



SENATE BILL No. 67

January 13, 1993, Introduced by Senator PRIDNIA 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

SENATE BILL No. 67

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 to establish
16 the state's responsibility for the enhancement and enjoyment of
17 Michigan's scenic, recreational, and historic resources along its
18 roadside by identifying and designating certain portions of the
19 state trunkline highway system as Michigan heritage routes. It
20 is further the intent of the legislature in designating these
21 heritage routes to assign responsibility for the development of
22 the routes and for the establishment and application of specific
23 planning and design criteria and procedures appropriate to these
24 routes. The legislature further intends to provide criteria for
25 the location and length of routes and adjacent areas requiring
26 continuing and careful coordination of planning, design,
27 construction, maintenance, land use, and development, by state

1 and local agencies as appropriate, to encourage adjacent land use
2 consistent with the intent of the designation.

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

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

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

10 Sec. 5. Upon approval of the criteria and procedures by the
11 commission, and notification of the legislature, the department
12 shall identify those state highways that satisfy the criteria and
13 shall publish a proposed system of heritage routes. The depart-
14 ment shall solicit public comment for 30 days. The standing com-
15 mittees of the senate and house of representatives that consider
16 transportation matters shall hold hearings regarding the proposed
17 system of heritage routes. If the committees do not hold hear-
18 ings within the 30-day comment period, the system shall be con-
19 sidered approved. Not more than 60 days after the close of the
20 comment period, the department shall designate a system of routes
21 as the Michigan heritage route system.

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

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 or not make additions in the Michigan heri-
4 tage route system for 1 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. The department shall not add a route to the
9 system if the governing body of a county or city adopts a resolu-
10 tion requesting that a route not be added. The department shall
11 remove a route from the system within 1 year after a resolution
12 is adopted by a county or city requesting removal.

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

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

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

22 (a) Routes designated during the previous year.

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