



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 707 (as reported without amendment)
Sponsor: Senator Tom Casperson
Committee: Transportation

CONTENT

The bill would amend Public Act 200 of 1969, which requires permits for driveways providing direct access to a highway, to specify that "constructed or reconstructed" (for the purpose of requiring corrections to a driveway that is in violation of rules) would not include maintenance activities performed on a driveway.

The Act requires a permit from a highway authority for a "driveway" (which means "a driveway, lane, road or any other way providing vehicular access to or from the highway from or to property adjoining the highway"). A highway authority is the Michigan Department of Transportation in the case of State trunk line highways, or the board of county road commissioners in the case of county roads.

The Act does not apply to a driveway existing on or before August 6, 1967, unless the use of the land served by the driveway is changed or expanded and that change or expansion causes the existing driveway to become a safety hazard. Under those circumstances, a driveway is considered new and is subject to the Act. In addition, a driveway that is constructed or reconstructed after the effective date of rules issued under the Act and that is in violation of the rules must be corrected by the owner within a specified period of time. If the violation is not corrected, the highway authority or its agents may perform the necessary correction and the owner must reimburse the highway authority for the reasonable cost of correction.

Under the bill, "constructed or reconstructed" would not include maintenance activities performed on a driveway, including, but not limited to, the placement of additional gravel.

The bill would take effect 90 days after its enactment.

MCL 247.327

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 4-25-16

Fiscal Analyst: David Zin