

TRANSFER OF JURISDICTION OVER HIGHWAYS (EXCERPT)
Act 296 of 1969

247.857 Final determination of board; time; notice; effect of denial; effective date.

Sec. 7.

(1) Within 90 days after the first convening, the board shall make a final determination in writing on the transfer of jurisdiction of the highway and shall prescribe the terms and conditions for the transfer in accordance with section 8. The board shall so notify highway authorities that are parties to the dispute.

(2) If the transfer is denied, final determination proceedings shall not again be initiated with regard to the same highway for a period of 5 years from the date of the board's determination except that if the proposed transfer is related to the opening of a new relocated highway, final determination proceedings may be initiated again 1 year after the date of the board's determination.

(3) If the transfer is affirmed, the transfer shall be without consent and shall become effective at a time determined by the board in accordance with the following, unless another effective date is agreed to by both highway authorities:

(a) If the transfer is not related to the opening of a new, relocated highway, the transfer shall be effective not less than 1 year from the July 1 next following the date of the board's final determination or not less than 30 days following the completion of required improvements or payment of the cost of improvements, whichever is later.

(b) If the transfer is related to the opening of a new, relocated highway, the transfer shall be effective upon the opening of the new highway or following the completion of the improvements or payment of the cost of improvements on the highway being transferred, whichever is later, unless otherwise provided by agreement.

(4) The determination, terms and conditions as prescribed by the board shall be binding upon both highway authorities.

(5) At any time the parties, by written agreement, may amend or modify the determination, terms and conditions prescribed by the board.

History: 1969, Act 296, Eff. Mar. 20, 1970