

## **ACT 51– NONMOTORIZED TRANSPORTATION PROGRAMS**

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<http://www.house.mi.gov/hfa>

**House Bill 4954 as introduced**  
**Sponsor: Rep. Shane Hernandez**  
**Committee: Transportation and Infrastructure**  
**Complete to 10-27-17**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

House Bill 4954 would amend Public Act 51 of 1951 (Act 51), which provides for the distribution of the Michigan Transportation Fund (MTF) to eliminate a current requirement that not less than 1% of the MTF distribution to the State Trunkline Fund and local road agencies be expended for nonmotorized transportation programs. The bill would make the use of MTF funds for nonmotorized transportation programs optional, rather than mandatory, for MDOT and local road agencies.

Act 51 provides for the formula distribution of MTF revenue to the State Trunkline Fund (STF), to other state transportation funds and special program accounts, and to local road agencies, i.e. county road commissions, and cities and villages. The STF supports the preservation of state trunkline highways under the jurisdiction of MDOT.

Act 51 also includes provisions that direct how MTF revenue may be expended, including the requirement in Section 10k that a “reasonable amount” but not less than 1% of MTF funds distributed to the STF and local road agencies be expended for construction and improvement of nonmotorized services and facilities. Section 10K does not require MTF recipients to satisfy the 1% nonmotorized requirement annually, but instead provides that the requirement may be met as an average over a reasonable period, not to exceed 10 years.

House Bill 4954 would eliminate the current requirement that not less than 1% be expended for nonmotorized transportation programs. Instead, under provisions of the bill, Section 10k would indicate that a “reasonable amount” of MTF funds distributed to the STF and local road agencies may be expended for construction and improvement of nonmotorized services and facilities. The bill also would strike the use of a 10-year average of nonmotorized expenditures to meet the current 1% requirement.

The bill also would make optional the current requirement that MDOT and local road agencies prepare a 5-year program for the improvement of qualified nonmotorized transportation facilities which, when implemented, would result in the expenditure of at least 1% of MTF funds received.

MCL 247.660k

## **FISCAL IMPACT:**

House Bill 4954 would make the use of MTF funds for nonmotorized programs optional, rather than mandatory, for MDOT and local road agencies.

The current 1% set-aside for nonmotorized transportation equates to approximately \$23.0 million based on MTF revenue estimates for FY 2017-18. The STF share of this \$23.0 million is approximately \$9.0 million. The local road agency share of this \$23.0 million is approximately \$14.0 million for FY 2017-18. There are 616 local road agencies—83 county road commissions and 533 cities and villages.

It is likely that some local road agencies would continue to support nonmotorized programs from their MTF distributions. Other local road agencies could reduce or eliminate support for nonmotorized programs and redirect those nonmotorized funds to other local road programs.

Additional information on nonmotorized transportation programs may be found on MDOT's website:

[http://www.michigan.gov/documents/mdot/MDOT\\_SLRP\\_techrept\\_NM\\_178144\\_7.pdf](http://www.michigan.gov/documents/mdot/MDOT_SLRP_techrept_NM_178144_7.pdf)

[http://www.michigan.gov/documents/mdot/2040SLRP\\_NonmotorizedTransp20116\\_512805\\_7.pdf](http://www.michigan.gov/documents/mdot/2040SLRP_NonmotorizedTransp20116_512805_7.pdf)

[http://www.michigan.gov/mdot/0,4616,7-151-9621\\_11050---,00.html](http://www.michigan.gov/mdot/0,4616,7-151-9621_11050---,00.html)

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