

Act No. 69
Public Acts of 1993
Approved by the Governor
June 22, 1993
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**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Senator Pridnia

ENROLLED SENATE BILL No. 67

AN ACT 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:

Sec. 1. As used in this act:

- (a) "Commission" means the state transportation commission.
- (b) "Department" means the state transportation department.
- (c) "Heritage route" means a state highway that is designated in the manner provided in this act as a scenic, recreational, or historic route that is representative of Michigan's natural and cultural heritage.
- (d) "Historic" means buildings, structures, interpreted sites, objects, or historic districts that are significant to the history, archaeology, architecture, engineering, or culture of this state.
- (e) "Recreational" means facilities normally associated with leisure-time activities, including, but not limited to, parks, public access sites, wildlife refuges, forest areas, marinas, swimming areas, hiking trails, and sightseeing areas.
- (f) "Scenic" means an area of outstanding natural beauty whose features include, but are not limited to, significant natural features such as vegetation, land form, water, and open areas with exceptional vistas and views, that singly or in combination make that area unique and distinct in character.
- (g) "State trunkline highway system" means the system described in section 1 of Act No. 51 of the Public Acts of 1951, being section 247.651 of the Michigan Compiled Laws.

Sec. 2. It is the intent of the legislature to establish the state's responsibility for the enhancement and enjoyment of Michigan's scenic, recreational, and historic resources along its roadside by identifying and designating certain portions of the state trunkline highway system as Michigan heritage routes. It is further the intent of the legislature in designating these heritage routes to assign responsibility for the development of the routes and for the establishment and application of specific planning and design criteria and procedures appropriate to these routes. The legislature further intends to provide criteria for the location and length of routes and adjacent areas requiring continuing and careful coordination of planning, design, construction, maintenance, land use, and development, by state and local agencies as appropriate, to encourage adjacent land use consistent with the intent of the designation.

Sec. 3. Certain portions of the state trunkline highway system are so uniquely endowed by natural aesthetic, ecological, environmental, and cultural amenities immediately adjacent to the roadside that their use by a larger percentage of the motoring public, particularly during the recreational season, is for the experience of traveling the road rather than as a route to a destination. Because of the immediate proximity of these features, roads may possess

characteristics such as the following: pavement width of 16 to 20 feet, shoulders as narrow as 2 feet with trees immediately adjacent, curves that restrict maximum legal speeds, hills, steep side slopes, and narrow rights-of-way. The improvement philosophy for these roads is to maintain the essential elements of the road and the area immediately surrounding the road that create its unique character.

Sec. 4. (1) Not more than 60 days after the effective date of this act, the department shall submit recommendations to the commission regarding uniform criteria and procedures for the identification of heritage routes. The commission shall hold a public hearing to receive input on the criteria and procedures for the identification of heritage routes forwarded by the department. These criteria shall include, but not be limited to, route selection, maintenance, resurfacing, restoration, and rehabilitation of existing roads, and the design of new roads. Criteria shall not include requirements pertaining to private or commercial signs. Requirements regarding those signs shall be as otherwise provided by law. Routes shall not be designated as heritage routes under this act until the commission submits the proposed criteria and procedures to the legislature for review and comment. The commission shall submit the proposed criteria and procedures to the standing committees of the senate and house of representatives that consider transportation matters for review and comment. If the committees do not hold hearings within 30 days after the date of submission, the criteria and procedures shall be considered approved.

(2) In establishing heritage routes, the department shall take into consideration the concept of the complete highway, which is a highway incorporating not only safety, utility, and economy but also beauty. The department shall also take into consideration that in a complete highway pleasing appearance is a consideration in the planning and design process. The department may designate portions of a road as a heritage route. Designation of a heritage route shall also require that local governmental agencies have taken such action as may be necessary to protect the integrity of the designated route as stipulated in the criteria.

Sec. 5. Upon approval of the criteria and procedures by the commission, and notification of the legislature, the department shall identify those state highways that satisfy the criteria and shall publish a proposed system of heritage routes. The department shall solicit public comment for 30 days. The standing committees of the senate and house of representatives that consider transportation matters shall hold hearings regarding the proposed system of heritage routes. If the committees do not hold hearings within the 30-day comment period, the system shall be considered approved. Not more than 60 days after the close of the comment period, the department shall designate a system of routes as the Michigan heritage route system.

Sec. 6. Planning, design, reconstruction, and maintenance of all designated heritage routes shall be governed by the criteria established by this act to ensure that these routes are reasonably safe and fit for travel, while preserving the unique characteristics that qualify them as heritage routes.

Sec. 7. After a 30-day comment period and an opportunity for a public hearing, the department may make additions, deletions, or changes or not make additions in the Michigan heritage route system for 1 or more of the following reasons:

(a) By resolution, the governing body of a county or city requests that a particular named route lying within its jurisdictional boundaries be added to or deleted from the Michigan heritage route system. The department shall not add a route to the system if the governing body of a county or city adopts a resolution requesting that a route not be added. The department shall remove a route from the system within 1 year after a resolution is adopted by a county or city requesting removal.

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

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

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

(a) Routes designated during the previous year.

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