

# HOUSE BILL No. 5840

February 28, 2008, Introduced by Rep. LaJoy and referred to the Committee on Transportation.

A bill to amend 1909 PA 283, entitled

"An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,"

by amending section 20g of chapter I (MCL 221.20g).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER I

Sec. 20g. (1) Any road determined to be a public highway in accordance with this chapter shall be improved by the township OR THE BOARD OF COUNTY ROAD COMMISSIONERS to standards determined in

1 writing by the board of county road commissioners of that county.  
2 The standards may be less than the standards adopted by that board  
3 of county road commissioners for construction of subdivision  
4 streets.

5 (2) The township **OR THE BOARD OF COUNTY ROAD COMMISSIONERS** may  
6 specially assess all or part of the costs of the improvements  
7 against benefited property owners ~~pursuant to Act No. 188 of the~~  
8 ~~Public Acts of 1954, as amended, being sections 41.721 to 41.737 of~~  
9 ~~the Michigan Compiled Laws~~ **UNDER 1954 PA 188, MCL 41.721 TO 41.738.**

10 (3) The petition required by section 20a may serve as the  
11 petition for commencing special assessment proceedings if the  
12 petition ~~so states~~ **LANGUAGE SPECIFICALLY PROVIDES FOR THE**  
13 **ASSESSMENT.**

14 (4) Upon completion of the improvements to board of county  
15 road commissioners standards the public highway shall be accepted  
16 by the board of county road commissioners as a county road and made  
17 a part of the county road system. ~~in accordance with the provisions~~  
18 ~~of section 18 of chapter 4.~~

19 (5) Between the time that the court enters its order declaring  
20 that the road is a public highway and the time that the public  
21 highway is accepted by the board of county road commissioners  
22 neither the township nor the board of county road commissioners  
23 shall be responsible for maintaining the public highway nor be  
24 liable for failure to maintain the public highway.