

HOUSE BILL No. 5698

June 12, 2014, Introduced by Rep. Townsend and referred to the Committee on Transportation and Infrastructure.

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 promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; 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 9e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 9E. (1) THE DEPARTMENT SHALL ESTABLISH OUTCOME-BASED PERFORMANCE MEASURES FOR TRANSPORTATION INFRASTRUCTURE PROJECTS THAT SHALL INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

(A) IMPROVEMENT OF TRANSPORTATION ACCESS FOR ALL USERS.

(B) SUPPORT OF MULTIMODAL TRANSPORTATION CHOICES.

(C) MAXIMIZATION OF THE SOCIAL EQUITY BENEFITS OF TRANSPORTATION INVESTMENTS, AS MEASURED BY THE HOUSING AND TRANSPORTATION AFFORDABILITY INDEX CREATED BY THE CENTER FOR NEIGHBORHOOD TECHNOLOGY.

(D) ENHANCEMENT OF SAFETY, INCLUDING ALL OF THE FOLLOWING:

(i) REDUCTIONS IN THE NUMBER OF FATALITIES IN MOTORIZED VEHICLES.

(ii) REDUCTIONS IN THE NUMBER OF PEDESTRIAN FATALITIES.

(iii) REDUCTIONS IN THE NUMBER OF BICYCLIST FATALITIES.

(iv) RATIO OF THE NUMBER OF PEDESTRIAN AND BICYCLIST FATALITIES TO THE TOTAL NUMBER OF FATALITIES.

1 (v) CHANGE IN THE NUMBER OF GRADE CROSSING COLLISIONS.

2 (E) COORDINATION OF LONG-RANGE TRANSPORTATION PLANS.

3 (F) MEASURABLE IMPROVEMENT OF LOCAL AND REGIONAL AIR QUALITY,
4 AS SHOWN BY BOTH OF THE FOLLOWING:

5 (i) REDUCTION IN THE LEVELS OF CARBON EMISSIONS AS SHOWN BY THE
6 INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS PUBLISHED BY
7 THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

8 (ii) CHANGE IN THE CARBON DIOXIDE TO OXYGEN RATIO IN THE AIR AT
9 THE MUNICIPAL LEVEL.

10 (G) ECONOMIC DEVELOPMENT OF EXISTING BUILT ENVIRONMENTS. IN
11 ESTABLISHING THIS PERFORMANCE MEASURE, THE DEPARTMENT SHALL
12 CONSIDER ALL OF THE FOLLOWING:

13 (i) WHETHER THE TAX YIELD PER ACRE FOR DEVELOPMENTS ADJACENT TO
14 THE TRANSPORTATION INFRASTRUCTURE PROJECT WILL BE INCREASED AS A
15 RESULT OF THE PROJECT.

16 (ii) WHETHER INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE
17 PROJECT WILL ENCOURAGE INFILL DEVELOPMENT AND REUSE OF EXISTING
18 SITES.

19 (iii) WHETHER INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE
20 PROJECT WILL ENCOURAGE A COMPACT FOOTPRINT DESIGN THAT SUPPORTS
21 PEDESTRIAN MOBILITY AND TRANSIT.

22 (iv) WHETHER INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE
23 PROJECT WILL LEVERAGE AND INCORPORATE EXISTING INFRASTRUCTURE
24 SYSTEMS.

25 (v) WHETHER INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE
26 PROJECT WILL REQUIRE INCREASING THE CAPACITY OF EXISTING
27 INFRASTRUCTURE SYSTEMS AND CREATE ADDITIONAL COST IN THE FUTURE.

1 (vi) WHETHER INVESTMENT IN THE TRANSPORTATION INFRASTRUCTURE
2 PROJECT AND DEVELOPMENT OF THE TRANSPORTATION INFRASTRUCTURE
3 PROJECT WILL CREATE A MORE EQUAL JOB/HOUSING BALANCE ACCORDING TO
4 TRAFFIC ANALYSIS ZONE DATA. AS USED IN THIS SUBPARAGRAPH,
5 "JOB/HOUSING BALANCE" MEANS THE RATIO OF THE NUMBER OF A
6 MUNICIPALITY'S JOBS TO THE NUMBER OF RESIDENTS.

7 (vii) WHETHER THE TRANSPORTATION INFRASTRUCTURE PROJECT WILL
8 ADHERE TO LOCAL AND REGIONAL PLANS, A MUNICIPALITY'S OFFICIAL MAP,
9 OR COMPREHENSIVE PLANS OF MULTIPLE MUNICIPALITIES.

10 (viii) WHETHER THE TRANSPORTATION INFRASTRUCTURE PROJECT WILL
11 REDUCE VEHICLE MILES TRAVELED PER CAPITA, BOTH LOCALLY AND
12 REGIONALLY.

13 (ix) THE PERCENTAGE OF JOBS ACCESSIBLE BY TRANSIT OR HIGH-
14 OCCUPANCY VEHICLE LANES IN 25 MINUTES OR LESS, AND WHETHER THE
15 TRANSPORTATION INFRASTRUCTURE PROJECT WILL CHANGE THAT PERCENTAGE.

