

HOUSE BILL No. 5313

January 26, 2012, Introduced by Reps. Jacobsen, Olson and Moss and referred to the Committee on Transportation.

A bill to amend 1973 PA 139, entitled

"An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,"

(MCL 45.551 to 45.573) by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4A. (1) BEGINNING SEPTEMBER 30, 2014, EACH COUNTY ROAD
2 AGENCY SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THAT IT SATISFIES
3 ALL OF THE FOLLOWING CONDITIONS:

4 (A) THE COUNTY ROAD AGENCY IS IN COMPLIANCE WITH THE PUBLICLY

1 FUNDED HEALTH INSURANCE CONTRIBUTION ACT, 2011 PA 152, MCL 15.561
2 TO 15.569.

3 (B) THE COUNTY ROAD AGENCY ENROLLS NEW EMPLOYEES IN A DEFINED
4 CONTRIBUTION PLAN.

5 (C) THE COUNTY ROAD AGENCY HAS ADOPTED AND IS ACTING UNDER A
6 ROAD SAFETY PLAN DESIGNED TO ENSURE UNIFORM HIGH SAFETY STANDARDS
7 ON ALL ROADS IN THIS STATE THAT, AT A MINIMUM, REQUIRES THE COUNTY
8 ROAD AGENCY TO DO ALL OF THE FOLLOWING:

9 (i) TABULATE THE LOCATION AND CAUSATION OF TRAFFIC ACCIDENTS,
10 USE THE RESULTING INFORMATION TO PRIORITIZE INVESTMENT, AND PROVIDE
11 THE RESULTING INFORMATION TO ALL LAW ENFORCEMENT AGENCIES WITHIN
12 THE JURISDICTION OF THE COUNTY ROAD AGENCY FOR USE AS A GUIDE TO
13 ENFORCEMENT OPERATIONS.

14 (ii) REVIEW THE WARRANTS AND TRAFFIC CONTROL ORDERS FOR ALL
15 TRAFFIC CONTROL DEVICES ERECTED ON ITS ROADS AT LEAST EVERY 7 YEARS
16 AND REMOVE ALL UNWARRANTED DEVICES AND ALL DEVICES THAT ARE NOT IN
17 COMPLIANCE WITH THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1
18 TO 257.923, OR THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND
19 VILLAGES PROMULGATED BY THE MICHIGAN STATE POLICE.

20 (iii) REVIEW AND ADJUST THE TIMING OF SIGNAL DEVICES ON ITS
21 ROADS TO REFLECT TRAFFIC VOLUMES AND ACTUAL OPERATING SPEEDS AT
22 LEAST EVERY 5 YEARS AND, WHERE PRACTICABLE, SYNCHRONIZE THE
23 OPERATION OF SIGNAL DEVICES FOR MINIMUM DELAY TO TRAFFIC.

24 (iv) CONDUCT A MULTIDISCIPLINARY ROAD SAFETY AUDIT OF EACH
25 PROJECT OVER \$1,000,000.00 AND OF EACH HIGH-ACCIDENT LOCATION.

26 (v) EMPLOY OR CONTRACT FOR THE SERVICES OF A LICENSED TRAFFIC
27 ENGINEER.

1 (D) THE COUNTY ROAD AGENCY IS IN COMPLIANCE WITH THE ASSET
2 MANAGEMENT REQUIREMENTS OF SECTION 9A OF 1951 PA 51, MCL 247.659A.

3 (2) IF A COUNTY ROAD AGENCY DOES NOT MAKE THE CERTIFICATION
4 REQUIRED UNDER SUBSECTION (1), THE DEPARTMENT SHALL WITHHOLD ALL
5 DISTRIBUTIONS FROM THE MICHIGAN TRANSPORTATION FUND AND THE
6 COMMERCIAL CORRIDOR FUND UNDER THIS ACT. A WITHHOLDING UNDER THIS
7 SUBSECTION SHALL CONTINUE FOR THE PERIOD OF NONCOMPLIANCE WITH
8 SUBSECTION (1) BY THE COUNTY ROAD AGENCY.

9 (3) EACH COUNTY ROAD AGENCY SHALL DEVELOP AND IMPLEMENT A
10 DASHBOARD TO PROVIDE INFORMATION TO THE CITIZENS OF THIS STATE. A
11 DASHBOARD DEVELOPED AND IMPLEMENTED UNDER THIS SUBSECTION SHALL
12 INCLUDE, BUT IS NOT LIMITED TO, INFORMATION REGARDING THE COUNTY
13 ROAD AGENCY'S COMPLIANCE WITH THE CONDITIONS SET FORTH IN
14 SUBSECTION (1), ANY INFORMATION COMPILED BY THE COUNTY ROAD AGENCY
15 AS REQUIRED BY SUBSECTION (1), AND WHETHER DISTRIBUTIONS FROM THE
16 MICHIGAN TRANSPORTATION FUND OR THE COMMERCIAL CORRIDOR FUND HAVE
17 BEEN WITHHELD BY THE DEPARTMENT UNDER SUBSECTION (2).

18 (4) AS USED IN THIS SECTION:

19 (A) "COUNTY ROAD AGENCY" MEANS A COUNTY ROAD COMMISSION IN A
20 COUNTY THAT ADOPTS AN OPTIONAL UNIFIED FORM OF COUNTY GOVERNMENT
21 UNDER THIS ACT.

22 (B) "DEFINED CONTRIBUTION PLAN" MEANS THAT TERM AS DEFINED IN
23 SECTION 12B OF THE PUBLIC EMPLOYEE RETIREMENT SYSTEM INVESTMENT
24 ACT, 1965 PA 314, MCL 38.1132B.

25 (C) "DEPARTMENT" MEANS THE STATE TRANSPORTATION DEPARTMENT.