

SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR

SENATE BILL NO. 59

(As amended December 13, 2007)

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,

local 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,"

(MCL 247.651 to 247.675) by adding section 9c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9C. (1) BY FEBRUARY 1, 2008, THE GOVERNOR SHALL APPOINT
 2 NOT MORE THAN 9 PERSONS WHO SHALL SERVE AS A TASK FORCE TO REVIEW
 3 THE ADEQUACY OF SURFACE TRANSPORTATION AND AERONAUTICS SERVICE
 4 PROVISION AND FINANCE IN THIS STATE. THE GOVERNOR SHALL NOT APPOINT
 5 A MEMBER THAT REPRESENTS THE STATE TRANSPORTATION DEPARTMENT OR A
 6 LOCAL AUTHORITY AS THAT TERM IS DEFINED IN SECTION 27 OF THE
 7 MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.27. THE APPOINTMENTS
 8 SHALL BE SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE. THE TASK
 9 FORCE SHALL REVIEW STRATEGIES FOR MAXIMIZING THE RETURN ON
 10 TRANSPORTATION INVESTMENTS AND SHALL EVALUATE THE POTENTIAL OF
 11 ALTERNATE STRATEGIES TO REPLACE OR SUPPLEMENT THE STATE MOTOR FUEL
 12 TAXES, EXISTING AND ALTERNATIVE USER FEES, AND NONUSER REVENUES TO
 13 SUPPORT ECONOMIC ACTIVITY AND PERSONAL MOBILITY IN THIS STATE. THE
 14 TASK FORCE SHALL APPOINT A CHAIRPERSON FROM AMONG ITS MEMBERS WHO
 15 SHALL SCHEDULE MEETINGS AND SUBMIT REPORTS REQUIRED UNDER THIS
 16 SECTION. THE TASK FORCE SHALL INCLUDE AT LEAST 1 REPRESENTATIVE OF

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THE FOLLOWING INTERESTS:

(A) MANUFACTURING.

(B) COMMERCE.

(C) AGRICULTURE.

(D) TOURISM.

(E) LABOR.

(F) TRANSPORTATION.

(G) PUBLIC TRANSIT.

(H) AVIATION

(2) BEGINNING FEBRUARY 1, 2008, THE TASK FORCE SHALL ALSO INCLUDE THE MAJORITY AND MINORITY LEADERS OF THE SENATE OR A MEMBER OF THE SENATE DESIGNATED BY EACH LEADER AND THE SPEAKER AND MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES OR A MEMBER OF THE HOUSE OF REPRESENTATIVES DESIGNATED BY EACH LEADER.

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<<(3)>> A CITIZENS ADVISORY COMMITTEE SHALL BE CREATED TO RECEIVE AND COMMENT UPON ALL REPORTS, STUDIES, AND RECOMMENDATIONS PREPARED BY THE VARIOUS DESIGNATED TECHNICAL SUBCOMMITTEES OF THE CITIZENS ADVISORY COMMITTEE BEFORE BUT NOT LATER THAN THE SUBMISSION OF THE REPORTS, STUDIES, AND RECOMMENDATIONS TO THE TASK FORCE. THE CITIZENS ADVISORY COMMITTEE MAY CREATE ANY SUBCOMMITTEES THAT IT DEEMS NECESSARY, AND ANY SUBCOMMITTEE THAT IS CREATED MAY MAKE RECOMMENDATIONS TO THE FULL COMMITTEE. EACH COMMITTEE SHALL DESIGNATE A CHAIRPERSON FROM THE MEMBERS AND THAT PERSON SHALL

1 SCHEDULE COMMITTEE MEETINGS AND SHALL BE RESPONSIBLE FOR SUBMITTING
2 REPORTS. THE MEMBERS OF THE CITIZENS ADVISORY COMMITTEE SHALL
3 PROVIDE MEMBERS OF THE TASK FORCE THEIR MAJORITY, MINORITY, OR
4 INDIVIDUAL VIEWS OF THE REPORTS, STUDIES, AND RECOMMENDATIONS OF
5 THE VARIOUS DESIGNATED TECHNICAL SUBCOMMITTEES. THE GOVERNOR SHALL
6 APPOINT NOT MORE THAN 19 PERSONS, WHO SHALL SERVE AS A CITIZENS
7 ADVISORY COMMITTEE AND SHALL INCLUDE A MEMBER OF THE GENERAL PUBLIC
8 AND 1 REPRESENTATIVE FROM A LIST OF 3 RECOMMENDATIONS SUPPLIED BY
9 EACH OF THE FOLLOWING ORGANIZATIONS:

