

**SUBSTITUTE FOR
HOUSE BILL NO. 5791**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the state transportation department for the fiscal year ending September 30, 2023, from the following funds:

DEPARTMENT OF TRANSPORTATION

APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0
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Full-time equated classified positions	3,136.3
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1	GROSS APPROPRIATION	\$ 6,774,949,000
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and	
4	intradepartmental transfers	4,123,800
5	ADJUSTED GROSS APPROPRIATION	\$ 6,770,825,200
6	Federal revenues:	
7	Total federal revenues	2,026,480,000
8	Special revenue funds:	
9	Total local revenues	85,773,500
10	Total private revenues	900,000
11	Total other state restricted revenues	3,903,771,700
12	State general fund/general purpose	\$ 753,900,000
13	Sec. 102. DEBT SERVICE	
14	Airport safety and protection plan	\$ 2,274,800
15	Blue Water Bridge fund	3,961,100
16	Comprehensive transportation	1,466,600
17	Economic development	7,650,100
18	Local bridge fund	556,500
19	State trunkline	209,391,400
20	GROSS APPROPRIATION	\$ 225,300,500
21	Appropriated from:	
22	Special revenue funds:	
23	Blue Water Bridge fund	3,961,100
24	Comprehensive transportation fund	1,466,600
25	Economic development fund	7,650,100
26	Local bridge fund	556,500
27	State aeronautics fund	2,274,800
28	State trunkline fund	209,391,400



1	State general fund/general purpose	\$	0
2	Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER		
3	AGENCY SUPPORT SERVICES		
4	CTF grant to civil service commission	\$	250,000
5	CTF grant to department of attorney general		109,400
6	CTF grant to department of technology,		
7	management, and budget		40,900
8	CTF grant to department of treasury		54,900
9	CTF grant to legislative auditor general		43,200
10	MTF grant to department of environment, Great		
11	Lakes, and energy		1,524,700
12	MTF grant to department of state for collection		
13	of revenue and fees		20,000,000
14	MTF grant to department of treasury		3,528,000
15	MTF grant to legislative auditor general		350,200
16	SAF grant to civil service commission		150,000
17	SAF grant to department of attorney general		191,800
18	SAF grant to department of technology,		
19	management, and budget		31,700
20	SAF grant to department of treasury		81,600
21	SAF grant to legislative auditor general		33,800
22	STF grant to civil service commission		6,321,000
23	STF grant to department of attorney general		2,172,800
24	STF grant to department of state police		12,402,700
25	STF grant to department of technology,		
26	management, and budget		1,406,500
27	STF grant to department of treasury		167,000
28	STF grant to legislative auditor general		813,500



1	GROSS APPROPRIATION		\$ 49,673,700
2	Appropriated from:		
3	Special revenue funds:		
4	Comprehensive transportation fund		498,400
5	Michigan transportation fund		25,402,900
6	State aeronautics fund		488,900
7	State trunkline fund		23,283,500
8	State general fund/general purpose	\$	0
9	Sec. 104. DEPARTMENTAL ADMINISTRATION AND		
10	SUPPORT		
11	Full-time equated unclassified positions	6.0	
12	Full-time equated classified positions	263.3	
13	Unclassified salaries--FTEs	6.0	\$ 900,400
14	Asset management council		1,876,400
15	Business support services--FTEs	43.0	7,165,100
16	Commission audit and support services--FTEs	29.3	3,643,800
17	Economic development and enhancement programs--		
18	FTEs	11.0	1,911,900
19	Finance, contracts, and support services--FTEs	180.0	24,277,500
20	Property management		7,235,700
21	Worker's compensation		1,859,300
22	GROSS APPROPRIATION	\$	48,870,100
23	Appropriated from:		
24	Interdepartmental grant revenues:		
25	IDG for accounting service center user charges		4,123,800
26	Special revenue funds:		
27	Comprehensive transportation fund		1,654,400
28	Economic development fund		410,100



1	Michigan transportation fund		4,437,500
2	State aeronautics fund		708,900
3	State trunkline fund		37,535,400
4	State general fund/general purpose	\$	0
5	Sec. 105. INFORMATION TECHNOLOGY		
6	Information technology services and projects	\$	41,691,800
7	GROSS APPROPRIATION	\$	41,691,800
8	Appropriated from:		
9	Federal revenues:		
10	Federal aid - transportation programs		520,500
11	Special revenue funds:		
12	Blue Water Bridge fund		57,600
13	Comprehensive transportation fund		234,400
14	Economic development fund		38,800
15	Michigan transportation fund		306,300
16	State aeronautics fund		182,800
17	State trunkline fund		40,351,400
18	State general fund/general purpose	\$	0
19	Sec. 106. TRANSPORTATION PLANNING		
20	Full-time equated classified positions	142.0	
21	Planning services--FTEs	142.0	\$ 42,124,400
22	Grants to regional planning councils		488,800
23	GROSS APPROPRIATION	\$	42,613,200
24	Appropriated from:		
25	Federal revenues:		
26	Federal aid - transportation programs		24,000,000
27	Special revenue funds:		
28	Comprehensive transportation fund		636,100



1	Michigan transportation fund		10,063,200
2	State aeronautics fund		16,100
3	State trunkline fund		7,897,800
4	State general fund/general purpose	\$	0
5	Sec. 107. DESIGN AND ENGINEERING SERVICES		
6	Full-time equated classified positions	1,658.3	
7	Program development and delivery--FTEs	1,142.3	\$ 106,322,500
8	System operations management--FTEs	347.0	58,869,000
9	Business services--FTEs	169.0	25,062,600
10	GROSS APPROPRIATION	\$	190,254,100
11	Appropriated from:		
12	Federal revenues:		
13	Federal aid - transportation programs		23,529,800
14	Special revenue funds:		
15	Comprehensive transportation fund		187,100
16	Michigan transportation fund		17,011,300
17	State trunkline fund		149,525,900
18	State general fund/general purpose	\$	0
19	Sec. 108. HIGHWAY MAINTENANCE		
20	Full-time equated classified positions	901.7	
21	State trunkline operations--FTEs	901.7	\$ 443,561,300
22	GROSS APPROPRIATION	\$	443,561,300
23	Appropriated from:		
24	Special revenue funds:		
25	State trunkline fund		443,561,300
26	State general fund/general purpose	\$	0
27	Sec. 109. ROAD AND BRIDGE PROGRAM		
28	Cities and villages	\$	684,060,200



