

SENATE BILL No. 557

October 13, 2015, Introduced by Senator KNOLLENBERG and referred to the Committee on Transportation.

A bill to amend 1951 PA 51, entitled

"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 promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; 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 establish certain standards for road contracts for certain businesses; 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, local 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 acts and parts of acts,"

by amending section 1c (MCL 247.651c), as amended by 2010 PA 28.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1c. (1) The ~~state transportation department~~ shall bear
 2 the cost of opening, widening, and improving, including
 3 construction and reconstruction, **ALL STATE TRUNK LINE HIGHWAYS**, in
 4 accordance with standards and specifications of the department. ~~7~~
 5 ~~all state trunk line highways, subject to all of the following~~
 6 ~~provisions:~~

7 ~~— (a) Incorporated cities and villages shall participate with~~
 8 ~~the department in the cost of opening, widening, and improving,~~
 9 ~~including construction and reconstruction of state trunk line~~
 10 ~~highways within cities and villages to which may be added, subject~~
 11 ~~to the approval of the state transportation commission, streets~~
 12 ~~that are connecting links of trunk line highways or streets that~~
 13 ~~are made connecting links of trunk line highways, according to the~~
 14 ~~following schedule subject to the definition of population as~~
 15 ~~provided in section 13:~~

16 ~~— (i) In cities and villages having a population of 50,000 or~~

1 ~~more, 12.5% of the cost shall be borne by the city or village, and~~
2 ~~87.5% by the state transportation department.~~

3 ~~—— (ii) In cities and villages having a population of 40,000 or~~
4 ~~more and less than 50,000, 11.25% of the cost shall be borne by the~~
5 ~~city or village, and 88.75% by the state transportation department.~~

6 ~~—— (iii) In cities and villages having a population of 25,000 or~~
7 ~~more and less than 40,000, 8.75% of the cost shall be borne by the~~
8 ~~city or village, and 91.25% by the state transportation department~~
9 ~~except in the case of projects related to international border~~
10 ~~crossing, in which case the department shall bear the entire~~
11 ~~project cost.~~

12 ~~—— (iv) In cities and villages having a population of less than~~
13 ~~25,000, the state transportation department shall bear the entire~~
14 ~~cost.~~

15 ~~—— (b) As used in this act, "opening, widening, and improving,~~
16 ~~including construction and reconstruction, of state trunk line~~
17 ~~highways" includes, but is not limited to, the cost of right of~~
18 ~~way; the cost of removal and replacement of sidewalks, street~~
19 ~~lighting, curbing, where removal and replacement is made necessary~~
20 ~~by construction or reconstruction of a trunk line highway; and the~~
21 ~~cost of bridges and structures, including that part of the cost of~~
22 ~~grade separation structures not paid by the railroad companies.~~

23 (2) ~~(e)~~ In a city or village, the width of a state trunk line
24 highway shall be the width required to serve anticipated future
25 traffic needs for a 20-year period as determined by a department
26 transportation survey, ~~which width, except as prescribed by this~~
27 ~~subdivision, BUT~~ shall not be less than the currently accepted

1 standards prescribed for a 4-lane highway; the width as may be
 2 built on the same trunk line route immediately beyond and adjacent
 3 to either legal boundary of the city or village; or on trunk lines
 4 eligible for federal highway funds, a width as may be prescribed by
 5 the federal government, whichever width is greater. However, the
 6 department and the governing body of a city or village by mutual
 7 agreement may determine that the width of a state trunk line
 8 highway shall be less than the width otherwise prescribed by this
 9 ~~subdivision.~~**SUBSECTION.**

10 (3) ~~(d)~~—If a city or village ~~shall desire~~**CHOOSES** to widen a
 11 state trunk line highway for local purposes beyond the width
 12 prescribed in ~~subdivision (e),~~**SUBSECTION (2)**, the entire cost of
 13 the extra width, less the federal highway funds ~~which~~**THAT** may be
 14 allocated to the portion of the project by the department, shall be
 15 borne by the city or village.

16 (4) ~~(e)~~—The state transportation commission and the boards of
 17 county road commissioners may enter into agreements with townships
 18 or private persons for the improvement or widening of state trunk
 19 line highways or county roads. The state transportation commission
 20 and the boards of county road commissioners may require full or
 21 partial participation in the cost of the improvement or widening by
 22 the requesting party as considered appropriate.

23 (5) **AS USED IN THIS SECTION, "OPENING, WIDENING, AND**
 24 **IMPROVING, INCLUDING CONSTRUCTION AND RECONSTRUCTION, ALL STATE**
 25 **TRUNK LINE HIGHWAYS" INCLUDES, BUT IS NOT LIMITED TO, THE COST OF**
 26 **RIGHT OF WAY; THE COST OF REMOVAL AND REPLACEMENT OF SIDEWALKS,**
 27 **STREET LIGHTING, AND CURBING, WHERE REMOVAL AND REPLACEMENT ARE**

1 MADE NECESSARY BY CONSTRUCTION OR RECONSTRUCTION OF A TRUNK LINE
2 HIGHWAY; AND THE COST OF BRIDGES AND STRUCTURES, INCLUDING THAT
3 PART OF THE COST OF GRADE SEPARATION STRUCTURES NOT PAID BY THE
4 RAILROAD COMPANIES.

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.