- 10 (A) MICHIGAN FARM BUREAU.
- 11 (B) MICHIGAN TRUCKING ASSOCIATION.
- 12 (C) MICHIGAN ASSOCIATION OF COUNTIES.
- 13 (D) MICHIGAN TOWNSHIPS ASSOCIATION.
- 14 (E) MICHIGAN STATE CHAMBER OF COMMERCE.
- 15 (F) MICHIGAN TOURIST ASSOCIATION.
- 16 (G) COUNTY ROAD ASSOCIATION OF MICHIGAN.
- 17 (H) MICHIGAN MUNICIPAL LEAGUE.
- 18 (I) MICHIGAN PUBLIC TRANSIT ASSOCIATION.
- 19 (J) ASPHALT PAVING ASSOCIATION OF MICHIGAN.
- 20 (K) MICHIGAN CONCRETE PAVING ASSOCIATION.
- 21 (L) MICHIGAN INFRASTRUCTURE AND TRANSPORTATION ASSOCIATION.
- 22 (M) MICHIGAN RAILROADS ASSOCIATION.
- 23 (N) AMERICAN COUNCIL OF ENGINEERING COMPANIES.
- 24 (O) MICHIGAN BUILDING AND CONSTRUCTION TRADES COUNCIL.
- 25 (P) MICHIGAN ASSOCIATION OF AIRPORT EXECUTIVES.
- 26 (Q) MICHIGAN BUSINESS AVIATION ASSOCIATION.
- 27 (R) THE STATE TRANSPORTATION DEPARTMENT.

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1 <<(4)>> THE STATE TRANSPORTATION DEPARTMENT SHALL PROVIDE
2 QUALIFIED TECHNICAL STAFF AND ADMINISTRATIVE SUPPORT TO THE TASK
3 FORCE, AND BY MARCH 1, 2008 SHALL RECOMMEND A WORK PROGRAM TO THE
4 TASK FORCE TO ENABLE IT TO PERFORM THE REQUIREMENTS OF SUBSECTION
5 (1). THE DEPARTMENT SHALL INVITE REGIONAL METROPOLITAN PLANNING
6 ORGANIZATIONS TO ASSIST.

7 <<(5)>> THE PRIMARY FOCUS OF THE TASK FORCE IS TO EXAMINE
8 ALTERNATIVES TO THE PORTION OF TRANSPORTATION FUNDING THAT HAS FUEL
9 TAXES AS A SOURCE AND TO SUGGEST OR RECOMMEND ALTERNATIVE REVENUE
10 COLLECTION SYSTEMS FUNDED THROUGH USER PAY METHODS OR METHODS OTHER
11 THAN USER PAY METHODS. THE TASK FORCE SHALL INCLUDE AN ANALYSIS OF
12 THE FEASIBILITY OF ALTERNATIVE METHODS. THE TASK FORCE MAY MAKE
13 RECOMMENDATIONS FOR IMPLEMENTATION OF PILOT PROGRAMS TO TEST
14 FEASIBLE ALTERNATIVES TO REPLACE THE PORTION OF TRANSPORTATION
15 FUNDING THAT COMES FROM FUEL TAXES. THE TASK FORCE SHALL MAKE A
16 PRELIMINARY RECOMMENDATION ON PILOT PROGRAMS BY OCTOBER 31, 2008.

17 <<(6)>> BY A MAJORITY VOTE OF THE TASK FORCE, THE TASK FORCE SHALL
18 REPORT TO THE GOVERNOR, THE STATE TRANSPORTATION COMMISSION, AND
19 THE LEGISLATURE ON THE IDENTIFIED CAPITAL AND MAINTENANCE NEEDS,
20 TRANSPORTATION INVESTMENT AND MAINTENANCE PRIORITIES, FUNDING FOR
21 STATE TRUNK LINE ROADS AND BRIDGES, LOCAL ROAD AGENCIES, AND PUBLIC
22 TRANSIT AGENCIES, RELATIVE USE OF TRANSPORTATION SYSTEMS,
23 RESPONSIBILITIES FOR THE IDENTIFIED NEEDS INCLUDING ALTERNATIVE
24 TRANSPORTATION FUNDING OPTIONS, HISTORICAL TRANSPORTATION FINANCING
25 PATTERNS AS THEY RELATE TO TOTAL STATEWIDE FISCAL RESOURCES, AND
26 STRATEGIES FOR MAXIMIZING THE RETURNS ON TRANSPORTATION
27 INVESTMENTS. ALL STUDIES AND REPORTS RELATING TO HIGHWAYS SHALL BE

1 REPORTED ACCORDING TO FUNCTIONAL AND LEGAL CLASSIFICATION. THE TASK
2 FORCE SHALL PUBLISH A PRELIMINARY REPORT OF THE DATA, FINDINGS, AND
3 RECOMMENDATIONS BY OCTOBER 31, 2008. THE TASK FORCE, AFTER HOLDING
4 APPROPRIATE PUBLIC HEARINGS, SHALL RECOMMEND, IF IT CONSIDERS IT
5 NECESSARY, ALTERATIONS OF FORMULAS FOR AND ALTERNATIVE SOURCES OF
6 TRANSPORTATION FUNDING AND ALTERATIONS TO THE DISTRIBUTIONS OF
7 TRANSPORTATION RESPONSIBILITIES IN THE FINAL REPORT BY APRIL 1,
8 2009. THE FINAL REPORT AND RECOMMENDATIONS SHALL ALSO INCLUDE ANY
9 MINORITY AND INDIVIDUAL VIEWS OF TASK FORCE MEMBERS.