1	County road commissions	1,226,915,200
2	Grants to local programs	33,000,000
3	Local agency wetland mitigation bank fund	2,000,000
4	Local bridge program	26,981,600
5	Local federal aid and road and bridge	
6	construction	384,987,800
7	Movable bridge	5,858,400
8	Rail grade crossing	3,000,000
9	Rail grade crossing - surface improvements	3,000,000
10	State trunkline federal aid and road and bridge	
11	construction	1,651,869,600
12	GROSS APPROPRIATION	\$ 4,021,672,800
13	Appropriated from:	
14	Federal revenues:	
15	Federal aid - transportation programs	1,570,218,700
16	Special revenue funds:	
17	Local funds	30,003,500
18	Blue Water Bridge fund	8,071,700
19	Local bridge fund	26,981,600
20	Michigan transportation fund	1,957,833,800
21	State trunkline fund	428,563,500
22	State general fund/general purpose	\$ 0
23	Sec. 110. BLUE WATER BRIDGE	
24	Full-time equated classified positions	44.0
25	Blue Water Bridge operations--FTEs	44.0 \$ 7,163,800
26	GROSS APPROPRIATION	\$ 7,163,800
27	Appropriated from:	
28	Special revenue funds:	



1	Blue Water Bridge fund		7,163,800
2	State general fund/general purpose	\$	0
3	Sec. 111. TRANSPORTATION ECONOMIC DEVELOPMENT		
4	Community service infrastructure fund	\$	3,000,000
5	Forest roads		5,000,000
6	Rural county primary		8,737,800
7	Rural county urban system		2,500,000
8	Target industries/economic redevelopment		17,975,400
9	Urban county congestion		8,737,800
10	GROSS APPROPRIATION	\$	45,951,000
11	Appropriated from:		
12	Special revenue funds:		
13	Economic development fund		45,951,000
14	State general fund/general purpose	\$	0
15	Sec. 112. AERONAUTICS SERVICES		
16	Full-time equated classified positions	48.0	
17	Air service program	\$	50,000
18	Aviation services--FTEs	48.0	7,495,400
19	GROSS APPROPRIATION	\$	7,545,400
20	Appropriated from:		
21	Special revenue funds:		
22	State aeronautics fund		7,545,400
23	State general fund/general purpose	\$	0
24	Sec. 113. PUBLIC TRANSPORTATION SERVICES		
25	Full-time equated classified positions	40.0	
26	Passenger transportation services--FTEs	40.0 \$	6,386,100
27	GROSS APPROPRIATION	\$	6,386,100
28	Appropriated from:		



1	Federal revenues:		
2	Federal aid - transportation programs		1,200,000
3	Special revenue funds:		
4	Comprehensive transportation fund		5,186,100
5	State general fund/general purpose	\$	0
6	Sec. 114. LOCAL BUS TRANSIT		
7	Local bus operating	\$	206,750,000
8	Nonurban operating/capital		39,845,600
9	GROSS APPROPRIATION	\$	246,595,600
10	Appropriated from:		
11	Federal revenues:		
12	Federal aid - transportation programs		37,845,600
13	Special revenue funds:		
14	Local funds		2,000,000
15	Comprehensive transportation fund		206,750,000
16	State general fund/general purpose	\$	0
17	Sec. 115. INTERCITY PASSENGER AND FREIGHT		
18	Full-time equated classified positions	39.0	
19	Detroit/Wayne County Port Authority	\$	500,000
20	Freight property management		1,300,000
21	Intercity services		9,981,800
22	Marine passenger service		4,964,000
23	Office of rail--FTEs	39.0	6,865,600
24	Rail operations and infrastructure		135,850,700
25	GROSS APPROPRIATION	\$	159,462,100
26	Appropriated from:		
27	Federal revenues:		
28	Federal aid - transportation programs		38,710,800



1	Special revenue funds:		
2	Local funds		760,000
3	Private funds		900,000
4	Comprehensive transportation fund		109,558,400
5	Intercity bus equipment fund		600,000
6	Michigan transportation fund		2,148,700
7	Rail freight fund		6,000,000
8	State trunkline fund		784,200
9	State general fund/general purpose	\$	0
10	Sec. 116. PUBLIC TRANSPORTATION DEVELOPMENT		
11	Municipal credit program	\$	2,000,000
12	Service initiatives		18,681,600
13	Specialized services		26,541,300
14	Transit capital		172,076,100
15	Van pooling		195,000
16	GROSS APPROPRIATION	\$	219,494,000
17	Appropriated from:		
18	Federal revenues:		
19	Federal aid - transportation programs		100,454,600
20	Special revenue funds:		
21	Local funds		35,510,000
22	Comprehensive transportation fund		83,529,400
23	State general fund/general purpose	\$	0
24	Sec. 117. CAPITAL OUTLAY		
25	(1) BUILDINGS AND FACILITIES		
26	Salt storage buildings and containment control	\$	2,500,000
27	Special maintenance, remodeling, and additions		3,001,500
28	GROSS APPROPRIATION	\$	5,501,500

1	Appropriated from:		
2	Special revenue funds:		
3	State trunkline fund		5,501,500
4	State general fund/general purpose	\$	0
5	(2) AIRPORT IMPROVEMENT PROGRAMS		
6	Airport safety, protection, and improvement		
7	program	\$	158,461,900
8	Detroit Metropolitan Wayne County Airport		5,850,000
9	IIJA airport infrastructure grants		95,000,000
10	GROSS APPROPRIATION	\$	259,311,900
11	Appropriated from:		
12	Federal revenues:		
13	Federal aid - transportation programs		230,000,000
14	Special revenue funds:		
15	Local funds		17,500,000
16	Qualified airport fund		5,850,000
17	State aeronautics fund		5,961,900
18	State general fund/general purpose	\$	0
19	Sec. 118. ONE-TIME ONLY APPROPRIATIONS		
20	Aviation weather station equipment replacement	\$	3,900,000
21	Cities and villages		268,472,900
22	County road commissions		481,527,100
23	Priority rail grade crossing/separation		
24	initiative		100
25	GROSS APPROPRIATION	\$	753,900,100
26	Appropriated from:		
27	Special revenue funds:		
28	Michigan transportation fund		100



State general fund/general purpose	\$	753,900,000
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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2022-2023 is \$4,657,671,700.00 and state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is \$3,063,109,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

STATE TRANSPORTATION DEPARTMENT

Grants to regional planning councils	\$	488,800
Cities and villages		684,060,200
County road commissions		1,226,915,200
Grants to local programs		33,000,000
Local bridge program		26,981,600
Local agency wetland mitigation		2,000,000
Movable bridge		2,929,200
Rail grade crossing		1,500,000
Rail grade surface crossing improvements		3,000,000
Transportation economic development		27,975,600
Air service program		50,000
Local bus operating		206,750,000
Detroit/Wayne County Port Authority		500,000
Marine passenger service		1,812,000



1	Municipal credit program	2,000,000
2	Service initiatives	9,029,400
3	Specialized services	9,228,900
4	Transit capital	63,076,100
5	Airport safety, protection, and improvement	
6	program	5,961,900
7	Detroit Metropolitan Wayne County Airport	5,850,000
8	Priority rail grade crossing/separation	
9	initiative	100
10	Cities and villages (one-time GF/GP)	268,472,900
11	County road commissions (one-time GF/GP)	481,527,100
12	Total payments to local units of government	\$ 3,063,109,000

13 Sec. 202. The appropriations authorized under this part and
14 part 1 are subject to the management and budget act, 1984 PA 431,
15 MCL 18.1101 to 18.1594.

