



SENATE BILL No. 116

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Local Government and Urban Development.

A bill to amend the title and sections 9 and 10a of Act No. 51 of the Public Acts of 1951, entitled as amended

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state

trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts,"

section 10a as amended by Act No. 137 of the Public Acts of 1992, being sections 247.659 and 247.660a of the Michigan Compiled Laws; and to add section 8a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 9 and 10a of Act No. 51
2 of the Public Acts of 1951, section 10a as amended by Act No. 137
3 of the Public Acts of 1992, being sections 247.659 and 247.660a
4 of the Michigan Compiled Laws, are amended and section 8a is
5 added to read as follows:

6 TITLE

7 An act to provide for the classification of all public
8 roads, streets, and highways in this state, ~~and~~ for the revi-
9 sion of that classification and for additions to and deletions
10 from each classification; to set up and establish the Michigan
11 transportation fund; to provide for the deposits in the Michigan
12 transportation fund of specific taxes on motor vehicles and motor
13 vehicle fuels; to provide for the allocation of funds from the
14 Michigan transportation fund and the use and administration of

1 the fund for transportation purposes; to set up and establish the
2 truck safety fund; to provide for the allocation of funds from
3 the truck safety fund and administration of the fund for truck
4 safety purposes; to set up and establish the Michigan truck
5 safety commission; to provide for the continuing review of trans-
6 portation needs within ~~the~~ THIS state; to authorize the state
7 transportation commission, counties, cities, ~~and~~ villages, AND
8 TOWNSHIPS to borrow money, issue bonds, and make pledges of funds
9 for transportation purposes; to authorize counties to advance
10 funds for the payment of deficiencies necessary for the payment
11 of bonds issued under this act; to provide for the limitations,
12 payment, retirement, and security of the bonds and pledges; to
13 provide for appropriations and tax levies by counties and town-
14 ships for county roads; to authorize contributions by townships
15 for county roads; to provide for the establishment and adminis-
16 tration of the state trunk line fund, critical bridge fund, com-
17 prehensive transportation fund, and certain other funds; to pro-
18 vide for the deposits in the state trunk line fund, critical
19 bridge fund, comprehensive transportation fund, and certain other
20 funds of money raised by specific taxes and fees; to provide for
21 definitions of public transportation functions and criteria; to
22 define the purposes for which Michigan transportation funds may
23 be allocated; to provide for Michigan transportation fund grants;
24 to provide for review and approval of transportation programs; to
25 provide for submission of annual legislative requests and
26 reports; to provide for the establishment and functions of
27 certain advisory entities; to provide for conditions for grants;

1 to provide for the issuance of bonds and notes for transportation
2 purposes; to provide for the powers and duties of certain state
3 and local agencies and officials; to provide for the making of
4 loans for transportation purposes by the state transportation
5 department and for the receipt and repayment by local units and
6 agencies of those loans from certain specified sources; and to
7 repeal certain acts and parts of acts.

8 SEC. 8A. (1) A TOWNSHIP WITH A POPULATION OF GREATER THAN
9 80,000 MAY BY ORDINANCE ASSUME JURISDICTION OVER 1 OR MORE COUNTY
10 PRIMARY OR COUNTY LOCAL ROADS. NOT MORE THAN 60 DAYS AFTER THE
11 ADOPTION OF THE ORDINANCE, APPROPRIATE ROADS OVER WHICH THE TOWN-
12 SHIP IS ASSUMING JURISDICTION SHALL BE CERTIFIED TO THE STATE
13 HIGHWAY COMMISSIONER AS A TENTATIVE TOWNSHIP MAJOR STREET SYSTEM
14 IN THE SAME MANNER AS PROVIDED FOR CITY AND VILLAGE STREETS UNDER
15 SECTION 6. NOT MORE THAN 60 DAYS AFTER RECEIPT OF THE CERTIFICA-
16 TION, THE STATE HIGHWAY COMMISSIONER SHALL APPROVE SOME OR ALL OF
17 THE TENTATIVE TOWNSHIP MAJOR STREET SYSTEM IN THE MANNER PROVIDED
18 IN SECTION 6. NOT MORE THAN 60 DAYS AFTER THE STATE HIGHWAY COM-
19 MISSIONER APPROVES THE TOWNSHIP MAJOR STREET SYSTEM, ANY ROADS
20 OVER WHICH THE TOWNSHIP HAS ASSUMED JURISDICTION AND NOT INCLUDED
21 IN THE TOWNSHIP MAJOR STREET SYSTEM SHALL BE CERTIFIED TO THE
22 STATE HIGHWAY COMMISSIONER AS A TENTATIVE TOWNSHIP LOCAL STREET
23 SYSTEM IN THE MANNER PROVIDED IN SECTION 8. NOT MORE THAN 60
24 DAYS AFTER RECEIPT OF THE CERTIFICATION, THE STATE HIGHWAY COM-
25 MISSIONER SHALL APPROVE SOME OR ALL OF THE TENTATIVE TOWNSHIP
26 LOCAL STREET SYSTEM IN THE MANNER PROVIDED IN SECTION 8.

