

HOUSE BILL No. 5832

April 18, 2018, Introduced by Reps. Camilleri, Kosowski, Chang and Geiss and referred to the Committee on Transportation and Infrastructure.

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 11 (MCL 247.661), as amended by 2015 PA 175, and by adding section 11i.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) A fund to be known as the state trunk line fund
2 is established in the state treasury as a separate fund. The money
3 deposited in the state trunk line fund is appropriated to the
4 department for the following purposes in the following order of
5 priority:

6 (a) For the payment, but only from money restricted as to use
7 by section 9 of article IX of the state constitution of 1963, of
8 bonds, notes, or other obligations in the following order of
9 priority:

10 (i) For the payment of contributions pledged before July 18,
11 1979 and required to be made by the state highway commission or the
12 state transportation commission under contracts entered into before
13 July 18, 1979, under 1941 PA 205, MCL 252.51 to 252.64, for the
14 payment of the principal and interest on bonds issued under 1941 PA
15 205, MCL 252.51 to 252.64, for the payment of which a sufficient

1 sum is irrevocably appropriated.

2 (ii) For the payment of the principal and interest upon bonds
3 designated "State of Michigan, State Highway Commissioner, Highway
4 Construction Bonds, Series I", dated September 1, 1956, in the
5 aggregate principal amount of \$25,000,000.00, issued ~~pursuant to~~
6 **UNDER** former 1955 PA 87 and the resolution of the state
7 administrative board adopted August 6, 1956, for the payment of
8 which a sufficient sum is irrevocably appropriated.

9 (iii) For the payment of the principal and interest on bonds
10 issued under section 18b for transportation purposes other than
11 comprehensive transportation purposes as defined by law and the
12 payment of contributions pledged to the payment of principal and
13 interest on bonds issued under section 18d and contracts entered
14 into under section 18d by the state highway commission or state
15 transportation commission to be made ~~pursuant to~~**UNDER** contracts
16 entered into under section 18d. A sufficient portion of the fund is
17 irrevocably appropriated to pay, when due, the principal and
18 interest on bonds or notes issued under section 18b for purposes
19 other than comprehensive transportation purposes as defined by law,
20 and to pay the annual contributions of the state highway commission
21 and the state transportation commission as are pledged for the
22 payment of bonds issued under contracts authorized by section 18d.

23 (b) For the transfer of money appropriated under section
24 ~~10(1)(i)~~**10(1)(J)** to the transportation economic development fund,
25 but the transfer shall be reduced each fiscal year by the amount of
26 debt service to be paid in that year from the state trunk line fund
27 for bonds, notes, or other obligations issued to fund projects of

1 the transportation economic development fund, which amount shall be
2 certified by the department.

3 (c) For the transfer of money appropriated under section
4 10(1)(a) to the rail grade crossing account in the state trunk line
5 fund for expenditure for rail grade crossing improvement purposes
6 at rail grade crossings on public roads and streets under the
7 jurisdiction of this state, counties, cities, or villages. The
8 department shall select projects for funding in accordance with the
9 following:

10 (i) Not more than 50% or less than 30% of this money and
11 matched federal money shall be expended for state trunk line
12 projects.

13 (ii) In prioritizing projects for this money, in whole or in
14 part, the department shall consider train and vehicular traffic
15 volumes, accident history, traffic control device improvement
16 needs, and the availability of funding.

17 (iii) Consistent with the other requirements for this money,
18 the first priority for money deposited under this subdivision for
19 rail grade crossing improvements and retirement shall be to match
20 federal money from the railroad-highway grade crossing improvement
21 program or other comparable federal programs if a match is required
22 under federal law.

23 (iv) If the department and a road authority with jurisdiction
24 over the crossing formally agree that the grade crossing should be
25 eliminated by permanent closing of the public road or street, the
26 physical removal of the crossing, roadway within railroad rights of
27 way and street termination treatment shall be negotiated between

1 the road authority and railroad company. The money provided to the
2 road authority as a result of the crossing closure shall be
3 credited to its account representing the same road or street system
4 on which the crossing is located and shall be used for any
5 transportation purpose within that road authority's jurisdiction.