16 Sec. 203. As used in this part and part 1:

17 (a) "CTF" means comprehensive transportation fund.

18 (b) "Department" means the state transportation department.

19 (c) "Director" means the director of the department.

20 (d) "DOT" means the United States Department of
21 Transportation.

22 (e) "DOT-FHWA" means DOT, Federal Highway Administration.

23 (f) "FTE" means full-time equated.

24 (g) "IDG" means interdepartmental grant.

25 (h) "IIJA" means the infrastructure investment and jobs act,
26 2021, Public Law 117-58.

27 (i) "MTF" means Michigan transportation fund.

28 (j) "SAF" means state aeronautics fund.

29 (k) "STF" means state trunkline fund.



1 Sec. 204. The departments and agencies receiving
2 appropriations in part 1 shall use the internet to fulfill the
3 reporting requirements of this part. This requirement shall include
4 transmission of reports via email to the recipients identified for
5 each reporting requirement, and it shall include placement of
6 reports on an internet site.

7 Sec. 205. To the extent permissible under section 261 of the
8 management and budget act, 1984 PA 431, MCL 18.1261, all of the
9 following apply to funds appropriated in part 1:

10 (a) The funds must not be used for the purchase of foreign
11 goods or services, or both, if competitively priced and of
12 comparable quality American goods or services, or both, are
13 available.

14 (b) Preference must be given to goods or services, or both,
15 manufactured or provided by Michigan businesses, if they are
16 competitively priced and of comparable quality.

17 (c) Preference must be given to goods or services, or both,
18 that are manufactured or provided by Michigan businesses owned and
19 operated by veterans, if they are competitively priced and of
20 comparable quality.

21 Sec. 206. The director shall take all reasonable steps to
22 ensure businesses in deprived and depressed communities compete for
23 and perform contracts to provide services or supplies, or both.
24 Each director shall strongly encourage firms with which the
25 department contracts to subcontract with certified businesses in
26 depressed and deprived communities for services, supplies, or both.

27 Sec. 207. The departments and agencies receiving
28 appropriations in part 1 shall prepare a report on out-of-state
29 travel expenses not later than January 1 of each year. The travel



1 report shall be a listing of all travel by classified and
2 unclassified employees outside this state in the immediately
3 preceding fiscal year that was funded in whole or in part with
4 funds appropriated in the department's budget. The report shall be
5 submitted to the senate and house appropriations committees, the
6 house and senate fiscal agencies, and the state budget director.
7 The report shall include the following information:

8 (a) The dates of each travel occurrence.

9 (b) The transportation and related costs of each travel
10 occurrence, including the proportion funded with state general
11 fund/general purpose revenues, the proportion funded with state
12 restricted revenues, the proportion funded with federal revenues,
13 and the proportion funded with other revenues.

14 Sec. 208. Funds appropriated in part 1 shall not be used by a
15 principal executive department, state agency, or authority to hire
16 a person to provide legal services that are the responsibility of
17 the attorney general. This prohibition does not apply to legal
18 services for bonding activities and for those activities that the
19 attorney general authorizes.

20 Sec. 209. Not later than November 30, the state budget office
21 shall prepare and transmit a report that provides for estimates of
22 the total general fund/general purpose appropriation lapses at the
23 close of the prior fiscal year. This report shall summarize the
24 projected year-end general fund/general purpose appropriation
25 lapses by major departmental program or program areas. The report
26 shall be transmitted to the chairpersons of the senate and house of
27 representatives standing committees on appropriations and the
28 senate and house fiscal agencies.

29 Sec. 210. (1) In addition to the funds appropriated in part 1,



1 there is appropriated an amount not to exceed \$40,000,000.00 for
2 federal contingency authorization. These funds are not available
3 for expenditure until they have been transferred to another line
4 item in part 1 pursuant to section 393(2) of the management and
5 budget act, 1984 PA 431, MCL 18.1393.

6 (2) In addition to the funds appropriated in part 1, there is
7 appropriated an amount not to exceed \$5,000,000.00 for state
8 restricted contingency authorization. These funds are not available
9 for expenditure until they have been transferred to another line
10 item in part 1 pursuant to section 393(2) of the management and
11 budget act, 1984 PA 431, MCL 18.1393.

12 (3) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$1,000,000.00 for local
14 contingency authorization. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in part 1 pursuant to section 393(2) of the management and budget
17 act, 1984 PA 431, MCL 18.1393.

18 (4) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$1,000,000.00 for private
20 contingency authorization. These funds are not available for
21 expenditure until they have been transferred to another line item
22 in part 1 pursuant to section 393(2) of the management and budget
23 act, 1984 PA 431, MCL 18.1393.

24 Sec. 211. The department shall cooperate with the department
25 of technology, management, and budget to maintain a searchable
26 website accessible by the public at no cost that includes, but is
27 not limited to, all of the following:

28 (a) Fiscal year-to-date expenditures by category.

29 (b) Fiscal year-to-date expenditures by appropriation unit.



1 (c) Fiscal year-to-date payments to a selected vendor,
2 including the vendor name, payment date, payment amount, and
3 payment description.

4 (d) The number of active department employees by job
5 classification.

6 (e) Job specifications and wage rates.

7 Sec. 212. Within 14 days after the release of the executive
8 budget recommendation, the department shall provide to the state
9 budget office information sufficient to provide the senate and
10 house appropriations chairs, the chairpersons of the senate and
11 house appropriations subcommittees on transportation, and the
12 senate and house fiscal agencies with an annual report on estimated
13 state restricted fund balances, state restricted fund projected
14 revenues, and state restricted fund expenditures for the fiscal
15 years ending September 30, 2022 and September 30, 2023.

16 Sec. 213. The department shall maintain, on a publicly
17 accessible website, a department scorecard that identifies, tracks,
18 and regularly updates key metrics that are used to monitor and
19 improve the department's performance.

