

SUBSTITUTE FOR  
HOUSE BILL NO. 5791

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the state transportation department for the fiscal year ending September 30, 2023, from the following funds:

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**DEPARTMENT OF TRANSPORTATION**

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**APPROPRIATION SUMMARY**

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Full-time equated unclassified positions	6.0
Full-time equated classified positions	3,136.3

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1	<b>GROSS APPROPRIATION</b>	<b>\$ 6,774,949,000</b>
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and	
4	intradepartmental transfers	4,123,800
5	<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 6,770,825,200</b>
6	Federal revenues:	
7	Total federal revenues	2,026,480,000
8	Special revenue funds:	
9	Total local revenues	85,773,500
10	Total private revenues	900,000
11	Total other state restricted revenues	3,903,771,700
12	<b>State general fund/general purpose</b>	<b>\$ 753,900,000</b>
13	<b>Sec. 102. DEBT SERVICE</b>	
14	Airport safety and protection plan	\$ 2,274,800
15	Blue Water Bridge fund	3,961,100
16	Comprehensive transportation	1,466,600
17	Economic development	7,650,100
18	Local bridge fund	556,500
19	State trunkline	209,391,400
20	<b>GROSS APPROPRIATION</b>	<b>\$ 225,300,500</b>
21	Appropriated from:	
22	Special revenue funds:	
23	Blue Water Bridge fund	3,961,100
24	Comprehensive transportation fund	1,466,600
25	Economic development fund	7,650,100
26	Local bridge fund	556,500
27	State aeronautics fund	2,274,800
28	State trunkline fund	209,391,400

1	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
2	<b>Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER</b>		
3	<b>AGENCY SUPPORT SERVICES</b>		
4	CTF grant to civil service commission	\$	250,000
5	CTF grant to department of attorney general		109,400
6	CTF grant to department of technology,		
7	management, and budget		40,900
8	CTF grant to department of treasury		54,900
9	CTF grant to legislative auditor general		43,200
10	MTF grant to department of environment, Great		
11	Lakes, and energy		1,524,700
12	MTF grant to department of state for collection		
13	of revenue and fees		20,000,000
14	MTF grant to department of treasury		3,528,000
15	MTF grant to legislative auditor general		350,200
16	SAF grant to civil service commission		150,000
17	SAF grant to department of attorney general		191,800
18	SAF grant to department of technology,		
19	management, and budget		31,700
20	SAF grant to department of treasury		81,600
21	SAF grant to legislative auditor general		33,800
22	STF grant to civil service commission		6,321,000
23	STF grant to department of attorney general		2,172,800
24	STF grant to department of state police		12,402,700
25	STF grant to department of technology,		
26	management, and budget		1,406,500
27	STF grant to department of treasury		167,000
28	STF grant to legislative auditor general		813,500

1	<b>GROSS APPROPRIATION</b>		<b>\$ 49,673,700</b>
2	Appropriated from:		
3	Special revenue funds:		
4	Comprehensive transportation fund		498,400
5	Michigan transportation fund		25,402,900
6	State aeronautics fund		488,900
7	State trunkline fund		23,283,500
8	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
9	<b>Sec. 104. DEPARTMENTAL ADMINISTRATION AND</b>		
10	<b>SUPPORT</b>		
11	Full-time equated unclassified positions	6.0	
12	Full-time equated classified positions	263.3	
13	Unclassified salaries--FTEs	6.0	\$ 900,400
14	Asset management council		1,876,400
15	Business support services--FTEs	43.0	7,165,100
16	Commission audit and support services--FTEs	29.3	3,643,800
17	Economic development and enhancement programs--		
18	FTEs	11.0	1,911,900
19	Finance, contracts, and support services--FTEs	180.0	24,277,500
20	Property management		7,235,700
21	Worker's compensation		1,859,300
22	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>48,870,100</b>
23	Appropriated from:		
24	Interdepartmental grant revenues:		
25	IDG for accounting service center user charges		4,123,800
26	Special revenue funds:		
27	Comprehensive transportation fund		1,654,400
28	Economic development fund		410,100

