

Legislative Analysis



RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

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

Senate Bill 645 as reported from House committee
Sponsor: Sen. Tom Casperson
House Committee: Transportation and Infrastructure
Senate Committee: Transportation
Complete to 2-9-18

(Enacted as Public Act 63 of 2018)

SUMMARY:

Senate Bill 645 would create a new act “to promote the safety and security of rail fixed guideway public transportation systems operating within this state.” Specifically, the bill would do all of the following:

- Establish a state safety oversight entity to supervise and regulate covered rail fixed guideway public transportation systems (RFGPTSs) operating in the state in compliance with federal laws.
- Designate the Office of Rail within the Michigan Department of Transportation (MDOT) as the state safety oversight entity.
- Prescribe the powers and duties of the state safety oversight entity and authorize it to supervise and regulate RFGPTSs operating within the state, in compliance with all applicable federal laws and regulations, to the extent necessary to fulfill obligations under federal law.

Rail fixed guideway public transportation system would mean a fixed guideway system, including a fixed guideway system that is in the process of engineering or construction, that uses rail, is operated for the purpose of public transportation, is within the jurisdiction of a state, and is not subject to the jurisdiction of the Federal Railroad Administration. It would include a rapid rail, heavy rail, light rail, monorail, trolley, streetcar, inclined plane, funicular, and automated guideway system.

Covered rail fixed guideway public transportation system would mean a transit system operating within the state that is subject to the state safety oversight requirements under specific federal regulations.

FISCAL IMPACT:

Senate Bill 645 would have no direct fiscal impact on MDOT or on any local unit of government. The bill would bring Michigan into compliance with certain federal requirements under Part 659 of Title 49 of the Code of Federal Regulations (revisions effective May 1, 2006) regarding state oversight of RFGPTSs. Failure to enact the bill could jeopardize Federal Transit Administration grants to the state for public transportation programs.

MDOT currently exercises state safety oversight responsibilities for RFGPTs through activities performed by staff within the Department's Office of Rail. In May of 2016, the Department updated and revised its System Safety Program Standard for State Safety Oversight of Rail Fixed Guideway Systems to ensure compliance with revised federal regulations. It is anticipated that state oversight responsibilities will be sustained with existing resources.

HOUSE COMMITTEE ACTION:

The House Committee on Transportation and Infrastructure reported the Senate-passed version of the bill without amendment.

BACKGROUND INFORMATION:

There are currently two RFGPTSs operating in the state: the Detroit People Mover, a 2.9-mile automated people mover system operating in Detroit, under the management of the Detroit Transportation Corporation; and the M-1 RAIL Woodward Avenue Streetcar (also known as the QLine), a 3.3-mile streetcar line on Woodward Avenue in Detroit, Michigan under the management of a public/private partnership known as M-1 RAIL.

POSITIONS:

The Michigan Department of Transportation testified in support of the bill. (1-30-18)

Legislative Analyst: E. Best
Fiscal Analyst: William E. Hamilton

■ 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.