6 **(D) FOR THE TRANSFER OF MONEY APPROPRIATED TO THE MI-TRAIN**
7 **ACCOUNT UNDER SECTION 819 OF THE MICHIGAN VEHICLE CODE, 1949 PA**
8 **300, MCL 257.819, TO THE MI-TRAIN ACCOUNT IN THE STATE TRUNK LINE**
9 **FUND FOR EXPENDITURE FOR RAIL GRADE SEPARATION PROJECTS AT RAIL**
10 **GRADE CROSSINGS ON PUBLIC ROADS AND STREETS UNDER THE JURISDICTION**
11 **OF THIS STATE, COUNTIES, CITIES, OR VILLAGES. THE DEPARTMENT SHALL**
12 **SELECT PROJECTS FOR FUNDING IN ACCORDANCE WITH THE FOLLOWING:**

13 **(i) IN PRIORITIZING PROJECTS FOR THIS MONEY, THE DEPARTMENT**
14 **SHALL GIVE FIRST PRIORITY TO PROJECTS FOR WHICH FEDERAL MONEY HAS**
15 **BEEN COMMITTED, INCLUDING PROJECTS IDENTIFIED FOR FUNDING BY THE**
16 **UNITED STATES CONGRESS IN A PUBLIC LAW OR IDENTIFIED TO RECEIVE A**
17 **FEDERAL GRANT.**

18 **(ii) THE DEPARTMENT SHALL CONSIDER THE FREQUENCY AND LENGTH OF**
19 **VEHICULAR TRAFFIC DELAYS AND TRAIN AND VEHICULAR TRAFFIC VOLUMES AT**
20 **RAIL GRADE CROSSINGS.**

21 **(iii) THE DEPARTMENT SHALL CONSIDER THE AVAILABILITY OF LOCAL**
22 **OR PRIVATE MATCHING FUNDS FOR PROJECTS ON PUBLIC ROADS OR STREETS.**

23 **(E) ~~(d)~~—For the transfer of money appropriated under section**
24 **10(1)(b) to the grade crossing surface account in the state trunk**
25 **line fund for expenditure for rail grade crossing surface**
26 **improvement purposes at rail grade crossings on public roads and**
27 **streets under the jurisdiction of counties, cities, or villages.**

1 Projects shall be selected for funding in accordance with the
2 following:

3 (i) In prioritizing projects, the department shall consider
4 vehicular traffic volumes, relative crossing surface condition, the
5 ability of the railroad and local road authority to make
6 coordinated improvements, and the availability of funding.

7 (ii) The grade crossing surface account shall fund 60% of the
8 project cost, with the remaining 40% funded by the railroad
9 company.

10 (iii) Funding under the grade crossing surface account shall
11 be limited to items of work that are normally the responsibility of
12 the railroad under section 309 of the railroad code of 1993, 1993
13 PA 354, MCL 462.309. Maintenance of the roadway approaches to the
14 crossing will continue to be the responsibility of the party with
15 jurisdiction over that roadway.

16 (F) ~~(e)~~—For the total operating expenses of the state trunk
17 line fund for each fiscal year as appropriated by the legislature.

18 (G) ~~(f)~~—For the preservation of state trunk line highways and
19 bridges.

20 (H) ~~(g)~~—For the opening, widening, improving, construction,
21 and reconstruction of state trunk line highways and bridges,
22 including the acquisition of necessary rights of way and the work
23 incidental to that opening, widening, improving, construction, or
24 reconstruction. Those sums in the state trunk line fund not
25 otherwise appropriated, distributed, determined, or set aside by
26 law shall be used for the construction or reconstruction of the
27 national system of interstate and defense highways, referred to in

1 this act as "the interstate highway system", to the extent
2 necessary to match federal aid money as the federal aid money
3 becomes available for that purpose; and, for the construction and
4 reconstruction of the state trunk line system.