20 Sec. 214. Total authorized appropriations from all sources
21 under part 1 for legacy costs for the fiscal year ending September
22 30, 2023 are \$69,747,100.00. From this amount, total agency
23 appropriations for pension-related legacy costs are estimated at
24 \$42,345,600.00. Total agency appropriations for retiree health care
25 legacy costs are estimated at \$27,401,500.00.

26 Sec. 215. A department shall not take disciplinary action
27 against an employee of the department or departmental agency in the
28 state classified civil service because the employee communicates
29 with a member of the senate or house of representatives or a



1 member's staff, unless the communication is prohibited by law and
2 the department or agency taking disciplinary action is exercising
3 its authority as provided by law.

4 Sec. 216. (1) On a quarterly basis, the department shall
5 report to the senate and house appropriations committees, the
6 senate and house appropriations subcommittees on transportation,
7 and the senate and house fiscal agencies the following information:

8 (a) The number of FTEs in pay status by type of staff and
9 civil service classification.

10 (b) A comparison by line item of the number of FTEs authorized
11 from funds appropriated in part 1 to the actual number of FTEs
12 employed by the department at the end of the reporting period.

13 (2) By March 1 of the current fiscal year, the department
14 shall report to the senate and house appropriations committees, the
15 senate and house appropriations subcommittees on transportation,
16 and the senate and house fiscal agencies the following information:

17 (a) Number of employees that were engaged in remote work in
18 2022.

19 (b) Number of employees authorized to work remotely and the
20 actual number of those working remotely in the current reporting
21 period.

22 (c) Estimated net cost savings achieved by remote work.

23 (d) Reduced use of office space associated with remote work.

24 Sec. 217. Appropriations in part 1 shall, to the extent
25 possible by the department, not be expended until all existing work
26 project authorization available for the same purposes is exhausted.

27 Sec. 218. If the state administrative board, acting under
28 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
29 appropriated under this act, the legislature may, by a concurrent



1 resolution adopted by a majority of the members elected to and
2 serving in each house, intertransfer funds within this act for the
3 particular department, board, commission, officer, or institution.

4 Sec. 219. The departments and agencies receiving
5 appropriations in part 1 shall receive and retain copies of all
6 reports funded from appropriations in part 1. Federal and state
7 guidelines for short-term and long-term retention of records shall
8 be followed. The department may electronically retain copies of
9 reports unless otherwise required by federal and state guidelines.

10 Sec. 220. The department shall report no later than April 1 on
11 each specific policy change made to implement a public act
12 affecting the department that took effect during the prior calendar
13 year to the senate and house appropriations committees, the senate
14 and house subcommittees on transportation, the joint committee on
15 administrative rules, and the senate and house fiscal agencies.

16 Sec. 221. (1) From the funds appropriated in part 1, the
17 department shall do all of the following:

18 (a) Report to the house and senate appropriations committees,
19 the house and senate fiscal agencies, the house and senate policy
20 offices, and the state budget office any amount of severance pay
21 for a department director, deputy director, or other high-ranking
22 department official not later than 14 days after a severance
23 agreement with the director or official is signed. The name of the
24 director or official and the amount of severance pay must be
25 included in the report required by this subdivision.

26 (b) Maintain an internet site that posts any severance pay in
27 excess of 6 weeks of wages, regardless of the position held by the
28 former department employee receiving severance pay.

29 (c) By February 1, report to the house and senate



1 appropriations subcommittees on transportation, the house and
2 senate fiscal agencies, the house and senate policy offices, and
3 the state budget office on the total amount of severance pay
4 remitted to former department employees during the fiscal year
5 ending September 30, 2022 and the total number of former department
6 employees that were remitted severance pay during the fiscal year
7 ending September 30, 2022.

8 (2) As used in this section, "severance pay" means
9 compensation that is both payable or paid upon the termination of
10 employment and in addition to either wages or benefits earned
11 during the course of employment or generally applicable retirement
12 benefits.

13 Sec. 222. (1) Any department, agency, board, commission, or
14 public officer that receives funding under part 1 shall not:

15 (a) Require as a condition of accessing any facility or
16 receiving services that an individual provide proof that he or she
17 has received a COVID-19 vaccine except as provided by federal law
18 or as a condition of receiving federal Medicare or Medicaid
19 funding.

20 (b) Produce, develop, issue, or require a COVID-19 vaccine
21 passport.

22 (c) Develop a database or make any existing database publicly
23 available to access an individual's COVID-19 vaccine status by any
24 person, company, or governmental entity.

25 (d) Require as a condition of employment that an employee or
26 official provide proof that he or she has received a COVID-19
27 vaccine. This subdivision does not apply to any hospital,
28 congregate care facility, or other medical facility or any
29 hospital, congregate care facility, or other medical facility



1 operated by a local subdivision that receives federal Medicare or
2 Medicaid funding.

3 (2) A department, agency, board, commission, or public officer
4 may not subject any individual to any negative employment
5 consequence, retaliation, or retribution because of that
6 individual's COVID-19 vaccine status.

7 (3) Subsection (1) does not prohibit any person, department,
8 agency, board, commission, or public officer from transmitting
9 proof of an individual's COVID-19 vaccine status to any person,
10 company, or governmental entity, so long as the individual provides
11 affirmative consent.

12 (4) If a department, agency, board, commission, subdivision,
13 or official or public officer is required to establish a vaccine
14 policy due to a federal mandate, it must provide exemptions to any
15 COVID-19 vaccine policy to the following individuals:

16 (a) An individual for whom a physician certifies that a COVID-
17 19 vaccine is or may be detrimental to the individual's health or
18 is not appropriate.

19 (b) An individual who provides a written statement to the
20 effect that the requirements of the COVID-19 vaccine policy cannot
21 be met because of religious convictions or other consistently held
22 objection to immunization.

23 (5) As used in this section, "public officer" means a person
24 appointed by the governor or another executive department official
25 or an elected or appointed official of this state or a political
26 subdivision of this state.

27 Sec. 223. To the extent possible, the department shall provide
28 notice to the speaker of the house, the house minority leader, the
29 senate majority leader, the senate minority leader, the house and



1 senate standing committees on transportation, the appropriate house
2 and senate appropriations subcommittees on transportation, and the
3 house and senate fiscal agencies on proposed federal rule changes
4 related to the department that would require amendments to the laws
5 of this state. The notice shall be given within 30 business days of
6 the proposed federal rule being posted to the Federal Register and
7 shall include a description of the proposed federal rule, the
8 publication date, the date when public comment closes, the document
9 citation, and a description of the statutory changes needed when
10 the rule is finalized.