16 (x) THE PERCENTAGE OF HOUSING UNITS ACCESSIBLE BY TRANSIT OR
17 HIGH-OCCUPANCY VEHICLE LANES IN 25 MINUTES OR LESS, AND WHETHER THE
18 TRANSPORTATION INFRASTRUCTURE PROJECT WILL CHANGE THAT PERCENTAGE.

19 (xi) WHETHER THE TRANSPORTATION INFRASTRUCTURE PROJECT WILL
20 CHANGE THE NUMBER OF JOBS AND EMPLOYEES THAT CAN BE ACCESSED WITHIN
21 A MUNICIPALITY IN 25 MINUTES OR LESS.

22 (xii) WHETHER THE TRANSPORTATION INFRASTRUCTURE PROJECT WILL
23 CHANGE ZONED RESIDENTIAL DENSITY LEVELS WITHIN 1/2 MILE OF A
24 TRANSIT HUB.

25 (H) IMPROVEMENT OF QUALITY OF LIFE.

26 (I) MOVEMENT OF AN AGING, DIVERSE, AND ACTIVE POPULATION.

27 (J) ENSURING TRANSPARENCY AND ACCOUNTABILITY.

1 (K) INCREASING THE LEVEL OF SERVICE BETWEEN ALL MODES OF
2 TRANSPORTATION.

3 (l) SUPPORTING BUSINESS AND LOCAL ECONOMIES.

4 (M) SUPPORTING NEIGHBORHOOD DESIGN.

5 (N) ALL OF THE FOLLOWING MOBILITY PERFORMANCE MEASURES:

6 (i) PERSON THROUGHPUT PER LANE MILE ON THE NATIONAL HIGHWAY
7 SYSTEM AT THE STATEWIDE, CORRIDOR, AND MUNICIPAL LEVELS, USING ALL
8 OF THE FOLLOWING DATA SOURCES:

9 (A) HIGHWAY PERFORMANCE MONITORING SYSTEM.

10 (B) AVERAGE ANNUAL DAILY TRAFFIC.

11 (C) SEGMENT LENGTHS.

12 (D) NATIONAL TRANSIT DATABASE.

13 (E) TRANSIT RIDERSHIP BY ROUTE AND SEGMENT.

14 (F) AMERICAN COMMUNITY SURVEY.

15 (G) VEHICLE OCCUPANCY.

16 (H) BIKING AND WALKING TRIPS.

17 (I) LOCAL DATA SOURCES, INCLUDING HOV SECTION 166 REPORTS,
18 REGIONAL TRAVEL SURVEYS, AND BICYCLE AND PEDESTRIAN COUNTS.

19 (ii) MODE SHARE FOR PEAK PERIOD TRIPS, AS MEASURED BY COMPARING
20 SINGLE-OCCUPANCY MOTORIZED VEHICLES TO THE TOTAL OF ALL OTHER MODES
21 OF TRANSPORTATION AND VEHICLES.

22 (iii) AVERAGE PEAK PERIOD TRAVEL TIME AT THE MUNICIPAL LEVEL.

23 (iv) CHANGE IN AVERAGE PEAK PERIOD TRAVEL TIME PER MODE AT THE
24 MUNICIPAL LEVEL.

25 (v) CHANGE IN TRANSIT SERVICE LEVEL AT THE REGIONAL AND
26 MUNICIPAL LEVELS.

27 (vi) CHANGE IN THE PERCENTAGE OF STREETS WITH ACCESS TO ACTIVE

1 TRANSPORTATION CHOICES INCLUDING WALKING AND BIKING PATHS,
2 SIDEWALKS, TRAILS, AND BICYCLE LANES.

3 (vii) PERCENTAGE OF HOUSEHOLDS WITHIN 1/4 MILE OF A TRANSIT
4 STOP, AND THE PERCENTAGE OF HOUSEHOLDS THAT ARE ABLE TO WALK OR
5 BICYCLE TO WORK WITHIN 20 MINUTES.

6 (viii) AT THE MUNICIPAL LEVEL, AGGREGATE CHANGE IN PLANNED MILES
7 OF NEW TRANSIT ROUTES, PEDESTRIAN FACILITIES, AND DESIGNATED BIKE
8 FACILITIES WITHIN 1/2 MILE OF A TRANSIT STOP.

9 (ix) AVERAGE RATIO OF MOTOR VEHICLE TO TRANSIT PEAK PERIOD
10 TRAVEL TIMES.

11 (2) IN DEVELOPING PERFORMANCE MEASURES UNDER SUBSECTION (1),
12 THE DEPARTMENT SHALL CONSIDER THE NEED TO PRESERVE EXISTING ASSETS
13 AND THE ASSET MANAGEMENT PROCESS AND USE OF LIFE CYCLE COSTS.