1 (2) AFTER THE INITIAL ESTABLISHMENT OF THE TOWNSHIP MAJOR
2 STREET SYSTEM AND TOWNSHIP LOCAL STREET SYSTEM, COUNTY ROADS AND
3 ROADS DETERMINED TO BE PUBLIC HIGHWAYS UNDER CHAPTER I OF ACT
4 NO. 283 OF THE PUBLIC ACTS OF 1909, BEING SECTIONS 221.20 TO
5 221.27 OF THE MICHIGAN COMPILED LAWS, MAY BE ADDED TO THE TOWN-
6 SHIP MAJOR STREET SYSTEM OR TOWNSHIP LOCAL STREET SYSTEM, TOWN-
7 SHIP MAJOR STREETS MAY BE RECLASSIFIED AS TOWNSHIP LOCAL STREETS,
8 AND TOWNSHIP LOCAL STREETS MAY BE RECLASSIFIED AS TOWNSHIP MAJOR
9 STREETS IN THE SAME MANNER AS PROVIDED FOR THE ADOPTION OF THE
10 TOWNSHIP MAJOR STREET SYSTEM.

11 (3) A TOWNSHIP MAY TRANSFER JURISDICTION OVER A TOWNSHIP
12 STREET TO THE COUNTY. HOWEVER, THE TOWNSHIP SHALL NOT TRANSFER
13 JURISDICTION TO THE COUNTY FOR 3 YEARS AFTER THE DATE OF THE
14 TOWNSHIP'S ASSUMPTION OF JURISDICTION, UNLESS THE TRANSFER OF
15 JURISDICTION IS AGREED TO BY THE TOWNSHIP AND COUNTY. AFTER A
16 TOWNSHIP TRANSFERS JURISDICTION TO THE COUNTY, THE TOWNSHIP SHALL
17 NOT REASSUME JURISDICTION OVER THE ROAD FOR 3 YEARS AFTER THE
18 DATE OF THE TOWNSHIP'S TRANSFER OF JURISDICTION, UNLESS THE REAS-
19 SUMPTION OF JURISDICTION IS AGREED TO BY THE TOWNSHIP AND
20 COUNTY. BEFORE TRANSFERRING JURISDICTION TO THE COUNTY UNDER
21 THIS SUBSECTION, THE TOWNSHIP SHALL COMPLY WITH SECTION 8(2),
22 (3), AND (4) OF ACT NO. 296 OF THE PUBLIC ACTS OF 1969, BEING
23 SECTION 247.858 OF THE MICHIGAN COMPILED LAWS.

24 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THIS ACT SHALL
25 APPLY TO A TOWNSHIP MAJOR STREET SYSTEM AND A TOWNSHIP LOCAL
26 STREET SYSTEM IN THE SAME MANNER AS TO A CITY MAJOR STREET SYSTEM
27 AND CITY LOCAL STREET SYSTEM. A TOWNSHIP SHALL HAVE THE SAME

1 POWERS AND DUTIES WITH RESPECT TO A TOWNSHIP MAJOR STREET SYSTEM
2 AND TOWNSHIP LOCAL STREET SYSTEM AS A CITY HAS WITH RESPECT TO A
3 CITY MAJOR STREET SYSTEM OR CITY LOCAL STREET SYSTEM UNDER THIS
4 ACT.

5 Sec. 9. All roads, streets, and highways included in the
6 major street system of ~~any municipality~~ A CITY OR VILLAGE shall
7 be officially known as city MAJOR STREETS or village major
8 streets, ~~as the case may be~~ RESPECTIVELY, and all roads,
9 streets, and highways included in the local street system of ~~any~~
10 ~~municipality~~ A CITY OR VILLAGE shall be officially known as city
11 LOCAL STREETS or village local streets, ~~as the case may be~~
12 RESPECTIVELY. ~~For a period of 2 years after the effective date~~
13 ~~of this act, the major street system and the local street system~~
14 ~~in each city and village, and the mileage in each such system~~
15 ~~used for all purposes under the provisions of this act, shall be~~
16 ~~as determined by the state highway commissioner, and thereafter~~
17 ~~the~~ THE major street system and the local street system in each
18 city and village, and the mileage in each such system used for
19 all purposes under ~~the provisions of~~ this act, shall be as
20 established by certification to and approval by the state highway
21 commissioner pursuant to ~~the provisions of~~ this act.

