

**SUBSTITUTE FOR
HOUSE BILL NO. 4084**

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



JJR

H00387'25 (H-2)



vi9yfq

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 14b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 14b. (1) The department shall create and operate a noise**
 2 **abatement measure program to provide funding for the construction**
 3 **and maintenance of noise abatement measures to reduce highway noise**
 4 **along state trunk line highways in areas where no noise abatement**
 5 **measures currently exist. Through the program, the department shall**
 6 **do 1 or more of the following, subject to subsection (9):**

7 **(a) Construct or maintain noise abatement measures at the**
 8 **request of local road authorities.**

9 **(b) Provide grants or loans to local road authorities for the**



1 construction or maintenance of noise abatement measures.

2 (2) The department shall, after consulting with any
3 transportation stakeholders the department considers relevant,
4 establish a review process for considering applications under this
5 section and post the review process on its website. The review
6 process must, at a minimum, do all of the following:

7 (a) Include an identification of criteria, the weight of each
8 criterion, and a scoring system to score each project based on the
9 weighted criteria. The scoring system may consider project
10 readiness, but project readiness must not be a major factor in
11 determining the final score. The scoring system must consider the
12 feasibility, reasonableness, and cost-effectiveness of the project,
13 including, but not limited to, a consideration of all of the
14 following with greater weight given to subparagraphs (i), (ii), and
15 (iii):

16 (i) The cost-effectiveness of the project.

17 (ii) The number of residential units that will receive not less
18 than 5 decibels of noise reduction.

19 (iii) The existing noise level at the site of the project.

20 (iv) The presence of nonresidential, high-use areas such as
21 parks, schools, playgrounds, or recreation centers that will
22 receive not less than 5 decibels of noise reduction.

23 (b) Identify and apply any other relevant criteria contained
24 in state or federal law.

25 (c) Describe minimum requirements for when the department must
26 conduct a noise study related to an application.

27 (d) Involve local road authorities and other transportation
28 stakeholders, as appropriate, in the process of scoring and ranking
29 projects.



1 (e) Publicize scoring and decision outcomes concerning each
2 project, including the projects that were considered but not
3 selected, and the reason each project was not selected.

4 (3) A local road authority may submit an application for the
5 program to request that the department construct or maintain a
6 noise abatement measure or to request a grant or loan to fund the
7 construction or maintenance of a noise abatement measure by the
8 local road authority. An application must be made on a form
9 approved by the department and must contain the information
10 required by the department. An application may be made at any time
11 as determined by the department. The department shall notify a
12 local road authority that submits an application whether the
13 application is approved or rejected. Before providing a grant or
14 loan under this section, the department must enter into a written
15 agreement with the local road authority that includes the terms of
16 the grant or loan and describes the project that will be funded by
17 the grant or loan. A grant or loan under this section may be used
18 by the local road authority for any stage of design, construction,
19 or maintenance of a noise abatement measure.

20 (4) For each year in which the department receives
21 applications, the department shall report by not later than
22 December 1 to the standing committees of the senate and house of
23 representatives with primary jurisdiction over transportation
24 issues and to the senate and house of representatives
25 appropriations committees on the utilization of the program. The
26 report must include, at a minimum, all of the following:

27 (a) The number of applications received under this section.

28 (b) The name of each local road authority that submitted an
29 application and whether each application was approved or rejected.



1 (c) A summary description of each project that was the subject
2 of an application.

3 (5) The noise abatement measure fund is created in the state
4 treasury.

5 (6) The state treasurer shall deposit money and other assets
6 received from any source in the fund. The state treasurer shall
7 direct the investment of money in the fund and credit interest and
8 earnings from the investments to the fund.

9 (7) The department is the administrator of the fund for audits
10 of the fund.

11 (8) The department shall expend money from the fund, on
12 appropriation, only to create and operate the program as provided
13 in this section.

14 (9) A single project shall not be funded by more than 5% of
15 the amount of the money remaining in the fund when the project is
16 approved to receive money from the fund.

17 (10) As used in this section:

18 (a) "Fund" means the noise abatement measure fund created in
19 subsection (5).

20 (b) "Noise abatement measure" means a noise abatement measure
21 that reduces highway noise in areas adjacent to a highway,
22 including, but not limited to, any of the following:

23 (i) A sound wall.

24 (ii) Pavement texturing that reduces highway noise through
25 methods including, but not limited to, overlaying or grinding, or
26 both.

27 (iii) An earth berm.

28 (c) "Program" means the noise abatement measure program
29 created under subsection (1).



1 (d) "Project" means a noise abatement measure project.