

# SENATE BILL No. 876

Introduced by Senators GILBERT, KUIPERS and CASSIS 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, 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 10p.

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

1           **SEC. 10P. (1) BEGINNING ON OR BEFORE DECEMBER 31, 2010 AND**  
 2           **CONTINUING ANNUALLY AFTER THAT DATE, THE DEPARTMENT SHALL SUBMIT A**  
 3           **REPORT TO THE LEGISLATURE CONTAINING ALL OF THE FOLLOWING**  
 4           **INFORMATION:**

5               **(A) A DESCRIPTION OF EACH PROJECT LISTED IN THE STIP.**

6               **(B) THE AMOUNT OF FUNDS APPROVED FOR EACH PROJECT LISTED IN**  
 7           **THE STIP.**

8               **(C) THE NAME OF EACH CONTRACTOR AND SUBCONTRACTOR ON EACH**  
 9           **PROJECT LISTED IN THE STIP.**

10              **(D) THE PROJECTED DESIGN SERVICE LIFE OF EACH PROJECT LISTED**  
 11           **IN THE STIP.**

12              **(2) BEGINNING ON OR BEFORE DECEMBER 31, 2011 AND CONTINUING**  
 13           **ANNUALLY AFTER THAT DATE, THE DEPARTMENT SHALL INCLUDE IN THE**  
 14           **REPORT REQUIRED UNDER SUBSECTION (1) ALL OF THE FOLLOWING**  
 15           **INFORMATION:**

16              **(A) THE NUMBER OF PROJECTS LISTED IN THE STIP THAT FAILED TO**  
 17           **MEET PROJECTED DESIGN SERVICE LIFE.**

1 (B) THE NUMBER OF PROJECTS LISTED IN THE STIP THAT ARE UNDER A  
2 MATERIALS AND WORKMANSHIP WARRANTY OR OTHER PERFORMANCE WARRANTY.

3 (C) FOR EACH PROJECT LISTED IN SUBDIVISION (A), A DETAILED  
4 EXPLANATION FOR WHY THE PROJECTED DESIGN SERVICE LIFE WAS NOT MET.  
5 THE DETAILED EXPLANATION SHALL INCLUDE AN ANALYSIS OF DEFICIENCIES  
6 IN MATERIALS, WORKMANSHIP, DESIGN, AND PERFORMANCE CRITERIA.

7 (D) FOR EACH PROJECT LISTED IN SUBDIVISION (A) THAT WAS NOT  
8 UNDER A PERFORMANCE WARRANTY OR MATERIALS AND WORKMANSHIP WARRANTY,  
9 A DETAILED EXPLANATION OF WHY THE PROJECT WAS APPROVED WITHOUT A  
10 MATERIALS AND WORKMANSHIP WARRANTY OR PERFORMANCE WARRANTY.

11 (3) BEGINNING DECEMBER 31, 2010 AND CONTINUING ANNUALLY AFTER  
12 THAT DATE, EACH COUNTY ROAD COMMISSION, CITY, AND VILLAGE THAT  
13 RECEIVES FUNDS UNDER THIS ACT SHALL SUBMIT A REPORT TO THE  
14 LEGISLATURE CONTAINING ALL OF THE FOLLOWING INFORMATION:

15 (A) A DESCRIPTION OF EACH PROJECT FOR THE PRECEDING YEAR FOR  
16 WHICH THE CITY, VILLAGE, OR COUNTY ROAD COMMISSION RECEIVED FUNDS.

17 (B) THE AMOUNT OF FUNDS RECEIVED FOR EACH PROJECT DESCRIBED IN  
18 SUBDIVISION (A).

19 (C) THE PROJECTED DESIGN SERVICE LIFE OF EACH PROJECT LISTED  
20 IN SUBDIVISION (A).

21 (4) BEGINNING ON OR BEFORE DECEMBER 31, 2011 AND CONTINUING  
22 ANNUALLY AFTER THAT DATE, EACH CITY, VILLAGE, AND COUNTY ROAD  
23 COMMISSION SHALL INCLUDE IN THE REPORT REQUIRED UNDER SUBSECTION  
24 (3) ALL OF THE FOLLOWING INFORMATION:

25 (A) THE NUMBER OF PROJECTS FOR WHICH THE CITY, VILLAGE, OR  
26 COUNTY ROAD COMMISSION RECEIVED FUNDS UNDER THIS ACT THAT FAILED TO  
27 MEET THE PROJECT DESIGN SERVICE LIFE.

1           (B) THE NUMBER OF PROJECTS FOR WHICH THE CITY, VILLAGE, OR  
2 COUNTY ROAD COMMISSION RECEIVED FUNDS UNDER THIS ACT UNDER A  
3 MATERIALS AND WORKMANSHIP WARRANTY OR OTHER PERFORMANCE WARRANTY.

4           (C) FOR EACH PROJECT LISTED IN SUBDIVISION (A), A DETAILED  
5 EXPLANATION FOR WHY THE PROJECTED DESIGN SERVICE LIFE WAS NOT MET.  
6 THE DETAILED EXPLANATION SHALL INCLUDE AN ANALYSIS OF DEFICIENCIES  
7 IN MATERIALS, WORKMANSHIP, DESIGN, AND PERFORMANCE CRITERIA.

8           (D) FOR EACH PROJECT LISTED IN SUBDIVISION (A) THAT WAS NOT  
9 UNDER A PERFORMANCE WARRANTY OR MATERIALS AND WORKMANSHIP WARRANTY,  
10 A DETAILED EXPLANATION OF WHY THE PROJECT WAS APPROVED WITHOUT A  
11 MATERIALS AND WORKMANSHIP WARRANTY OR PERFORMANCE WARRANTY.