14 (3) NO LATER THAN AUGUST 1, 2014, THE DEPARTMENT SHALL PREPARE
15 AND PROVIDE TO THE COMMISSION AN INITIAL REPORT THAT INCLUDES, BUT
16 IS NOT LIMITED TO, RECOMMENDATIONS THAT DO BOTH OF THE FOLLOWING:

17 (A) ESTABLISH AND CLEARLY IDENTIFY THE PERFORMANCE STANDARDS
18 ESTABLISHED UNDER SUBSECTION (1).

19 (B) ESTABLISH THE RATING SYSTEM DESCRIBED IN SUBSECTION (5) TO
20 EVALUATE, MEASURE, AND PRIORITIZE PROPOSED AND ONGOING
21 TRANSPORTATION INFRASTRUCTURE PROJECTS.

22 (4) THE DEPARTMENT SHALL REPORT THE RECOMMENDATIONS REQUIRED
23 UNDER SUBSECTION (3) TO THE LEGISLATURE NO LATER THAN SEPTEMBER 30,
24 2014. IF THE RECOMMENDATIONS ARE APPROVED BY CONCURRENT RESOLUTION
25 PASSED BY BOTH HOUSES OF THE LEGISLATURE, THE DEPARTMENT SHALL
26 DEVELOP THE RATING SYSTEM UNDER SUBSECTION (5).

27 (5) NO LATER THAN OCTOBER 1, 2014, THE DEPARTMENT SHALL

1 DEVELOP A RATING SYSTEM FOR SCORING TRANSPORTATION INFRASTRUCTURE
2 PROJECTS THAT IS BASED ON THE PERFORMANCE STANDARDS DEVELOPED UNDER
3 SUBSECTION (1) AND APPROVED BY THE LEGISLATURE UNDER SUBSECTION
4 (4). THE RATING SYSTEM DEVELOPED BY THE DEPARTMENT UNDER THIS
5 SUBSECTION SHALL BE SYSTEMATIC AND DATA-DRIVEN AND SHALL BE
6 UTILIZED BY THE DEPARTMENT AND APPLIED TO ALL TRANSPORTATION
7 INFRASTRUCTURE PROJECTS THAT ARE NOT UNDER CONSTRUCTION AT THE TIME
8 THE RATING SYSTEM IS DEVELOPED BY THE DEPARTMENT. THE DEPARTMENT
9 SHALL ASSIGN A SCORE TO EACH PROPOSED TRANSPORTATION INFRASTRUCTURE
10 PROJECT AND PROVIDE THAT SCORE TO THE COMMISSION FOR ITS
11 CONSIDERATION IN SELECTING TRANSPORTATION INFRASTRUCTURE PROJECTS
12 FOR FUNDING.

13 (6) NO LATER THAN SEPTEMBER 30, 2014 AND SEPTEMBER 30 OF EACH
14 YEAR THEREAFTER, THE DEPARTMENT SHALL INCLUDE IN ITS STATE
15 TRANSPORTATION IMPROVEMENT PROGRAM AN ANALYSIS AND RELATED
16 DOCUMENTATION DETAILING HOW THE DEPARTMENT APPLIED THE PERFORMANCE
17 MEASURES PROVIDED FOR IN THIS SECTION IN THE DEVELOPMENT OF THE
18 STATE TRANSPORTATION IMPROVEMENT PROGRAM AND HOW THE DEPARTMENT
19 APPLIED THE PERFORMANCE MEASURES TO PRIORITIZATION AND FUNDING
20 DECISIONS. THE DOCUMENTATION REQUIRED UNDER THIS SUBSECTION SHALL
21 INCLUDE ALL OF THE FOLLOWING:

22 (A) A LIST OF THE PERFORMANCE MEASURES USED BY THE DEPARTMENT.

23 (B) A DESCRIPTION OF HOW EACH PERFORMANCE MEASURE IS WEIGHTED.

24 (C) A COPY OF EACH PLAN RECEIVED FROM LOCAL ROAD AGENCIES THAT
25 HAVE JURISDICTION OVER TRANSPORTATION INFRASTRUCTURE PROJECTS.

26 (7) ANY DOCUMENT OR RECORD PREPARED, OWNED, USED, IN THE
27 POSSESSION OF, OR RETAINED BY THE DEPARTMENT IN THE DEVELOPMENT OF

1 THE PERFORMANCE MEASURES DESCRIBED IN SUBSECTION (1) SHALL BE MADE
2 AVAILABLE TO THE PUBLIC AS PROVIDED IN THE FREEDOM OF INFORMATION
3 ACT, 1976 PA 442, MCL 15.231 TO 15.246.

4 (8) AS USED IN THIS SECTION, "TRANSPORTATION INFRASTRUCTURE
5 PROJECT" INCLUDES, BUT IS NOT LIMITED TO, A PROJECT FOR HIGHWAY
6 MAINTENANCE, HIGHWAY MODERNIZATION, HIGHWAY EXPANSION, NEW HIGHWAY
7 CONSTRUCTION, PUBLIC TRANSPORTATION, INTERCITY PASSENGER RAIL,
8 HIGH-SPEED RAIL, OR ANY OTHER PROJECT ELIGIBLE FOR FUNDING UNDER 23
9 USC 133.