11 Sec. 224. An executive branch department, agency, board, or
12 commission that receives funding under part 1 shall not permit a
13 state employee who was not working remotely, either full-time or
14 part-time, before February 28, 2020 to work remotely, either full-
15 time or part-time, during the current fiscal year.

16
17 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

18 Sec. 301. The department may establish a fee schedule and
19 collect fees sufficient to cover the costs to issue the permits
20 that the department is authorized by law to issue upon request,
21 unless otherwise stipulated by law. All permit fees are
22 nonrefundable application fees and shall be credited to the
23 appropriate fund to recover the direct and indirect costs of
24 receiving, reviewing, and processing the requests.

25 Sec. 302. Not later than February 1, 2023, the department
26 shall report to the house and senate appropriations subcommittees
27 on transportation, the house and senate fiscal agencies, and the
28 state budget office on STF debt service. The report must include
29 all of the following:



1 (a) An accounting of the prior fiscal year's STF debt service
2 payments, including a calculation of STF debt service payments as a
3 percentage of STF revenue secured by constitutionally restricted
4 revenue.

5 (b) A projection of STF debt service obligations for the
6 fiscal year ending September 30, 2023, including a calculation of
7 STF debt service obligations as a percentage of estimated STF
8 revenue secured by constitutionally restricted revenue.

9 (c) A description of all bond sales planned for the fiscal
10 year ending September 30, 2023.

11 Sec. 304. If, as a requirement of bidding on a highway
12 project, the department requires a contractor to submit financial
13 or proprietary documentation as to how the bid was calculated, that
14 bid documentation shall be kept confidential and shall not be
15 disclosed other than to a department representative without the
16 contractor's written consent. The department may disclose the bid
17 documentation if necessary to address or defend a claim by a
18 contractor.

19 Sec. 305. The department may permit space on public passenger
20 transportation properties to be occupied by public or private
21 tenants. The department shall require that revenue from the tenants
22 be placed in an account to be used to pay the costs to maintain and
23 improve the property.

24 Sec. 306. (1) The amounts appropriated in part 1 to support
25 tax and fee collection, law enforcement, and other program services
26 provided to the department and to transportation funds by other
27 state departments shall be expended from transportation funds
28 pursuant to annual contracts between the department and those other
29 state departments. The contracts shall be executed prior to the



1 expenditure or obligation of those funds. The contracts shall
2 provide, but are not limited to, the following data applicable to
3 each state department:

4 (a) Estimated costs to be recovered from transportation funds.

5 (b) Description of services provided to the department and/or
6 transportation funds and financed with transportation funds.

7 (c) Detailed cost allocation methods appropriate to the type
8 of services being provided and the activities financed with
9 transportation funds.

10 (2) Not later than 2 months after publication of the state of
11 Michigan annual comprehensive financial report, each state
12 department receiving funding pursuant to an interdepartment
13 contract with the department shall submit a written report to the
14 department, the state budget director, the house and senate fiscal
15 agencies, and the auditor general stating by spending authorization
16 account the amount of estimated funds contracted with the
17 department, the amount of funds expended, the amount of funds
18 returned to the transportation funds, and any unreimbursed
19 transportation-related costs incurred but not billed to
20 transportation funds.

21 Sec. 307. Before March 1 of each year, the department will
22 provide to the legislature, the state budget director, and the
23 house and senate fiscal agencies its rolling 5-year plan listing by
24 county or by county road commission all highway construction
25 projects for the fiscal year and all expected projects for the
26 ensuing fiscal years.

27 Sec. 308. From the funds appropriated in part 1 for highway
28 maintenance, the department shall initiate a winter maintenance
29 program in accordance with section 11a of 1951 PA 51, MCL 247.661a.



1 Sec. 310. The department shall provide in a timely manner
2 copies of the agenda, approved minutes, and audio recording of
3 monthly transportation commission meetings to the members of the
4 house and senate appropriations subcommittees on transportation,
5 the house and senate fiscal agencies, and the state budget
6 director.

7 Sec. 311. Not later than March 30, 2023, the department shall
8 provide a progress report on the CRRSAA highway infrastructure
9 program - local bridge bundling initiative established in section
10 113(2) of article 14 of 2021 PA 87, to the senate and house
11 transportation appropriations subcommittees, the state budget
12 director, and the senate and house fiscal agencies.

13 Sec. 312. It is the intent of the legislature that the
14 department prohibit the placement of nondirectional markings on the
15 paved surfaces of public roads or streets of this state and work to
16 remove nondirectional markings when found on the paved surfaces of
17 public roads and streets of this state.

18 Sec. 313. (1) From funds appropriated in part 1, the
19 department may increase a state infrastructure bank program and
20 grant or loan funds in accordance with regulations of the state
21 infrastructure bank program of the United States Department of
22 Transportation. The state infrastructure bank is to be administered
23 by the department for the purpose of providing a revolving, self-
24 sustaining resource for financing transportation infrastructure
25 projects.

26 (2) In addition to funds provided in subsection (1), money
27 received by the state as federal grants, repayment of state
28 infrastructure bank loans, or other reimbursement or revenue
29 received by the state as a result of projects funded by the program



1 and interest earned on that money shall be deposited in the
2 revolving state infrastructure bank fund and shall be available for
3 transportation infrastructure projects. At the close of the fiscal
4 year, any unencumbered funds remaining in the state infrastructure
5 bank fund shall remain in the fund and be carried forward into the
6 succeeding fiscal year.

7 (3) The department shall submit a report to the state budget
8 director, the house and senate appropriations subcommittees on
9 transportation, and the house and senate fiscal agencies on the
10 status of the state infrastructure bank. The report shall be
11 submitted on or before December 1, 2022. The report shall include
12 all of the following:

13 (a) The balance in the state infrastructure bank at September
14 30, 2022, including a breakdown of the balance by cash and cash
15 equivalents, outstanding loans, and balance available for loan to
16 local agencies.

17 (b) A breakdown of the state infrastructure loan balance by
18 amounts designated as originating from federal sources and the
19 amounts originating from nonfederal sources.

20 (c) A list of outstanding loans by agency, original loan
21 amount, project description, loan term, and amount outstanding.

22 Sec. 319. The department shall post signs at each rest area to
23 identify the agency or contractor responsible for maintenance of
24 the rest area. The signs shall include a department telephone
25 number and shall indicate that unsafe or unclean conditions at the
26 rest area may be reported to that telephone number.

27 Sec. 353. The department shall review its contractor payment
28 process and ensure that all prime contractors are paid promptly.
29 The department shall ensure that prime contractors are in



1 compliance with special provision 109.10 regarding the prompt
2 payment of subcontractors.

