

# HOUSE BILL No. 6395

September 24, 2002, Introduced by Reps. Ruth Johnson, Shulman, Kolb, Birkholz, Vander Veen, Voorhees and Toy and referred to the Committee on Transportation.

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 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 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, critical 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; and to repeal acts and parts of acts,"

by amending section 1c (MCL 247.651c), as amended by 1982 PA 438.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1c. The state transportation department shall bear the  
2 cost of opening, widening, and improving, including construction  
3 and reconstruction, in accordance with standards and specifica-  
4 tions of the department, all state trunk line highways, subject  
5 to all of the following provisions:

6           (a) Incorporated cities and villages shall participate with  
7 the department in the cost of opening, widening, and improving,  
8 including construction and reconstruction of state trunk line  
9 highways within cities and villages to which may be added,  
10 subject to the approval of the state transportation commission,  
11 streets that are connecting links of trunk line highways or  
12 streets as are made connecting links of trunk line highways,  
13 according to the following schedule subject to the definition of  
14 population as provided in section 13:

1 (i) In cities and villages having a population of 50,000 or  
2 more, 12.5% of the cost shall be borne by the city or village,  
3 and 87.5% by the state transportation department.

4 (ii) In cities and villages having a population of 40,000 or  
5 more and less than 50,000, 11.25% of the cost shall be borne by  
6 the city or village, and 88.75% by the state transportation  
7 department.

8 (iii) In cities and villages having a population of 25,000  
9 or more and less than 40,000, 8.75% of the cost shall be borne by  
10 the city or village, and 91.25% by the state transportation  
11 department.

12 (iv) In cities and villages having a population of less than  
13 25,000, the state transportation department shall bear the entire  
14 cost.

15 (b) As used in this act, "opening, widening, and improving,  
16 including construction and reconstruction, of state trunk line  
17 highways" includes, but is not limited to, the cost of right of  
18 way; the cost of removal and replacement of sidewalks, street  
19 lighting, curbing, where removal and replacement is made neces-  
20 sary by construction or reconstruction of a trunk line highway;  
21 and the cost of bridges and structures, including that part of  
22 the cost of grade separation structures not paid by the railroad  
23 companies.

24 (c) In a city or village, the width of a state trunk line  
25 highway shall be the width required to serve anticipated future  
26 traffic needs for a 20-year period as determined by a department  
27 transportation survey, which width, except as prescribed by this

1 subdivision, shall not be less than the currently accepted  
2 standards prescribed for a 4-lane highway; the width as may be  
3 built on the same trunk line route immediately beyond and adja-  
4 cent to either legal boundary of the city or village; or on trunk  
5 lines eligible for federal highway funds, a width as may be pre-  
6 scribed by the federal government, whichever width is greater.  
7 However, the department and the governing body of a city or vil-  
8 lage by mutual agreement may determine that the width of a state  
9 trunk line highway shall be less than the width otherwise pre-  
10 scribed by this subdivision.

11 (d) If a city or village shall desire to widen a state trunk  
12 line highway for local purposes beyond the width prescribed in  
13 subdivision (c), the entire cost of the extra width, less the  
14 federal highway funds which may be allocated to the portion of  
15 the project by the department, shall be borne by the city or  
16 village.

17 (e) The state transportation commission and the boards of  
18 county road commissioners may enter into agreements with town-  
19 ships or private persons for the improvement or widening of state  
20 trunk line highways or county roads. The state transportation  
21 commission and the boards of county road commissioners may  
22 require full or partial participation in the cost of the improve-  
23 ment or widening by the requesting party as considered  
24 appropriate.

25 (F) THE STATE TRANSPORTATION DEPARTMENT SHALL CONSIDER THE  
26 USE OF CONTEXT-SENSITIVE DESIGN IN UNDERTAKING THE OPENING,  
27 WIDENING, AND IMPROVING, INCLUDING CONSTRUCTION AND

1 RECONSTRUCTION, OF ALL STATE TRUNK LINE HIGHWAYS. THE DEPARTMENT  
2 SHALL CONSIDER THE INPUT OF AFFECTED COUNTIES REGARDING THE USE  
3 OF CONTEXT-SENSITIVE DESIGN. AS USED IN THIS SUBDIVISION,  
4 "CONTEXT-SENSITIVE DESIGN" MEANS A PROCESS DESIGNED TO DEVELOP A  
5 TRANSPORTATION PROJECT SO THAT IT IS IN HARMONY WITH ITS ENVIRON-  
6 MENT AND PRESERVES COMMUNITY, SCENIC, AESTHETIC, HISTORIC, AND  
7 NATURAL RESOURCES WHILE MAINTAINING SAFETY AND MOBILITY.