5 (I) ~~(h)~~—The department may enter into agreements with a local
6 road agency or a private sector company to perform work on a
7 highway, road, or street. The agreements may provide for the
8 performance by any of the contracting parties of any of the work
9 contemplated by the contract including maintenance, engineering
10 services, and the acquisition of rights of way in connection with
11 the work, by purchase or condemnation by any of the contracting
12 parties in its own name, and for joint participation in the costs,
13 but only to the extent that the contracting parties are otherwise
14 authorized by law to expend money on the highways, roads, or
15 streets. The department also may contract with a local road agency
16 to advance money to a local road agency to pay the costs of
17 improving railroad grade crossings on the terms and conditions
18 agreed to in the contract. A contract may be executed before or
19 after the state transportation commission borrows money for the
20 purpose of advancing money to a local road agency, but the contract
21 shall be executed before the advancement of any money to a local
22 road agency by the state transportation commission, and shall
23 provide for the full reimbursement of any advancement by a local
24 road agency to the department, with interest, within 15 years after
25 advancement, from any available revenue sources of the local road
26 agency or, if provided in the contract, by deduction from the
27 periodic disbursements of any money returned by the state to the

1 local road agency.

2 **(J)** ~~(i)~~—For providing inventories of supplies and materials
3 required for the activities of the department. The department may
4 purchase supplies and materials for these purposes, with payment to
5 be made out of the state trunk line fund to be charged on the basis
6 of issues from inventory in accordance with the accounting and
7 purchasing laws of this state.

8 (2) Notwithstanding any other provision of this act, the
9 department shall annually expend at least 90% of state revenue
10 appropriated annually to the state trunk line fund less the amounts
11 described in subdivisions (a) to ~~(i)~~ **(J)** for the preservation of
12 highways, roads, streets, and bridges and for the payment of debt
13 service on bonds, notes, or other obligations described in
14 subsection (1)(a) issued after July 1, 1983, for the purpose of
15 providing money for the preservation of highways, roads, streets,
16 and bridges. Of the amounts appropriated for state trunk line
17 projects, the department shall, where possible, secure pavement
18 warranties for full replacement or appropriate repair for
19 contracted construction work on pavement projects whose cost
20 exceeds \$2,000,000.00 and projects for new construction or
21 reconstruction undertaken after the effective date of the 2015
22 amendatory act that amended this subsection. The department shall
23 compile and make available to the public an annual report of all
24 warranties that were secured under this subsection and all pavement
25 projects whose costs exceed \$2,000,000.00 where a warranty was not
26 secured as provided in subsection (14). If an appropriate
27 certificate is filed under section 18e but only to the extent

1 necessary, this subsection does not prohibit the use of any amount
2 of money restricted as to use by section 9 of article IX of the
3 state constitution of 1963 and deposited in the state trunk line
4 fund for the payment of debt service on bonds, notes, or other
5 obligations pledging for the payment thereof money restricted as to
6 use by section 9 of article IX of the state constitution of 1963
7 and deposited in the state trunk line fund, whenever issued, as
8 specified under subsection (1) (a). The amounts that are deducted
9 from the state trunk line fund for the purpose of the calculation
10 required by this subsection are as follows:

11 (a) Amounts expended for the purposes described in subsection
12 (1) (a) for the payment of debt service on bonds, notes, or other
13 obligations issued before July 2, 1983.

14 (b) Amounts expended to provide the state matching requirement
15 for projects on the national highway system and for the payment of
16 debt service on bonds, notes, or other obligations issued after
17 July 1, 1983, for the purpose of providing money for the state
18 matching requirements for projects on the national highway system.

19 (c) Amounts expended for the construction of a highway,
20 street, road, or bridge to 1 or more of the following or for the
21 payment of debt service on bonds, notes, or other obligations
22 issued after July 1, 1983, for the purpose of providing money for
23 the construction of a highway, street, road, or bridge to 1 or more
24 of the following:

25 (i) A location for which a building permit has been obtained
26 for the construction of a manufacturing or industrial facility.

27 (ii) A location for which a building permit has been obtained

1 for the renovation of, or addition to, a manufacturing or
2 industrial facility.

3 (d) Amounts expended for capital outlay other than for
4 highways, roads, streets, and bridges or to pay debt service on
5 bonds, notes, or other obligations issued after July 1, 1983, for
6 the purpose of providing money for capital outlay other than for
7 highways, roads, streets, and bridges.