3 Sec. 357. When presented with complete local federal aid
4 project submittals, the department shall complete all necessary
5 reviews and inspections required to let local federal aid projects
6 within 120 days of receipt. The department shall implement a system
7 for monitoring the local federal aid project review process.

8 Sec. 375. The department is prohibited from reimbursing
9 contractors or consultants for costs associated with groundbreaking
10 ceremonies, receptions, open houses, or press conferences related
11 to transportation projects funded, in whole or in part, by revenue
12 appropriated in part 1.

13 Sec. 376. The department shall not spend funds appropriated in
14 part 1 for the purpose of examining the potential association
15 between commercial signs, outdoor advertising signs, billboards,
16 digital billboards, or commercial electronic variable message signs
17 and motor vehicle activity or motor vehicle driver behavior.

18 Sec. 382. In administering a contract with a county road
19 commission, city, or village that allocates costs of construction
20 or reconstruction of highways, roads, and streets as provided in
21 section 18d of 1951 PA 51, MCL 247.668d, the department shall
22 submit the final cost-sharing bill to the county road commission,
23 city, or village not later than 2 years after the date of the final
24 contract payment to the construction contractor.

25 Sec. 383. (1) The department shall prepare a report on use of
26 department-owned aircraft during the fiscal year ending September
27 30, 2022. With respect to each department-owned aircraft, the
28 report shall include all of the following:

29 (a) Total hours of usage.



1 (b) Description of specific flights including dates of travel,
2 names of passengers including state agency, university, or local
3 government affiliation, travel origin and destination, and total
4 estimated costs associated with the air travel.

5 (2) The report shall be submitted to the senate and house
6 appropriations subcommittees on transportation, state budget
7 director, and the house and senate fiscal agencies no later than
8 February 1, 2023.

9 (3) The department shall maintain a system for recovering the
10 cost of operating department-owned aircraft through charges to
11 aircraft users.

12 Sec. 384. (1) Except as otherwise provided in subsection (2),
13 the department shall not obligate the state to expend any state
14 transportation revenue for construction planning or construction of
15 the Gordie Howe International Crossing or a renamed successor. In
16 addition, except as provided in subsection (2), the department
17 shall not commit the state to any new contract related to the
18 construction planning or construction of the Gordie Howe
19 International Crossing or a renamed successor that would obligate
20 the state to expend any state transportation revenue. An
21 expenditure for staff resources used in connection with project
22 activities, which expenditure is subject to full and prompt
23 reimbursement from Canada, shall not be considered an expenditure
24 of state transportation revenue.

25 (2) If the legislature enacts specific enabling legislation
26 for the construction of the Gordie Howe International Crossing or a
27 renamed successor, subsection (1) does not apply once the enabling
28 legislation goes into effect.

29 Sec. 385. (1) The department shall submit monthly reports to



1 the state budget director, the speaker of the house of
2 representatives, the house of representatives minority leader, the
3 senate majority leader, the senate minority leader, the house and
4 senate appropriations subcommittees on transportation, and the
5 house and senate fiscal agencies on all of the following:

6 (a) All expenditures made by the state related to the Gordie
7 Howe Bridge.

8 (b) All reimbursements made by Canada under section 384(1) of
9 this part to the state for expenditures for staff resources used in
10 connection with project activities.

11 (c) All eminent domain and condemnation powers used, the
12 related real estate involved in any governmental taking, the price
13 paid for those properties, and the beneficiary's name or associated
14 corporation.

15 (2) The initial report required under subsection (1) shall be
16 submitted on or before December 1, 2022. The initial report shall
17 cover the fiscal year ending September 30, 2022.

18 Sec. 386. On or before May 1 of each year, the department
19 shall submit a report to the state budget director, the house and
20 senate appropriations subcommittees on transportation, and the
21 house and senate fiscal agencies on its toll credit program. The
22 report shall include the following information:

23 (a) The amount of toll credits earned and certified by the
24 DOT-FHWA in the prior fiscal year.

25 (b) The value of toll credits used by programs and projects in
26 the previous fiscal year.

27 (c) The balance of available toll credits at the end of the
28 prior fiscal year.

29 (d) A discussion of the department's strategy for using toll



1 credits.

2 Sec. 387. (1) Within 90 days of completion of any formal
3 traffic study, formal traffic control study, or formal traffic
4 mitigation study, the department shall post the results of the
5 study on the department's website.

6 (2) As used in this section, the terms "traffic study",
7 "traffic control study", and "traffic mitigation study" include,
8 but are not limited to, investigations into the need for traffic
9 lights, reviews of traffic speeds and related recommendations
10 regarding speed limits, and ways to improve traffic flow during
11 peak travel times.

12 Sec. 389. Within 30 days of entering into a long-term
13 agreement with a private contractor, a public agency, or a
14 partnership between 1 or more private contractors or public
15 agencies, the department shall notify the state budget director,
16 the house and senate appropriations subcommittees on
17 transportation, and the house and senate fiscal agencies of the
18 agreement, including the subject of the agreement, the term of the
19 agreement, and financial obligations under the agreement. As used
20 in this section, "long-term agreement" means an agreement that
21 obligates the department for a period of 5 years or more and that
22 actually or contingently obligates the department to make payments
23 over the contract period of \$5,000,000.00 or more.

24 Sec. 393. The department shall promote best practices for
25 public transportation services in this state, including, but not
26 limited to, the following:

27 (a) Transit vehicle rehabilitation to reduce life-cycle cost
28 of public transportation through midlife rehabilitation of transit
29 buses.



1 (b) Cooperation between entities using transit, including
2 school districts, cities, townships, and counties with a view to
3 promoting cost savings through joint purchasing of fuel and other
4 procurements.

5 (c) Coordination of transportation dollars among state
6 departments that provide transit-related services, including the
7 department of health and human services. Priority should be given
8 to use of public transportation services where available.

9 (d) Promotion of intelligent transportation services for buses
10 that incorporate computer and navigation technology to make transit
11 systems more efficient, including stoplight coordinating, vehicle
12 tracking, data tracking, and computerized scheduling.

13 Sec. 394. The department and local road agencies shall make
14 the preservation of their existing road networks a funding
15 priority.

16 Sec. 395. From the funds appropriated in part 1 for state
17 trunkline federal aid road and bridge construction, the department
18 may expend up to \$10,000,000.00 on highway maintenance activities
19 to support safety-related, high-priority, and other deferred
20 routine maintenance needs on the state trunkline network.

