircraft during the fiscal year ending September
19 30, 2021. With respect to each department-owned aircraft, the
20 report shall include all of the following:

21 (a) Total hours of usage.

22 (b) Description of specific flights including dates of travel,
23 names of passengers including state agency, university, or local
24 government affiliation, travel origin and destination, and total
25 estimated costs associated with the air travel.

26 (2) The report shall be submitted to the senate and house
27 appropriations subcommittees on transportation, state budget
28 director, and the house and senate fiscal agencies no later than
29 February 1, 2022.

1 (3) The department shall maintain a system for recovering the
2 cost of operating department-owned aircraft through charges to
3 aircraft users.

4 Sec. 384. (1) Except as otherwise provided in subsection (2),
5 the department shall not obligate the state to expend any state
6 transportation revenue for construction planning or construction of
7 the Gordie Howe International Crossing or a renamed successor. In
8 addition, except as provided in subsection (2), the department
9 shall not commit the state to any new contract related to the
10 construction planning or construction of the Gordie Howe
11 International Crossing or a renamed successor that would obligate
12 the state to expend any state transportation revenue. An
13 expenditure for staff resources used in connection with project
14 activities, which expenditure is subject to full and prompt
15 reimbursement from Canada, shall not be considered an expenditure
16 of state transportation revenue.

17 (2) If the legislature enacts specific enabling legislation
18 for the construction of the Gordie Howe International Crossing or a
19 renamed successor, subsection (1) does not apply once the enabling
20 legislation goes into effect.

21 Sec. 385. (1) The department shall submit monthly reports to
22 the state budget director, the speaker of the house of
23 representatives, the house of representatives minority leader, the
24 senate majority leader, the senate minority leader, the house and
25 senate appropriations subcommittees on transportation, and the
26 house and senate fiscal agencies on all of the following:

27 (a) All expenditures made by the state related to the Gordie
28 Howe Bridge.

29 (b) All reimbursements made by Canada under section 384(1) of

1 this part to the state for expenditures for staff resources used in
2 connection with project activities.

3 (c) All eminent domain and condemnation powers used, the
4 related real estate involved in any governmental taking, the price
5 paid for those properties, and the beneficiary's name or associated
6 corporation.

7 (2) The initial report required under subsection (1) shall be
8 submitted on or before December 1, 2021. The initial report shall
9 cover the fiscal year ending September 30, 2021.

10 Sec. 386. On or before May 1 of each year, the department
11 shall submit a report to the state budget director, the house and
12 senate appropriations subcommittees on transportation, and the
13 house and senate fiscal agencies on its toll credit program. The
14 report shall include the following information:

15 (a) The amount of toll credits earned and certified by the
16 DOT-FHWA in the prior fiscal year.

17 (b) The value of toll credits used by programs and projects in
18 the previous fiscal year.

19 (c) The balance of available toll credits at the end of the
20 prior fiscal year.

21 (d) A discussion of the department's strategy for using toll
22 credits.

23 Sec. 387. (1) Within 60 days of completion of any formal
24 traffic study, formal traffic control study, or formal traffic
25 mitigation study, the department shall post the results of the
26 study on the department's website.

27 (2) As used in this section, the terms "traffic study",
28 "traffic control study", and "traffic mitigation study" include,
29 but are not limited to, investigations into the need for traffic

1 lights, reviews of traffic speeds and related recommendations
2 regarding speed limits, and ways to improve traffic flow during
3 peak travel times.

4 Sec. 389. Within 30 days of entering into a long-term
5 agreement with a private contractor, a public agency, or a
6 partnership between 1 or more private contractors or public
7 agencies, the department shall notify the state budget director,
8 the house and senate appropriations subcommittees on
9 transportation, and the house and senate fiscal agencies of the
10 agreement, including the subject of the agreement, the term of the
11 agreement, and financial obligations under the agreement. As used
12 in this section, "long-term agreement" means an agreement that
13 obligates the department for a period of 5 years or more and that
14 actually or contingently obligates the department to make payments
15 over the contract period of \$5,000,000.00 or more.

16 Sec. 393. (1) The department shall promote best practices for
17 public transportation services in this state, including, but not
18 limited to, all the following:

19 (a) Transit vehicle rehabilitation to reduce life-cycle cost
20 of public transportation through midlife rehabilitation of transit
21 buses.

