

SENATE BILL NO. 426

May 06, 2021, Introduced by Senator ZORN 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; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding section 11j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 11j. (1) The department, for the purpose of administering**
 2 **the local grade separation grant program created in section 11i,**
 3 **shall create and publish on its website an application point-based**
 4 **scoring system that awards points to an applicant based on all of**
 5 **the following criteria:**

1 (a) Up to 15 points based on the characteristics of the grade
2 crossing, including all of the following:

3 (i) Federal Railroad Administration predicted accident rank.

4 (ii) The host railroad.

5 (iii) The population and annual daily traffic of the county,
6 township, or city in which the crossing is located.

7 (iv) The grade crossing average annual daily traffic based on
8 the most current available data.

9 (b) Up to 25 points for safety, based on the average daily
10 train traffic through the grade crossing.

11 (c) Up to 10 points for mobility, as determined by multiplying
12 the grade crossing average annual daily traffic and the average
13 daily train traffic through the grade crossing.

14 (d) Up to 20 points based on the applicant's narrative
15 included with the application describing the economic development
16 benefit to the county, township, or city in which the grade
17 crossing is located, and based on the financial participation of
18 entities other than the department, as determined by the following
19 categories of financial participation:

20 (i) High end, if the applicant contribution is 25% or greater
21 and railroad support is 10% or greater of the total match.

22 (ii) Mid-range, if the applicant contribution is greater than
23 20% and less than 25% and railroad support is greater than 5% and
24 less than 10% of the total match.

25 (iii) Low end, if the applicant contribution is 20% or less and
26 railroad support is 5% or less of the total match.

27 (e) Up to 10 points for the effect of the grade separation
28 project on the environment and quality of life, based on all of the
29 following:

1 (i) The proximity of the grade separation project to a current
2 or planned department project that will enhance transportation in
3 the area.

4 (ii) If the grade separation project is a stand-alone project
5 or is in an isolated area.

6 (iii) If the grade separation project is shovel-ready. As used
7 in this subparagraph, "shovel-ready" means planning and engineering
8 for the grade separation project has advanced enough that with
9 sufficient funding construction can begin within a short time.

10 (iv) Whether the grade separation project would be funded
11 without the local grade separation program.

12 (f) Up to 20 points based on how many additional grade
13 crossings would be eliminated as part of the grade separation
14 project.

15 (g) Up to 15 bonus points if the applicant submits additional
16 documents or information, including 1 or more of the following:

17 (i) Congressional letter of support.

18 (ii) Community letter of support.

19 (iii) Verified tax base increase due to the grade separation
20 project.

21 (iv) Community impact due to an international border crossing.

22 (v) Other documents as determined by the department.

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 101st Legislature are
25 enacted into law:

26 (a) Senate Bill No. 425.

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28 (b) Senate Bill No. 427.

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