

**Revised Statutes of 1846 (EXCERPT)
OF SHERIFFS.**

51.77 Secondary road patrol and traffic accident prevention; grant; agreement; information; report to office of highway safety planning; effect of reducing expenditures or level of road patrol; recommendations for expenditure of grant; expanded services; allocation formula; annual report; law enforcement plan; report to legislature; impact and cost effectiveness study.

Sec. 77.

(1) Before a county obtains its grant from the amount annually appropriated for secondary road patrol and traffic accident prevention to implement section 76, the county shall enter into an agreement for the secondary road patrol and traffic accident prevention services with the office of highway safety planning. A county applying for a grant for secondary road patrol and traffic accident prevention shall provide information about the services to be provided under section 76 by the sheriff's department of the county. The information required under this subsection must be submitted on forms provided by the office of highway safety planning. By April 1 of each year following a year for which the county received an allocation, a county that receives a grant for secondary road patrol and traffic accident prevention shall submit a report to the office of highway safety planning on a form provided by the office of highway safety planning. The report must contain the information described in subsection (6). An agreement entered pursuant to this section is void if the county reduces its expenditures or level of road patrol below that which the county was expending or providing immediately before October 1, 1978, or October 1, 2021, whichever year the expenditures or level of road patrol is less, unless the county is required to reduce general services because of economic conditions and is not merely reducing law enforcement services.

(2) A grant received by a county for secondary road patrol and traffic accident prevention must be expended only for the purposes described in section 76 in accordance with the recommendations of the sheriff of that county that are approved by the county board of commissioners. The recommendations must include the following matters:

- (a) Employing additional personnel to provide the services described in section 76(2) and (3).
- (b) Purchasing additional equipment for providing the services described in section 76(2) and (3) and operating and maintaining that equipment.
- (c) Enforcing laws in state parks and county parks within the county.
- (d) Providing selective motor vehicle inspection programs.
- (e) Providing traffic safety information and education programs in addition to those programs provided before September 28, 1978.

(3) The sheriff's department of a county is required to provide the expanded services described in section 76 only to the extent that state funds are provided.

(4) For the fiscal years beginning October 1, 1980, and October 1, 1981, a county's share of the amount annually appropriated for secondary road patrol and traffic accident prevention must be the same percentage that the county received, or was eligible to receive, of the total amount allocated to all counties under section 12 of 1951 PA 51, MCL 247.662, less the amounts distributed for snow removal and engineers, during the period of July 1, 1976, through June 30, 1977. County primary roads and county local roads within the boundaries of a city or village must not be used in determining the percentage under this section unless the sheriff's department of the county is providing the services described in section 76(2) and (3) within the city or village pursuant to an agreement between the county and the city or village adopted after October 1, 1978. The agreement must not be reimbursable under the formula described in this subsection unless the city or village is required to reduce general services because of economic conditions and is not merely reducing law enforcement services.

(5) From the amount annually appropriated for secondary road patrol and traffic accident prevention, the office of highway safety planning may be allocated up to 1% for administrative, planning, and reporting purposes.

(6) The annual report required under subsection (1) must include the following:

- (a) A description of the services provided by the sheriff's department of the county under section 76, other than the services provided in a county park.
- (b) A description of the services provided by the sheriff's department of the county under section 76 in county parks in the county.
- (c) A copy of each resolution by a city or village of the county which requests the sheriff's department of the county to provide the services described in section 76.
- (d) A copy of each contract between a county and a township of the county in which township the sheriff's department is providing a law enforcement service.
- (e) The recommendations of the sheriff's department of the county on methods of improving the services provided under section 76; improving the training programs of law enforcement officers; and improving the communications system of the sheriff's department.
- (f) The total number of sworn officers in the sheriff's department.

- (g) The number of sworn officers in the sheriff's department assigned to road safety programs.
 - (h) The accident and fatality data for incorporated and unincorporated areas of the county during the preceding calendar year.
 - (i) The crime statistics for the incorporated and unincorporated areas of the county during the preceding calendar year.
 - (j) The law enforcement plan developed under subsection (7).
 - (k) A description of the role alcohol played in the incidences of personal injury traffic accidents and traffic fatalities in the county.
 - (l) Other information required by the department of technology, management, and budget.
- (7) The sheriff of each county and the director of the department of state police, or their authorized representatives shall meet and develop a law enforcement plan for the unincorporated areas of the county. The law enforcement plan must be reviewed and updated periodically.
- (8) Before May 1 of each year, the office of highway safety planning shall submit a report to the legislature. The report must contain the following:
- (a) A copy of each initial report filed before April 1 of that year and a copy of each annual report filed before April 1 of that year under subsection (6).
 - (b) The recommendations of the office of highway safety planning on methods of improving the coordination of the law enforcement agencies of this state and the counties, cities, villages, and townships of this state; improving the training programs for law enforcement officers; and improving the communications systems of those agencies.
 - (c) A description of the role alcohol played in the incidences of personal injury traffic accidents and traffic fatalities in this state.
- (9) From the 1% allocated to the office of highway safety planning for administration, planning, and reporting, the office of highway safety planning shall conduct an impact and cost effectiveness study that will review state, county, and local road patrol and traffic accident prevention efforts. This study must be conducted in cooperation with the Michigan Sheriffs' Association and the Michigan Association of Chiefs of Police, and the department of state police. Annual reports on results of the study must be submitted to the senate and house appropriations committees by April 1 of each year.

History: Add. 1978, Act 416, Eff. Oct. 1, 1978 ;-- Am. 1979, Act 103, Eff. Oct. 1, 1979 ;-- Am. 1980, Act 70, Imd. Eff. Apr. 3, 1980 ;-- Am. 1980, Act 349, Imd. Eff. Dec. 29, 1980 ;-- Am. 1981, Act 94, Imd. Eff. July 12, 1981 ;-- Am. 1982, Act 313, Imd. Eff. Oct. 15, 1982 ;-- Am. 2022, Act 191, Imd. Eff. Sept. 27, 2022

Compiler's Notes: This section, as amended by Act 94 of 1981, expired by its own terms effective September 30, 1982. Following expiration, the expired section was amended by Act 313 of 1982. For transfer of administration and distribution of secondary road patrol and traffic prevention funds to Office of Highway Safety Planning, Department of State Police, see E.R.O. No. 1989-1, compiled at MCL 28.31 of the Michigan Compiled Laws. Former section 77 of R.S. 1846, Ch. 14, was repealed by Act 314 of 1915.