

SENATE BILL No. 767

October 23, 2001, Introduced by Senators KOIVISTO, NORTH and MC MANUS and referred to the Committee on Transportation and Tourism.

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 1b (MCL 247.651b), as amended by 1989 PA 188.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1b. (1) The state transportation department shall bear
2 the entire cost of maintaining, in accordance with standards and
3 specifications of the department, all state trunk line highways
4 including highways within incorporated cities and villages except
5 that the cost of maintaining additional width for local purposes
6 as provided in section 1c shall be borne by the city or village.

7 ~~For~~

8 (2) EXCEPT FOR SECTIONS 11 AND 12, FOR the purposes of this
9 act, ~~except for sections 11 and 12,~~ maintaining of state trunk
10 line highways shall include, ~~by way of enumeration but not~~
11 ~~limitation~~ BUT NOT BE LIMITED TO, snow removal, street cleaning
12 and drainage, seal coating, patching and ordinary repairs, erection and maintenance of traffic signs and markings, ALL freeway
13 lighting for traffic safety, ~~in cities and villages having a~~
14 ~~population of less than 30,000~~ and the trunk line share of the
15 erection and maintenance of traffic signals. ~~, but shall~~

1 MAINTAINING OF STATE TRUNK LINE HIGHWAYS DOES not include street
2 lighting, resurfacing, OR new curb and gutter structures for
3 widening. ~~On and after January 1, 1970, maintaining of state~~
4 ~~trunk line highways shall include all freeway lighting for traf=~~
5 ~~fic safety.~~

6 (3) ~~-(2)-~~ Notwithstanding any provision of law to the con-
7 trary, as part of the construction or reconstruction of a state
8 trunk line highway which abuts a location designated as a
9 national historic landmark ~~pursuant to~~ UNDER the national his-
10 toric preservation act, Public Law 89-665, ~~80 Stat. 915~~ 470 TO
11 470a, 470b, AND 470c TO 470x-6, and 36 C.F.R. part 65, the
12 department may include, within the project, expenditures ~~deemed~~
13 CONSIDERED necessary to mitigate the adverse impact of the state
14 trunk line highway on the aesthetic and historic character of
15 that abutting area. The installation or maintenance of lighting
16 to preserve the aesthetic and historic character of the abutting
17 area shall not impose a duty on the department to provide or
18 maintain lighting for the improved portion of the highway
19 designed for vehicular travel.

20 (4) ~~-(3)-~~ The state transportation department shall not use
21 funds allocated under this act for the development or construc-
22 tion of a service plaza.

23 (5) THE STATE TRANSPORTATION DEPARTMENT SHALL USE FUNDS
24 ALLOCATED UNDER THIS ACT TO ERECT AND MAINTAIN ROAD SIGNS THAT
25 IDENTIFY VILLAGES, TOWNSHIPS, AND UNINCORPORATED COMMUNITIES
26 LOCATED IN RURAL AREAS THAT SATISFY ALL OF THE FOLLOWING:

1 (A) THE VILLAGE, TOWNSHIP, OR UNINCORPORATED COMMUNITY IS
2 LOCATED WITHIN 5 MILES OF AN EXIT POINT ON THE STATE TRUNK LINE
3 HIGHWAY SYSTEM WITHIN THE UPPER PENINSULA OF THIS STATE.

4 (B) THE VILLAGE, TOWNSHIP, OR UNINCORPORATED COMMUNITY IS
5 IDENTIFIED ON THE OFFICIAL STATE TRANSPORTATION MAP, THE OFFICIAL
6 TRANSPORTATION MAP OF THE COUNTY WHERE IT IS LOCATED, OR BOTH.

7 (6) IN CONSIDERING WHETHER A VILLAGE, TOWNSHIP, OR UNINCOR-
8 PORATED COMMUNITY LOCATED IN A RURAL AREA QUALIFIES FOR SIGNAGE
9 UNDER SUBSECTION (5), THE STATE TRANSPORTATION DEPARTMENT SHALL
10 CONSIDER ONLY THE FACTORS LISTED IN SUBSECTION (5) AND SHALL NOT
11 TAKE INTO ACCOUNT THE FACT THAT THE VILLAGE, TOWNSHIP, OR UNIN-
12 CORPORATED COMMUNITY LOCATED IN THE RURAL AREA DOES NOT HAVE A
13 POSTMASTER.

14 (7) AS USED IN THIS SECTION:

15 (A) "RURAL AREA" MEANS AN AREA THAT LIES OUTSIDE THE BOUNDA-
16 RIES OF AN URBANIZED AREA AS THOSE BOUNDARIES ARE DETERMINED BY
17 THE ECONOMICS AND STATISTICS ADMINISTRATION, UNITED STATES BUREAU
18 OF THE CENSUS, ACCORDING TO THE 2000 CENSUS.

19 (B) "UNINCORPORATED COMMUNITY" MEANS A COMMUNITY THAT DOES
20 NOT HAVE ITS OWN GOVERNMENTAL BODY BUT IS GOVERNED BY THE TOWN-
21 SHIP IN WHICH IT IS LOCATED.