21 Sec. 398. The department shall continue to work to eliminate
22 fatalities and serious injuries on the state trunkline network and
23 shall maintain the Toward Zero Deaths statewide safety campaign.

24 Sec. 399. In developing its state trunkline road and bridge
25 construction program, the department shall prioritize spending on
26 capital preventative maintenance. From the funds appropriated in
27 part 1 for state trunkline road and bridge construction, not less
28 than \$200,000,000.00 must be allocated for capital preventative
29 maintenance treatments for pavement preservation.



FEDERAL

Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to this state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.

MICHIGAN TRANSPORTATION FUND

Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42, and not appropriated to the department of licensing and regulatory affairs or the department of state police is deposited in the Michigan transportation fund.

Sec. 503. (1) At the close of the fiscal year, funds appropriated in part 1 for the transportation economic development program shall lapse to the transportation economic development fund.

(2) At the close of the fiscal year, funds appropriated in part 1 for the local bridge program shall carry forward and are appropriated for the purposes defined in section 10(5) of 1951 PA 51, MCL 247.660.

(3) Interest earned in the department of transportation



1 economic development fund and local bridge fund shall remain in the
2 respective funds and shall be allocated to the respective programs
3 based on actual interest earned at the end of each fiscal year.

4 (4) In addition to the funds appropriated in part 1, the
5 department of transportation economic development fund and local
6 bridge fund may receive federal, local, or private funds or
7 restricted source funds such as interest earnings. These funds are
8 appropriated for projects that are consistent with the purposes of
9 the respective funds.

10 (5) None of the funds statutorily dedicated to the
11 transportation economic development fund and local bridge fund
12 shall be diverted to other projects.

13 Sec. 504. Funds from the Michigan transportation fund shall be
14 distributed to the comprehensive transportation fund, the economic
15 development fund, the recreation improvement fund, and the state
16 trunkline fund, in accordance with this part and part 1 and part
17 711 of the natural resources and environmental protection act, 1994
18 PA 451, MCL 324.71101 to 324.71108, and may only be used as
19 specified in this part and part 1, 1951 PA 51, MCL 247.651 to
20 247.675, and part 711 of the natural resources and environmental
21 protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

22 23 **STATE TRUNKLINE FUND**

24 Sec. 601. (1) The department shall maintain documentation to
25 support initial acceptance of warrantied projects, interim and
26 final inspections, and notifications to contractors that the
27 warranty period had expired. The department also shall review and
28 evaluate consultant evaluation requirements or recommendations and
29 update existing policies and procedures accordingly.



1 (2) The department shall review its warranty administration
2 processes, procedures, and associated manuals to ensure that all of
3 the following occur:

4 (a) Initial notifications of needed corrective action are sent
5 prior to warranty expiration.

6 (b) Consistent and timely second notifications of needed
7 corrective action are sent if contractors do not respond within 30
8 days of an initial notification.

9 (c) The department has an effective process to establish time
10 frames for corrective action completion.

11 (d) Daily inspector reports on all warranty segments are
12 completed consistently.

13 (3) The department shall report on the review described in
14 subsection (2) and changes resulting from the review. The
15 department shall submit the report to the state budget director,
16 the house and senate appropriations subcommittees on
17 transportation, and the house and senate fiscal agencies no later
18 than March 31, 2023.

19 Sec. 604. At the close of the fiscal year, any unencumbered
20 and unexpended balance in the state trunkline fund shall remain in
21 the state trunkline fund and shall carry forward and is
22 appropriated for federal aid road and bridge programs for projects
23 contained in the annual state transportation program.

24 Sec. 612. The department shall establish guidelines governing
25 incentives and disincentives provided under contracts for state
26 trunkline projects. The guidelines shall include specific financial
27 information concerning incentives and disincentives.

28 Sec. 613. (1) From the funds appropriated in part 1 for state
29 trunkline operations, \$750,000.00 must be allocated to provide each



1 department maintenance garage an industrial magnet roadway sweeper.
2 As used in this section, "industrial magnet roadway sweeper" means
3 an industrial-strength magnet that mounts to the front of road
4 maintenance vehicles and is used to remove metal debris from
5 roadway and highway shoulders.

6 (2) Industrial magnet roadway sweepers procured by the
7 department must meet the following specifications:

8 (a) They must fit or be capable of being retrofitted on
9 existing maintenance vehicles.

10 (b) The vehicle operator must be able to turn the magnet on
11 and off from inside the vehicle cab.

12 (c) The magnet must not exceed a 2% loss of magnet life per
13 100 years.

14 (3) The department must give preference to vendors
15 headquartered in this state.

16 Sec. 614. From the funds appropriated in part 1, \$5,000,000.00
17 must be allocated to incentivize and support the inclusion of low
18 impact development stormwater management practices in the design of
19 state trunkline and local road agency construction projects. With
20 respect to state trunkline highways, low impact development
21 stormwater management practices must include consideration of
22 impacts on land and drainage within 75 feet of a state trunkline
23 highway.

24 Sec. 615. From the funds appropriated in part 1, the
25 department shall conduct a study of the feasibility of vehicle
26 miles traveled as a replacement for motor fuel taxes as a basis for
27 transportation funding.

28
29 **TRANSIT AND RAIL RELATED FUNDS**



1 Sec. 701. The department shall establish an intercity bus
2 equipment and facility fund as a subsidiary fund within the
3 comprehensive transportation fund created under section 10b of 1951
4 PA 51, MCL 247.660b. Proceeds received by this state from the sale
5 of state-owned intercity bus equipment shall be credited to the
6 intercity bus equipment and facility fund for the purchase and
7 repair of intercity bus equipment, as appropriated. Security
8 deposits not returned to a lessee of state-owned intercity bus
9 equipment under terms of the lease agreement shall be credited to
10 the intercity bus equipment and facility fund for the repair of
11 intercity bus equipment, as appropriated. Money received by the
12 department from lease payments for state-owned intercity bus
13 equipment, and facility maintenance charges under terms of leases
14 of state-owned intercity facilities, shall be credited to the
15 intercity bus equipment and facility fund for the purchase and
16 repair of intercity bus equipment or for the maintenance and
17 rehabilitation of state-owned intercity facilities, as
18 appropriated. At the close of the fiscal year, any funds remaining
19 in the intercity bus equipment and facility fund shall remain in
20 the fund and be carried forward into the succeeding fiscal year.

21 Sec. 702. Money that is received by this state as repayment
22 for loans made for rail or water freight capital projects, and as a
23 result of the sale of property or equipment used or projected to be
24 used for rail or water freight projects shall be deposited in the
25 rail freight fund created by section 17 of the state transportation
26 preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of
27 the fiscal year, any funds remaining in the rail freight fund shall
28 remain in the fund and be carried forward into the succeeding
29 fiscal year.