8 (e) Amounts expended for the operating expenses of the
9 department other than the units of the department performing the
10 functions assigned on January 1, 1983 to the bureau of highways.

11 (f) Amounts expended ~~pursuant to UNDER~~ contracts entered into
12 before January 1, 1983.

13 (g) Amounts expended for the purposes described in subsection
14 (5).

15 (h) Amounts appropriated for deposit in the transportation
16 economic development fund and the rail grade crossing account
17 ~~pursuant to UNDER~~ section 10(1)(a) and ~~(h)~~ **(J)**.

18 (i) Upon the affirmative recommendation of the director of the
19 department and the approval by resolution of the state
20 transportation commission, those amounts expended for projects
21 vital to the economy of this state, a region, or local area or the
22 safety of the public. The resolution shall state the cost of the
23 project exempted from this subsection.

24 (3) Notwithstanding any other provision of this act, the
25 department shall expend annually at least 90% of the federal
26 revenue distributed to the credit of the state trunk line fund in
27 that year, except for federal revenue expended for the purposes

1 described in subsection (2) (b), (c), (f), and (i) and for the
2 payment of notes issued under section 18b(9) on the preservation of
3 highways, roads, streets, and bridges. The requirement of this
4 subsection is waived if compliance would cause this state to be
5 ineligible according to federal law for federal revenue, but only
6 to the extent necessary to make this state eligible according to
7 federal law for that revenue.

8 (4) Notwithstanding any other provision of this section, the
9 department may loan money to a local road agency for paying capital
10 costs of transportation purposes described in the second paragraph
11 of section 9 of article IX of the state constitution of 1963 from
12 the proceeds of bonds or notes issued ~~pursuant to~~ **UNDER** section 18b
13 or from the state trunk line fund. Loans made directly from the
14 state trunk line fund shall be made only after provision of money
15 for the purposes specified in subsection (1) (a) to ~~(f)~~. **(G)**. Loans
16 described in this subsection are not subject to the revised
17 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

18 (5) A local road agency may borrow money from the proceeds of
19 bonds or notes issued under section 18b or the state trunk line
20 fund for the purposes set forth in subsection (4) that shall be
21 repayable, with interest, from 1 or more of the following:

22 (a) The money to be received by the local road agency from the
23 Michigan transportation fund, except to the extent the money has
24 been or may in the future be pledged by contract in accordance with
25 1941 PA 205, MCL 252.51 to 252.64, or has been or may in the future
26 be pledged for the payment of the principal and interest upon notes
27 issued under 1943 PA 143, MCL 141.251 to 141.254, or has been or

1 may in the future be pledged for the payment of principal and
2 interest upon bonds issued under section 18c or 18d, or has been or
3 may in the future be pledged for the payment of the principal and
4 interest upon bonds issued under 1952 PA 175, MCL 247.701 to
5 247.707.

6 (b) Any other legally available money of the local road
7 agency, other than the general funds of the county.

8 (6) If required by the department, loans made under subsection
9 (4) are payable by deduction by the state treasurer, upon direction
10 of the department, from the periodic disbursements of any money
11 returned by this state under this act to the local road agency, but
12 only after sufficient money has been returned to the local road
13 agency to provide for the payment of contractual obligations
14 incurred or to be incurred and principal and interest on notes and
15 bonds issued or to be issued under 1941 PA 205, MCL 252.51 to
16 252.64, 1943 PA 143, MCL 141.251 to 141.254, 1952 PA 175, MCL
17 247.701 to 247.707, or section 18c or 18d. The interest rates and
18 payment schedules of any loans made from the proceeds of bonds or
19 notes issued ~~pursuant to~~ **UNDER** section 18b shall be established by
20 the department to conform as closely as practicable to the interest
21 rate and repayment schedules on the bonds or notes issued to make
22 the loans. However, the department may allow for the deferral of
23 the first payment of interest or principal on the loans for a
24 period of not to exceed 1 year after the respective first payment
25 of interest or principal on the bonds or notes issued to make the
26 loans.