22 (b) Cooperation between entities using transit, including
23 school districts, cities, townships, and counties with a view to
24 promoting cost savings through joint purchasing of fuel and other
25 procurements.

26 (c) Coordination of transportation dollars among state
27 departments which provide transit-related services, including the
28 department of health and human services. Priority should be given
29 to use of public transportation services where available.

1 (d) Promotion of intelligent transportation services for buses
2 that incorporate computer and navigation technology to make transit
3 systems more efficient, including stoplight coordinating, vehicle
4 tracking, data tracking, and computerized scheduling.

5 Sec. 394. The department and local road agencies shall make
6 the preservation of their existing road networks a funding
7 priority.

8 Sec. 395. From the funds appropriated in part 1 for state
9 trunkline federal aid road and bridge construction, the department
10 may expend up to \$10,000,000.00 on highway maintenance activities
11 to support safety-related, high-priority, and other deferred
12 routine maintenance needs on Michigan's state trunkline network.

13 Sec. 398. The department shall continue to work to eliminate
14 fatalities and serious injuries on Michigan's trunkline network and
15 shall maintain the Toward Zero Deaths statewide safety campaign.

16 Sec. 399. In developing its state trunkline road and bridge
17 construction program, the department shall prioritize spending on
18 capital preventative maintenance.

19

20 **FEDERAL**

21 Sec. 402. A portion of the federal DOT-FHWA highway research,
22 planning, and construction funds made available to this state shall
23 be allocated to transportation programs administered by local
24 jurisdictions in accordance with section 10o of 1951 PA 51, MCL
25 247.660o. A local road agency, with respect to a project approved
26 for federal aid funding in a state transportation improvement
27 program, may enter into a voluntary buyout agreement with the
28 department or with another local road agency to exchange the
29 federal aid with state restricted transportation funds as agreed to

1 by the respective parties. The state restricted transportation
2 funds received in exchange for federal aid funds shall be used for
3 the same purpose as the federal aid funds were originally intended.
4

5 **MICHIGAN TRANSPORTATION FUND**

6 Sec. 501. The money received under the motor carrier act, 1933
7 PA 254, MCL 475.1 to 479.42, and not appropriated to the department
8 of licensing and regulatory affairs or the department of state
9 police is deposited in the Michigan transportation fund.

10 Sec. 503. (1) At the close of the fiscal year, funds
11 appropriated in part 1 for the transportation economic development
12 program shall lapse to the transportation economic development
13 fund.

14 (2) At the close of the fiscal year, funds appropriated in
15 part 1 for the local bridge program shall carry forward and are
16 appropriated for the purposes defined in section 10(5) of 1951 PA
17 51, MCL 247.660.

18 (3) Interest earned in the department of transportation
19 economic development fund and local bridge fund shall remain in the
20 respective funds and shall be allocated to the respective programs
21 based on actual interest earned at the end of each fiscal year.

22 (4) In addition to the funds appropriated in part 1, the
23 department of transportation economic development fund and local
24 bridge fund may receive federal, local, or private funds or
25 restricted source funds such as interest earnings. These funds are
26 appropriated for projects that are consistent with the purposes of
27 the respective funds.

28 (5) None of the funds statutorily dedicated to the
29 transportation economic development fund and local bridge fund

1 shall be diverted to other projects.

2 Sec. 504. Funds from the Michigan transportation fund shall be
3 distributed to the comprehensive transportation fund, the economic
4 development fund, the recreation improvement fund, and the state
5 trunkline fund, in accordance with this part and part 1 and part
6 711 of the natural resources and environmental protection act, 1994
7 PA 451, MCL 324.71101 to 324.71108, and may only be used as
8 specified in this part and part 1, 1951 PA 51, MCL 247.651 to
9 247.675, and part 711 of the natural resources and environmental
10 protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

11

12 **STATE TRUNKLINE FUND**

13 Sec. 601. The department shall maintain documentation to
14 support initial acceptance of warrantied projects, interim and
15 final inspections, and notifications to contractors that the
16 warranty period had expired. The department also shall review and
17 evaluate consultant evaluation requirements or recommendations and
18 update existing policies and procedures accordingly.

19 Sec. 604. At the close of the fiscal year, any unencumbered
20 and unexpended balance in the state trunkline fund shall remain in
21 the state trunkline fund and shall carry forward and is
22 appropriated for federal aid road and bridge programs for projects
23 contained in the annual state transportation program.

