

HOUSE BILL No. 5107

October 1, 2003, Introduced by Reps. Ruth Johnson, Vander Veen, Stakoe, Kolb, Hoogendyk, Rocca, Garfield, Tobocman, LaJoy, Voorhees, Milosch, Minore, Farrah, Woodward, Drolet, Sheen, Brandenburg, Hager and Amos and referred to the Committee on Land Use and Environment.

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
4 specifications of the department, all state trunk line highways,
5 subject 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:

15 (i) In cities and villages having a population of 50,000 or

1 more, 12.5% of the cost shall be borne by the city or village,
2 and 87.5% by the state transportation department.

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

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

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

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

23 (c) In a city or village, the width of a state trunk line
24 highway shall be the width required to serve anticipated future
25 traffic needs for a 20-year period as determined by a department
26 transportation survey, which width, except as prescribed by this
27 subdivision, shall not be less than the currently accepted

1 standards prescribed for a 4-lane highway; the width as may be
2 built on the same trunk line route immediately beyond and
3 adjacent to either legal boundary of the city or village; or on
4 trunk lines eligible for federal highway funds, a width as may be
5 prescribed by the federal government, whichever width is
6 greater. However, the department and the governing body of a
7 city or village by mutual agreement may determine that the width
8 of a state trunk line highway shall be less than the width
9 otherwise prescribed by this subdivision.

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

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

24 (f) **The state transportation department shall consider the**
25 **use of context-sensitive design in undertaking the opening,**
26 **widening, and improving, including construction and**
27 **reconstruction, of all state trunk line highways. The department**

1 shall consider the input of affected counties regarding the use
2 of context-sensitive design. As used in this subdivision,
3 "context-sensitive design" means a process designed to develop a
4 transportation project so that it is in harmony with its
5 environment and preserves community, scenic, aesthetic, historic,
6 and natural resources while maintaining safety and mobility.