22 Sec. 10a. (1) Annually, the state transportation department
23 shall determine the miles of state trunk line highways, county
24 primary and local roads, and city and village major and local
25 streets transferred to and from state, county, city, or village
26 jurisdiction during the preceding period of July 1 to June 30.
27 In each year after that determination, the transferred mileage

1 shall be accumulated and added to the mileage transferred in each
2 subsequent July 1 to June 30 period.

3 (2) The current average revenue worth per mile of a county
4 primary road ~~and~~ OR a county local road shall be determined
5 annually by dividing the total county primary and local road
6 mileages, respectively, as of the first day of the preceding July
7 1 to June 30 period into the total amount of Michigan transporta-
8 tion funds returned to counties pursuant to this act for use on
9 county primary and local roads respectively during that period,
10 except money returned to counties pursuant to section 12(2) and
11 (3).

12 (3) The total amount of money to be transferred from and to
13 the state trunk line fund, the counties, cities, and villages
14 shall be determined annually by multiplying the current revenue
15 worth per mile of a county primary road ~~and~~ OR a county local
16 road respectively by the number of accumulated miles in each cat-
17 egory transferred from and to state, county, city, or village
18 jurisdiction. If the transferred facility becomes classified as
19 part of the local road or street system of the receiving jurisdic-
20 tion, the transfer of money shall be calculated on the basis
21 of the revenue worth per mile of a county local road. In any
22 other category of jurisdictional transfer, the transfer of money
23 shall be calculated on the basis of the revenue worth per mile of
24 a county primary road.

25 (4) For jurisdictional transfers made from the state to a
26 county, city, or village after July 1, 1992, the amount in the
27 state trunk line fund to be transferred shall be transferred to

1 the county, city, or village receiving jurisdiction. If the
2 transferred highway is then classified as part of the local road
3 or street system of the receiving jurisdiction, the transfer of
4 money to the receiving jurisdiction shall be calculated on the
5 basis of the revenue worth per mile of a county local road as
6 determined in subsection (2). If the transferred highway is then
7 classified as part of the primary road or major street system of
8 the receiving jurisdiction, the transfer of money to the receiv-
9 ing jurisdiction shall be calculated on the basis of the revenue
10 worth per mile of a county primary road as determined in
11 subsection (2). This subsection and subsection (5) shall not be
12 construed to ~~effect~~ AFFECT contracts entered into before or
13 after the effective date of this subsection pursuant to Act
14 No. 166 of the Public Acts of 1965, being sections 408.551 to
15 408.558 of the Michigan Compiled Laws, for the maintenance of a
16 transferred highway.

17 (5) In cities and villages with a population of 25,000 or
18 more, trunk line mileage that is transferred to local jurisdic-
19 tion after July 1, 1992 and is then classified as a major street
20 shall be certified at twice its measured length.

21 (6) THE STATE TRANSPORTATION DEPARTMENT SHALL ANNUALLY
22 DETERMINE THE MILES OF TOWNSHIP MAJOR STREETS AND TOWNSHIP LOCAL
23 STREETS CERTIFIED PURSUANT TO SECTION 8A. THE NUMBER OF MILES OF
24 TOWNSHIP MAJOR STREETS AND TOWNSHIP LOCAL STREETS, RESPECTIVELY,
25 SHALL BE MULTIPLIED BY THE CURRENT AVERAGE REVENUE WORTH PER MILE
26 OF CITY OR VILLAGE MAJOR STREETS AND CITY OR VILLAGE LOCAL
27 STREETS, RESPECTIVELY. THE PRODUCTS SHALL BE ADDED, AND THE SUM

1 SHALL BE SUBTRACTED FROM THE TOTAL AMOUNT OF MICHIGAN
2 TRANSPORTATION FUNDS THAT WOULD OTHERWISE BE RETURNED TO COUNTIES
3 PURSUANT TO THIS ACT FOR USE ON COUNTY PRIMARY AND LOCAL ROADS
4 AND ADDED TO THE TOTAL AMOUNT OF MICHIGAN TRANSPORTATION FUNDS TO
5 BE RETURNED TO CITIES AND VILLAGES PURSUANT TO THIS ACT FOR USE
6 ON CITY OR VILLAGE PRIMARY AND LOCAL ROADS.

7 (7) ~~-(6)-~~ The transfer of funds under this section shall be
8 included each year in the October appropriation of the Michigan
9 transportation fund.