24 Sec. 612. The department shall establish guidelines governing
25 incentives and disincentives provided under contracts for state
26 trunkline projects. The guidelines shall include specific financial
27 information concerning incentives and disincentives. On or before
28 January 1 of each year, the department shall prepare a report for
29 the immediately preceding fiscal year regarding contract incentives

1 and disincentives. This report shall include a list, by project, of
2 the contractors that received contract incentives and/or
3 disincentives, the amount of the incentives and/or disincentives,
4 the fund source of any incentives, and the number of days that each
5 project was completed either ahead or past the contracted
6 completion date. This report shall be provided to the senate and
7 house appropriations subcommittees on transportation, the senate
8 and house standing committees on transportation, and the senate and
9 house fiscal agencies.

10 Sec. 613. (1) On or before February 1 of each year, the
11 department shall prepare a report on all capital federal aid
12 participating construction projects completed in the prior fiscal
13 year. The report shall include the following information:

- 14 (a) Location of the project.
- 15 (b) General description of the project.
- 16 (c) As-bid cost of the project.
- 17 (d) As-built cost of the project.
- 18 (e) Estimated completion date.
- 19 (f) Actual completion date.
- 20 (g) Whether design engineering was performed by department
21 staff or contract engineering consultants, and, if performed by
22 contract engineering consultants, the name of the contract
23 engineering consultant firm or firms.
- 24 (h) Design engineering costs.
- 25 (i) Whether construction engineering was performed by
26 department staff or contract engineering consultants, and, if
27 performed by contract engineering consultants, the name of the
28 contract engineering consultant firm or firms.
- 29 (j) Construction engineering costs.

1 (k) Design life.

2 (2) The report shall include a discussion of design
3 engineering and construction engineering costs as a proportion of
4 total project costs and in comparison with other state
5 transportation agencies. The report shall also include a discussion
6 of relative efficiency and effectiveness of work performed by
7 department staff and work performed by contract engineering
8 consultants.

9 (3) The report described in this section shall be provided to
10 the senate and house appropriations subcommittees on
11 transportation, the senate and house standing committees on
12 transportation, and the senate and house fiscal agencies.

13 Sec. 660. (1) The legislature encourages the department to
14 examine the use of alternative road surface materials, including
15 recycled materials and flexible concrete, and to develop criteria
16 and specifications for their use in both department-managed and
17 contracted projects.

18 (2) The department shall report on efforts taken to implement
19 this section. The report shall include descriptions of specific
20 materials evaluated, evaluation methods, and results of specific
21 field or laboratory tests. The department shall complete and submit
22 the report to the state budget director, the house and senate
23 appropriations subcommittees on transportation, and the house and
24 senate fiscal agencies on or before March 1 of each year.

25 Sec. 661. (1) From funds appropriated in part 1, the
26 department shall establish a collaborative stakeholder group to
27 review innovative road materials and innovative road and bridge
28 design and construction specifications. The collaborative group
29 shall include representatives from the following stakeholder

1 groups:

2 (a) The DOT-FHWA.

3 (b) An appointee of the speaker of the house of
4 representatives.

5 (c) An appointee of the senate majority leader.

6 (d) The Asphalt Pavement Association of Michigan.

7 (e) The Michigan Concrete Association.

8 (f) The Michigan Council of Engineering Companies of Michigan.

9 (g) The Michigan Infrastructure and Transportation
10 Association.

11 (h) The County Road Association of Michigan.

12 (i) The Michigan Municipal League.

13 (j) The Michigan Association of Drain Commissioners.

14 (k) The Michigan Aggregates Association.

15 (l) The Michigan Association of Counties.

16 (m) The Michigan Road Preservation Association.

17 (2) Beginning July 1, 2022, the department shall report
18 quarterly on the activities of the collaborative stakeholder group
19 established under this section. The report shall be provided by
20 April 1, 2022 to the house appropriations committee, the senate
21 appropriations committee, the house standing committee on
22 transportation and infrastructure, the senate standing committee on
23 transportation and infrastructure, and the house and senate fiscal
24 agencies. The report shall describe the innovative materials and
25 innovative road and bridge design and construction specifications
26 submitted for review. The report shall also describe, of the
27 innovative materials and innovative road and bridge design and
28 construction specifications submitted for review, the submissions
29 recommended for adoption by the department and the submissions not

1 recommended for adoption by the department. The department shall
2 provide recipients with updated reports on activities of the
3 collaborative stakeholder group by July 1, 2022 and September 30,
4 2022.