1 Sec. 703. After receiving notification from a railroad company
2 pursuant to section 8 of the state transportation preservation act
3 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately
4 notify the house of representatives and senate appropriations
5 subcommittees on transportation and the state budget office that
6 the railroad company has filed with the appropriate governmental
7 agencies for abandonment of a line.

8 Sec. 704. From the funds appropriated in part 1, the
9 department shall prepare and transmit a report that provides detail
10 regarding the department's obligations for programs funded under
11 the appropriation in part 1 for rail operations and infrastructure.
12 The report shall include a breakdown of the appropriation by
13 program, year-to-date obligations under each program itemized by
14 project, and an estimate of future obligations under each program
15 itemized by project for the remainder of the fiscal year. The
16 initial report shall be submitted to the senate and house
17 appropriations subcommittees on transportation, the state budget
18 director, and the senate and house fiscal agencies, on or before
19 February 1, 2023. The department also shall update and resubmit the
20 final report on or before November 1, 2023.

21 Sec. 706. The Detroit/Wayne County Port Authority shall issue
22 a complete operations assessment and a financial disclosure
23 statement. The operations assessment shall include operational
24 goals for the next 5 years and recommendations to improve land
25 acquisition and development efficiency. The report shall be
26 completed and submitted to the house of representatives and senate
27 appropriations subcommittees on transportation, the state budget
28 director, and the house and senate fiscal agencies by June 30 of
29 each fiscal year for the prior fiscal year.



1 Sec. 707. (1) Before March 1 of each year, the department will
2 provide to the legislature, the state budget office, and the house
3 and senate fiscal agencies its rail strategic plan. The strategic
4 plan shall include, but is not limited to, a rolling 5-year rail
5 plan and summary of the department's obligations for programs
6 funded under the appropriation in part 1 for rail operations and
7 infrastructure.

8 (2) The rolling 5-year rail plan shall include, but is not
9 limited to, all the following:

10 (a) A listing by county of all rail infrastructure projects on
11 rail lines within the state utilizing state funds, and the
12 estimated cost of each project.

13 (b) The actual or projected state expenditures for operation
14 of passenger rail service.

15 (c) The actual or projected state expenditures for maintenance
16 of passenger service rail lines.

17 (3) The period of the rolling 5-year rail plan includes the
18 current fiscal year and the 4 fiscal years immediately following
19 the current fiscal year.

20 (4) The summary of the department's obligations for programs
21 funded under the appropriation in part 1 for rail operations and
22 infrastructure shall include a breakdown of the appropriation by
23 program, year-to-year obligations under each program itemized by
24 project, and an estimate of future obligations under each program
25 itemized by project for the remainder of the fiscal year.

26 (5) from the funds appropriated in part 1 for rail operations
27 and infrastructure, not less than \$21,500,000.000 must be allocated
28 for the support of rail-related economic development projects and
29 rail freight system preservation projects.



1 Sec. 720. It is the intent of the legislature that all transit
2 agencies in Michigan should strive to achieve a farebox recovery
3 rate of not less than 6%.

4 Sec. 735. For the fiscal year ending September 30, 2023, the
5 appropriation to a street railway pursuant to section 10e(22) of
6 1951 PA 51, MCL 247.660e, is \$0.

7 Sec. 736. No funds from the appropriations in part 1 may be
8 used for a rail freight development project to support the
9 cessation of energy pipeline operations across the Straits of
10 Mackinac.

11 Sec. 752. The legislature encourages the department to meet
12 with representatives of a rail industry trade association to
13 provide information on the availability of rail infrastructure loan
14 and grant funding programs and freight economic development project
15 opportunities.

16 Sec. 753. From the funds appropriated in part 1 for marine
17 passenger service, 60% must be spent on eligible entities servicing
18 multiple destinations. The remaining funds must be spent on
19 eligible entities servicing a single destination.

20 Sec. 757. From the funds appropriated in part 1, the
21 department shall conduct a study of the feasibility of rail
22 passenger service from New Buffalo, Michigan to Traverse City,
23 Michigan.

24
25 **AERONAUTICS FUND**

26 Sec. 801. Except as otherwise provided in section 903 of this
27 part for capital outlay, at the close of the fiscal year, any
28 unobligated and unexpended balance in the state aeronautics fund
29 created in the aeronautics code of the state of Michigan, 1945 PA



327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.

CAPITAL OUTLAY

Sec. 901. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.

(2) Political entities and subdivisions shall provide not less than 5% of the cost of any project under this section, unless a total nonfederal share less than 10% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.

(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this part and part 1 and the project application is



1 approved by the governing body of each political subdivision or
2 public agency making the application and by the Michigan
3 aeronautics commission.

4 Sec. 903. The appropriations in part 1 for capital outlay
5 shall be carried forward at the end of the fiscal year consistent
6 with the provisions of section 248 of the management and budget
7 act, 1984 PA 431, MCL 18.1248.

8
9 **ONE-TIME ONLY APPROPRIATIONS**

10 Sec. 1001. The one-time general fund/general purpose
11 appropriation in part 1 for county road commissions shall be
12 distributed among the county road commissions in accordance with
13 section 12 of 1951 PA 51, MCL 247.662, to be used by county road
14 commissions as provided under that section. The one-time general
15 fund/general purpose appropriation in part 1 for cities and
16 villages shall be distributed among cities and villages in
17 accordance with section 13 of 1951 PA 51, MCL 247.663, to be used
18 by cities and villages as provided under that section.

19 Sec. 1002. (1) The one-time funds appropriated in part 1 for
20 the priority rail grade crossing/separation initiative shall be
21 expended by the department to support a local grant program for the
22 separation of motor vehicle traffic and railroad traffic in this
23 state. Grant funds awarded under this program may be used by local
24 road agencies for any stage of design and construction related to a
25 grade separation project or a project that improves traffic at a
26 rail crossing without a full grade separation including, but not
27 limited to, construction of a rail siding or spur. Projects shall
28 be selected for inclusion in the program subject to available
29 funding and according to the following criteria:



1 (a) Grade separation projects that will eliminate significant
2 blockages or backups.

3 (b) Grade separation projects that will have a positive impact
4 on the local economy, safety, and the efficient movement of goods
5 and people.

6 (c) Any other criteria established by the department.

7 (2) The department shall provide a progress report on the
8 priority rail/grade separation initiative to the senate and house
9 transportation appropriations subcommittees, the state budget
10 director, and the senate and house fiscal agencies by September 30,
11 2023.