27 (7) The amount borrowed by a local road agency under

1 subsection (5) shall not be included in, or charged against, any
2 constitutional, statutory, or charter debt limitation of the
3 county, city, or village and shall not be included in the
4 determination of the maximum annual principal and interest
5 requirements of, or the limitations upon, the maximum annual
6 principal and interest incurred under 1941 PA 205, MCL 252.51 to
7 252.64, 1943 PA 143, MCL 141.251 to 141.254, 1952 PA 175, MCL
8 247.701 to 247.707, or section 18c or 18d.

9 (8) The local road agency is not required to seek or obtain
10 the approval of the electors, the municipal finance commission or
11 its successor agency, or, except as provided in this subsection,
12 the department of treasury to borrow money under subsection (5).
13 The borrowing is not subject to the revised municipal finance act,
14 2001 PA 34, MCL 141.2101 to 141.2821, or to section 5(g) of the
15 home rule city act, 1909 PA 279, MCL 117.5. The department shall
16 give at least 10 days' notice to the state treasurer of its
17 intention to make a loan under subsection (4). If the state
18 treasurer gives notice to the director of the department within 10
19 days of receiving the notice from the department, that, based upon
20 the then existing financial or credit situation of the local road
21 agency, it would not be in the best interests of this state to make
22 a loan under subsection (4) to the local road agency, the loan
23 shall not be made unless the state treasurer, after a hearing, if
24 requested by the affected local road agency, subsequently gives
25 notice to the director of the department that the loan may be made
26 on the conditions that the state treasurer specifies.

27 (9) The state transportation commission may borrow money and

1 issue bonds and notes under section 18b to make loans to a local
2 road agency for the purposes described in the second paragraph of
3 section 9 of article IX of the state constitution of 1963, as
4 provided in subsection (4). A single issue of bonds or notes may be
5 issued for the purposes specified in subsection (4) and for the
6 other purposes specified in section 18b. The house and senate
7 transportation appropriations subcommittees shall be notified by
8 the department if there are extras and overruns sufficient to
9 require approval of either the state administrative board or the
10 commission, or both, on any contract between the department and a
11 local road agency or a private business.

12 (10) The director of the department, after consultation with
13 representatives of the interests of local road agencies, shall
14 establish, by intergovernmental communication, procedures for the
15 implementation and administration of the loan program established
16 under subsections (4) to (9).

17 (11) Not more than 8% per year of all of the money received by
18 and returned to the department from any source for the purposes of
19 this section may be expended for administrative expenses. The
20 department shall be subject to section 14(5) if more than 8% per
21 year is expended for administrative expenses. As used in this
22 subsection, "administrative expenses" means expenses that are not
23 assigned including, but not limited to, specific road construction
24 or preservation projects and are often referred to as general or
25 supportive services. Administrative expenses do not include net
26 equipment expense, net capital outlay, debt service principal and
27 interest, and payments to other state or local offices that are

1 assigned, but not limited to, specific road construction projects
2 or preservation activities.

3 (12) Any performance audits of the department shall be
4 conducted according to government auditing standards issued by the
5 United States General Accounting Office.

6 (13) Contracts entered into to advance money to a local road
7 agency under subsection (1)(g) are not subject to the revised
8 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

9 (14) The department shall prepare on an annual basis a report
10 listing all warranties that were secured under subsection (2) and
11 indicate whether any of those warranties were redeemed and all
12 pavement projects whose costs exceed \$2,000,000.00 for which a
13 warranty was not secured as described in subsection (2). The
14 department shall make the report required by this subsection
15 available to the public upon request and shall also post the report
16 on its website, which shall include, but is not limited to, all of
17 the following information:

18 (a) The type of project.

19 (b) The cost or estimated cost of the project.

20 (c) The expected lifespan of the project.

21 (d) Whether or not the project met or is currently meeting its
22 expected lifespan.

23 (e) If the project failed to meet or is not meeting its
24 expected lifespan, the cause of the failure and the cost to replace
25 or repair the project.

26 (f) The entity responsible for paying the cost of replacing or
27 repairing the project.