5

6 **TRANSIT AND RAIL RELATED FUNDS**

7 Sec. 701. The department shall establish an intercity bus
8 equipment and facility fund as a subsidiary fund within the
9 comprehensive transportation fund created under section 10b of 1951
10 PA 51, MCL 247.660b. Proceeds received by this state from the sale
11 of state-owned intercity bus equipment shall be credited to the
12 intercity bus equipment and facility fund for the purchase and
13 repair of intercity bus equipment, as appropriated. Security
14 deposits not returned to a lessee of state-owned intercity bus
15 equipment under terms of the lease agreement shall be credited to
16 the intercity bus equipment and facility fund for the repair of
17 intercity bus equipment, as appropriated. Money received by the
18 department from lease payments for state-owned intercity bus
19 equipment, and facility maintenance charges under terms of leases
20 of state-owned intercity facilities, shall be credited to the
21 intercity bus equipment and facility fund for the purchase and
22 repair of intercity bus equipment or for the maintenance and
23 rehabilitation of state-owned intercity facilities, as
24 appropriated. At the close of the fiscal year, any funds remaining
25 in the intercity bus equipment and facility fund shall remain in
26 the fund and be carried forward into the succeeding fiscal year.

27 Sec. 702. Money that is received by this state as repayment
28 for loans made for rail or water freight capital projects, and as a
29 result of the sale of property or equipment used or projected to be

1 used for rail or water freight projects shall be deposited in the
2 rail freight fund created by section 17 of the state transportation
3 preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of
4 the fiscal year, any funds remaining in the rail freight fund shall
5 remain in the fund and be carried forward into the succeeding
6 fiscal year.

7 Sec. 703. After receiving notification from a railroad company
8 pursuant to section 8 of the state transportation preservation act
9 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately
10 notify the house of representatives and senate appropriations
11 subcommittees on transportation and the state budget office that
12 the railroad company has filed with the appropriate governmental
13 agencies for abandonment of a line.

14 Sec. 704. From the funds appropriated in part 1, the
15 department shall prepare and transmit a report that provides detail
16 regarding the department's obligations for programs funded under
17 the appropriation in part 1 for rail operations and infrastructure.
18 The report shall include a breakdown of the appropriation by
19 program, year-to-date obligations under each program itemized by
20 project, and an estimate of future obligations under each program
21 itemized by project for the remainder of the fiscal year. The
22 initial report shall be submitted to the senate and house
23 appropriations subcommittees on transportation, the state budget
24 director, and the senate and house fiscal agencies, on or before
25 February 1, 2022. The department also shall update and resubmit the
26 final report on or before November 1, 2022.

27 Sec. 706. The Detroit/Wayne County Port Authority shall issue
28 a complete operations assessment and a financial disclosure
29 statement. The operations assessment shall include operational

1 goals for the next 5 years and recommendations to improve land
2 acquisition and development efficiency. The report shall be
3 completed and submitted to the house of representatives and senate
4 appropriations subcommittees on transportation, the state budget
5 director, and the house and senate fiscal agencies by June 30 of
6 each fiscal year for the prior fiscal year.

7 Sec. 707. (1) Before March 1 of each year, the department will
8 provide to the legislature, the state budget office, and the house
9 and senate fiscal agencies its rail strategic plan. The strategic
10 plan shall include, but is not limited to, a rolling 5-year rail
11 plan and summary of the department's obligations for programs
12 funded under the appropriation in part 1 for rail operations and
13 infrastructure.

14 (2) The rolling 5-year rail plan shall include, but is not
15 limited to, all the following:

16 (a) A listing by county of all rail infrastructure projects on
17 rail lines within the state utilizing state funds, and the
18 estimated cost of each project.

19 (b) The actual or projected state expenditures for operation
20 of passenger rail service.

21 (c) The actual or projected state expenditures for maintenance
22 of passenger service rail lines.

23 (3) The period of the rolling 5-year rail plan includes the
24 current fiscal year and the 4 fiscal years immediately following
25 the current fiscal year.

