

BUS RAPID TRANSIT LANES

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House Bills 5061 & 5062 (as introduced)

Sponsor: Rep. Sam Singh

Committee: Transportation and Infrastructure

Complete to 12-11-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5061 would amend Section 1 of Public Act 51 of 1951 ("Act 51") to authorize the Michigan Department of Transportation to enter into agreements with one or more *eligible governmental agencies* for the designation or construction of *bus rapid transit lanes* on state trunkline highways.

House Bill 5062 would amend Section 642 of the Michigan Vehicle Code (Public Act 300 of 1949) to include *bus rapid transit lanes* with current provisions for *high occupancy vehicle (HOV) lanes*, including the current provisions that make violations of HOV lane restrictions a civil infraction. The bill would establish a specific civil fine of \$100.00 for violations of the HOV or *bus rapid transit* lane restrictions.

BACKGROUND INFORMATION AND DETAILED ANALYSIS

Section 1 of Public Act 51 of 1951 ("Act 51") establishes and defines the state trunkline highway system. State trunkline highways are those public roads and streets under the jurisdiction of the Michigan Department of Transportation – as opposed to public roads and streets under the jurisdiction of county road commissions or cities and villages. Interstate highways, "US" numbered highways, and "M" numbered highways are all state trunkline highways. Often the main arterial street in a city is a state trunkline highway, such as Business Route 131 in Grand Rapids (Division from Leonard to Fulton), M-43 (Grand River Avenue) in East Lansing, and M-1 in Detroit (Woodward north of Adams).

Section 1, subsection 2 currently authorizes the Michigan Department of Transportation or a local road agency to enter into an operating license agreement with a *regional transit authority* to operate a public transit system on public streets and highways as provided under the Regional Transit Authority Act (Public Act 387 of 2012). The subsection also states that such agreements may authorize the department or local road agency to designate one or more lanes of a street or highway as dedicated public transit lanes reserved, with certain exceptions, for the exclusive use of public transit vehicles operated by the regional transit authority. This subsection effectively applies only to the transit authority established under the Regional Transit Authority Act, i.e. the Regional Transit Authority of Southeast Michigan.

House Bill 5061 would amend Section 1 of Act 51 by adding new subsection 3 to authorize the Michigan Department of Transportation to enter into an agreement with one or more

eligible governmental agencies for the designation or construction of *bus rapid transit lanes* on state trunkline highways.

As defined in Section 10c of Act 51, *eligible governmental agency* means a county, city, or village, or public transit authority created under certain specific statutes including the Mass Transportation Authorities Act (Public Act 55 of 1963), the Urban Cooperation Act (Public Act 7 of 1967), the Public Transportation Authority Act, (Public Act 196 of 1986) or the Revenue Bond Act of 1933 (Public Act 94 of 1933.). Most public transit systems in the state are organized under one of these statutes and are thus eligible governmental agencies under this definition.

The bill does not define the term *bus rapid transit*. However, on the Federal Transit Administration website the term is defined as follows:

[Bus Rapid Transit] *is an enhanced bus system that operates on bus lanes or other transitways in order to combine the flexibility of buses with the efficiency of rail. By doing so, BRT operates at faster speeds, provides greater service reliability and increased customer convenience. It also utilizes a combination of advanced technologies, infrastructure and operational investments that provide significantly better service than traditional bus service.*" See: http://www.fta.dot.gov/about/about_FTA_4240.html

House Bill 5062 would amend Section 642 of the Michigan Vehicle Code to include *bus rapid transit lanes* with current provisions for *high occupancy vehicle (HOV) lanes*, including the current provisions that make violations of the HOV lane restrictions a civil infraction. The bill would establish a specific civil fine of \$100.00 for violations of the HOV or *bus rapid transit lane* restrictions.

FISCAL IMPACT:

The bills would have no direct impact on state government or local units of government.

House Bill 5061 is permissive, authorizing the Michigan Department of Transportation to enter into agreements with one or more eligible governmental agencies for designation or construction of *bus rapid transit lanes* on state trunkline highways.

House Bill 5062 would make violations of *bus rapid transit lane* restrictions identical to current provisions governing *high occupancy vehicle (HOV) lanes*. The revenue impact of any civil fines collected from violations of the lane restrictions would likely be minor and incidental – not a primary impact of the bills' intention to facilitate *bus rapid transit lanes*.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.