

SENATE BILL No. 782

March 4, 1992, Introduced by Senators PRIDNIA, MC MANUS, CARL, HART, O'BRIEN, KOIVISTO, ARTHURHULTZ, DE GROW, GAST, VAN REGENMORTER, DI NELLO, BERRYMAN, BARCIA and EHLERS and referred to the Committee on Transportation and Tourism.

A bill to designate certain highways within this state as Michigan heritage routes; to provide procedures for additions, deletions, or changes to these routes; and to prescribe the powers and duties of certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the state transportation commission.

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

4 (c) "Heritage route" means a state highway that is desig-
5 nated in the manner provided in this act as a scenic, recreation-
6 al, or historic route that is representative of Michigan's natu-
7 ral and cultural heritage.

8 (d) "Historic" means buildings, structures, interpreted
9 sites, objects, or historic districts that are significant to the

1 history, archaeology, architecture, engineering, or culture of
2 this state.

3 (e) "Recreational" means facilities normally associated with
4 leisure-time activities, including, but not limited to, parks,
5 public access sites, wildlife refuges, forest areas, marinas,
6 swimming areas, hiking trails, and sightseeing areas.

7 (f) "Scenic" means an area of outstanding natural beauty
8 whose features include, but are not limited to, significant natu-
9 ral features such as vegetation, land form, water, and open areas
10 with exceptional vistas and views, that singly or in combination
11 make that area unique and distinct in character.

12 (g) "State trunkline highway system" means the system
13 described in section 1 of Act No. 51 of the Public Acts of 1951,
14 being section 247.651 of the Michigan Compiled Laws.

15 Sec. 2. It is the intent of the legislature, in providing
16 for the designation of certain portions of the state trunkline
17 highway system as Michigan heritage routes, to establish the
18 state's responsibility for the protection and enhancement of
19 Michigan's scenic, recreational, and historic resources along its
20 roadside by identifying those portions of the state trunkline
21 highway system which, together with their adjacent corridors,
22 require special conservation treatment. It is further the intent
23 of the legislature in designating these heritage routes to assign
24 responsibility for the development of the routes and for the
25 establishment and application of specific planning and design
26 criteria and procedures appropriate to these routes. The
27 legislature further intends to provide criteria for the location

1 and length of routes and adjacent areas requiring continuing and
2 careful coordination of planning, design, construction, mainte-
3 nance, land use, and development, by state and local agencies as
4 appropriate, to encourage adjacent land use consistent with the
5 intent of the designation.

6 Sec. 3. Certain portions of the state trunkline highway
7 system are so uniquely endowed by natural aesthetic, ecological,
8 environmental, and cultural amenities immediately adjacent to the
9 roadside that their use by a larger percentage of the motoring
10 public, particularly during the recreational season, is for the
11 experience of traveling the road rather than as a route to a
12 destination. Because of the immediate proximity of these fea-
13 tures, roads may possess characteristics such as the following:
14 pavement width of 16 to 20 feet, shoulders as narrow as 2 feet
15 with trees immediately adjacent, curves that restrict maximum
16 legal speeds, hills, steep side slopes, minimal signing, and
17 narrow rights-of-way. The improvement philosophy for these roads
18 is to maintain the essential elements of the road and the area
19 immediately surrounding the road that create its unique
20 character.

21 Sec. 4. (1) Not more than 60 days after the effective date
22 of this act, the department shall submit recommendations to the
23 commission regarding uniform criteria and procedures for the
24 identification of heritage routes. These criteria shall include,
25 but not be limited to, route selection, maintenance, resurfacing,
26 restoration, and rehabilitation of existing roads, and the design
27 of new roads. Routes shall not be designated as heritage routes

1 under this act until the commission notifies the legislature of
2 the approved criteria and procedures.

3 (2) In establishing heritage routes, the department shall
4 take into consideration the concept of the complete highway,
5 which is a highway incorporating not only safety, utility, and
6 economy but also beauty. The department shall also take into
7 consideration that in a complete highway pleasing appearance is a
8 consideration in the planning and design process. Designation of
9 a heritage route shall also require that local governmental agen-
10 cies have taken such action as may be necessary to protect the
11 integrity of the designated route as stipulated in the criteria.

12 Sec. 5. Upon approval of the criteria and procedures by the
13 commission, and notification of the legislature, the department
14 shall identify those state highways that satisfy the criteria and
15 shall publish a proposed system of heritage routes. The depart-
16 ment shall solicit public comment for 30 days. Not more than 60
17 days after the close of the comment period, the department shall
18 designate a system of routes as the Michigan heritage route
19 system.

20 Sec. 6. Planning, design, reconstruction, and maintenance
21 of all designated heritage routes shall be governed by the cri-
22 teria established by this act to ensure that these routes are
23 reasonably safe and fit for travel, while preserving the unique
24 characteristics that qualify them as heritage routes. Outdoor
25 advertising shall be controlled along heritage routes as stipu-
26 lated by the criteria.

1 Sec. 7. After a 30-day comment period and an opportunity
2 for a public hearing, the department may make additions,
3 deletions, or changes in the Michigan heritage route system for 1
4 or more of the following reasons:

5 (a) By resolution, the governing body of a county or city
6 requests that a particular named route lying within its jurisdic-
7 tional boundaries be added to or deleted from the Michigan heri-
8 tage route system.

9 (b) The department proposes to add or delete any named route
10 or portion of a route to the Michigan heritage route system.

11 (c) The department proposes any action which would result in
12 a change in the scenic, historical, or recreational character of
13 any route on the Michigan heritage route system that is deter-
14 mined to be substantial by the department.

15 Sec. 8. By December 31 each year, the department shall
16 report to the commission, the governor, and the legislature the
17 following information regarding this act:

18 (a) Routes designated during the previous year.

19 (b) Deletions or other changes made in the heritage route
20 system during the previous year.