26 (4) The summary of the department's obligations for programs
27 funded under the appropriation in part 1 for rail operations and
28 infrastructure shall include a breakdown of the appropriation by
29 program, year-to-year obligations under each program itemized by

1 project, and an estimate of future obligations under each program
2 itemized by project for the remainder of the fiscal year.

3 Sec. 720. It is the intent of the legislature that all transit
4 agencies in Michigan should strive to achieve a farebox recovery
5 rate of not less than 6%.

6 Sec. 735. For the fiscal year ending September 30, 2022, the
7 appropriation to a street railway pursuant to section 10e(22) of
8 1951 PA 51, MCL 247.660e, is \$0.

9 Sec. 736. No funds from the appropriations in part 1 may be
10 used for a rail freight development project that supports the
11 delivery, storage, and distribution of propane in the Upper
12 Peninsula.

13 Sec. 752. The department is encouraged to meet with
14 representatives of a rail industry trade association to provide
15 information on the availability of rail infrastructure loan and
16 grant funding programs and freight economic development project
17 opportunities.

18

19 **AERONAUTICS FUND**

20 Sec. 801. Except as otherwise provided in section 903 of this
21 part for capital outlay, at the close of the fiscal year, any
22 unobligated and unexpended balance in the state aeronautics fund
23 created in the aeronautics code of the state of Michigan, 1945 PA
24 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics
25 fund and be appropriated by the legislature in the immediately
26 succeeding fiscal year.

27

28 **CAPITAL OUTLAY**

29 Sec. 901. (1) From federal-state-local project appropriations

1 contained in part 1 for the purpose of assisting political entities
2 and subdivisions of this state in the construction and improvement
3 of publicly used airports and landing fields within this state, the
4 state transportation department may permit the award of contracts
5 on behalf of units of local government for the authorized locations
6 not to exceed the indicated amounts, of which the state allocated
7 portion shall not exceed the amount appropriated in part 1.

8 (2) Political entities and subdivisions shall provide not less
9 than 5% of the cost of any project under this section, unless a
10 total nonfederal share less than 10% is otherwise specified in
11 federal law. State money shall not be allocated until local money
12 is allocated. State money for any 1 project shall not exceed 1/3 of
13 the total appropriation in part 1 from state funds for airport
14 improvement programs.

15 (3) The Michigan aeronautics commission may take those steps
16 necessary to match federal money available for airport construction
17 and improvement within this state and to meet the matching
18 requirements of the federal government. Whether acting alone or
19 jointly with another political subdivision or public agency or with
20 this state, a political subdivision or public agency of this state
21 shall not submit to any agency of the federal government a project
22 application for airport planning or development unless it is
23 authorized in this part and part 1 and the project application is
24 approved by the governing body of each political subdivision or
25 public agency making the application and by the Michigan
26 aeronautics commission.

27 Sec. 903. The appropriations in part 1 for capital outlay
28 shall be carried forward at the end of the fiscal year consistent
29 with the provisions of section 248 of the management and budget

1 act, 1984 PA 431, MCL 18.1248.

2
3 **ONE-TIME BASIS ONLY APPROPRIATIONS**

4 Sec. 1001. (1) The one-time funds appropriated in part 1 for
5 local road and bridge bundling initiative must be expended by the
6 department to support a statewide program for the rehabilitation or
7 replacement of roads and bridges owned by local road agencies. The
8 department shall coordinate the local road and bridge bundling
9 initiative and issue contracts necessary for planning, design, and
10 construction work related to roads and bridges selected for the
11 program.

12 (2) The department shall provide a progress report on the
13 local road and bridge bundling initiative to the senate and house
14 appropriations subcommittees on transportation, the senate and
15 house fiscal agencies, and the state budget office by September 30.

16 Sec. 1002. (1) Funds appropriated in part 1 for transportation
17 bond repayment sinking trust fund shall be credited to the
18 transportation bond repayment sinking trust fund established in
19 Senate Bill No. ___ or House Bill No. 4669 (request no. 02538'21) of
20 the 101st Legislature.

21 (2) Funds appropriated in part 1 for transportation bond
22 repayment sinking trust fund must not be spent or otherwise
23 distributed unless both of the following bills of the 101st
24 Legislature are enacted into law:

25 (a) House Bill No. 4082.

26 (b) Senate Bill No. ___ or House Bill No. 4669 (request no.
27 02538'21).