1 (15) THE DEPARTMENT SHALL SOLICIT REQUESTS FOR FUNDING FROM
2 THE MI-TRAIN ACCOUNT FROM LOCAL ROAD AGENCIES IN A MANNER AND
3 FREQUENCY DETERMINED BY THE DEPARTMENT. NO LATER THAN NOVEMBER 1 OF
4 EACH YEAR, THE DEPARTMENT SHALL PREPARE AN ANNUAL REPORT THAT
5 INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

6 (A) PROJECTS SELECTED FOR FUNDING FOR RAIL GRADE CROSSINGS ON
7 STATE TRUNK LINE HIGHWAYS AND PUBLIC ROADS OR STREETS UNDER THE
8 JURISDICTION OF A LOCAL ROAD AGENCY DURING THE MOST RECENT FUNDING
9 CYCLE AND THE AMOUNT COMMITTED TO BE SPENT FOR EACH PROJECT FROM
10 ALL FUNDING SOURCES.

11 (B) PROJECTS FOR WHICH FUNDING REQUESTS WERE MADE BY A LOCAL
12 ROAD AGENCY DURING THE MOST RECENT FUNDING CYCLE.

13 (C) A RANKING OF SELECTED AND PROPOSED PROJECTS DURING THE
14 MOST RECENT FUNDING CYCLE, INCLUDING PROJECTS ON STATE TRUNK LINE
15 HIGHWAYS AND PUBLIC ROADS OR STREETS UNDER THE JURISDICTION OF A
16 LOCAL ROAD AGENCY BASED ON THE CRITERIA DESCRIBED IN SUBSECTION
17 (1) (D) .

18 (D) A STATUS REPORT ON ALL PROJECTS FOR WHICH FUNDING FROM THE
19 MI-TRAIN ACCOUNT UNDER SUBSECTION (1) (D) HAS BEEN COMMITTED,
20 INCLUDING EXPENDITURES THAT HAVE BEEN MADE FROM THE MI-TRAIN
21 ACCOUNT.

22 (16) ~~(15)~~—As used in this section:

23 (a) "Local road agency" means that term as defined in section
24 9a.

25 (B) "MI-TRAIN ACCOUNT" MEANS THE MEETING IMMEDIATE TRAFFIC,
26 RAIL, AND INFRASTRUCTURE NEEDS ACCOUNT CREATED IN SECTION 11I.

27 (C) ~~(b)~~—"Rail grade crossing improvement purposes" means 1 or

1 more of the following:

2 (i) The installation and modernization of active and passive
3 warning devices at railroad grade crossings.

4 (ii) The installation or improvement of grade crossing
5 surfaces.

6 (iii) Modification, relocation, or modernization of railroad
7 grade crossing active and passive warning devices necessitated by
8 roadway improvement projects.

9 (iv) Test installations of innovative warning devices or other
10 innovative applications.

11 (v) Construction of new grade separations.

12 (vi) A cash incentive payment made pursuant to subsection
13 (1) (c) (iv) for any public road or street crossing, in an amount no
14 greater than the cost of installing flashing light signals and half
15 roadway gates at the crossing.

16 (vii) Any other work that would be eligible for funding under
17 the federal railroad-highway grade crossing improvement program or
18 other comparable programs.

19 **SEC. 11I. (1) THE MEETING IMMEDIATE TRAFFIC, RAIL, AND**
20 **INFRASTRUCTURE NEEDS (MI-TRAIN) ACCOUNT IS CREATED AS A SEPARATE**
21 **ACCOUNT WITHIN THE STATE TRUNK LINE FUND CREATED IN SECTION 11.**

22 **(2) MONEY DEPOSITED IN THE MI-TRAIN ACCOUNT SHALL BE USED FOR**
23 **THE PURPOSES DESCRIBED IN SECTION 11(1) (D) .**

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

26 Enacting section 2. This amendatory act does not take effect
27 unless all of the following bills of the 99th Legislature are

1 enacted into law:

2 (a) Senate Bill No. _____ or House Bill No. 5833 (request
3 no. 06080'18).

4 (b) Senate Bill No. _____ or House Bill No. 5831 (request
5 no. 06081'18).