1	Michigan transportation fund		4,437,500
2	State aeronautics fund		708,900
3	State trunkline fund		37,535,400
4	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
5	<b>Sec. 105. INFORMATION TECHNOLOGY</b>		
6	Information technology services and projects	\$	41,691,800
7	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>41,691,800</b>
8	Appropriated from:		
9	Federal revenues:		
10	Federal aid - transportation programs		520,500
11	Special revenue funds:		
12	Blue Water Bridge fund		57,600
13	Comprehensive transportation fund		234,400
14	Economic development fund		38,800
15	Michigan transportation fund		306,300
16	State aeronautics fund		182,800
17	State trunkline fund		40,351,400
18	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
19	<b>Sec. 106. TRANSPORTATION PLANNING</b>		
20	Full-time equated classified positions	142.0	
21	Planning services--FTEs	142.0	\$ 42,124,400
22	Grants to regional planning councils		488,800
23	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>42,613,200</b>
24	Appropriated from:		
25	Federal revenues:		
26	Federal aid - transportation programs		24,000,000
27	Special revenue funds:		
28	Comprehensive transportation fund		636,100

1	Michigan transportation fund		10,063,200
2	State aeronautics fund		16,100
3	State trunkline fund		7,897,800
4	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
5	<b>Sec. 107. DESIGN AND ENGINEERING SERVICES</b>		
6	Full-time equated classified positions	1,658.3	
7	Program development and delivery--FTEs	1,142.3	\$ 106,322,500
8	System operations management--FTEs	347.0	58,869,000
9	Business services--FTEs	169.0	25,062,600
10	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>190,254,100</b>
11	Appropriated from:		
12	Federal revenues:		
13	Federal aid - transportation programs		23,529,800
14	Special revenue funds:		
15	Comprehensive transportation fund		187,100
16	Michigan transportation fund		17,011,300
17	State trunkline fund		149,525,900
18	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
19	<b>Sec. 108. HIGHWAY MAINTENANCE</b>		
20	Full-time equated classified positions	901.7	
21	State trunkline operations--FTEs	901.7	\$ 443,561,300
22	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>443,561,300</b>
23	Appropriated from:		
24	Special revenue funds:		
25	State trunkline fund		443,561,300
26	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
27	<b>Sec. 109. ROAD AND BRIDGE PROGRAM</b>		
28	Cities and villages	\$	684,060,200

1	County road commissions	1,226,915,200
2	Grants to local programs	33,000,000
3	Local agency wetland mitigation bank fund	2,000,000
4	Local bridge program	26,981,600
5	Local federal aid and road and bridge	
6	construction	384,987,800
7	Movable bridge	5,858,400
8	Rail grade crossing	3,000,000
9	Rail grade crossing - surface improvements	3,000,000
10	State trunkline federal aid and road and bridge	
11	construction	1,651,869,600
12	<b>GROSS APPROPRIATION</b>	<b>\$ 4,021,672,800</b>
13	Appropriated from:	
14	Federal revenues:	
15	Federal aid - transportation programs	1,570,218,700
16	Special revenue funds:	
17	Local funds	30,003,500
18	Blue Water Bridge fund	8,071,700
19	Local bridge fund	26,981,600
20	Michigan transportation fund	1,957,833,800
21	State trunkline fund	428,563,500
22	<b>State general fund/general purpose</b>	<b>\$ 0</b>
23	<b>Sec. 110. BLUE WATER BRIDGE</b>	
24	Full-time equated classified positions	44.0
25	Blue Water Bridge operations--FTEs	44.0 \$ 7,163,800
26	<b>GROSS APPROPRIATION</b>	<b>\$ 7,163,800</b>
27	Appropriated from:	
28	Special revenue funds:	

1	Blue Water Bridge fund		7,163,800
2	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
3	<b>Sec. 111. TRANSPORTATION ECONOMIC DEVELOPMENT</b>		
4	Community service infrastructure fund	\$	3,000,000
5	Forest roads		5,000,000
6	Rural county primary		8,737,800
7	Rural county urban system		2,500,000
8	Target industries/economic redevelopment		17,975,400
9	Urban county congestion		8,737,800
10	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>45,951,000</b>
11	Appropriated from:		
12	Special revenue funds:		
13	Economic development fund		45,951,000
14	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
15	<b>Sec. 112. AERONAUTICS SERVICES</b>		
16	Full-time equated classified positions	48.0	
17	Air service program	\$	50,000
18	Aviation services--FTEs	48.0	7,495,400
19	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>7,545,400</b>
20	Appropriated from:		
21	Special revenue funds:		
22	State aeronautics fund		7,545,400
23	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
24	<b>Sec. 113. PUBLIC TRANSPORTATION SERVICES</b>		
25	Full-time equated classified positions	40.0	
26	Passenger transportation services--FTEs	40.0 \$	6,386,100
27	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>6,386,100</b>
28	Appropriated from:		



1	Federal revenues:		
2	Federal aid - transportation programs		1,200,000
3	Special revenue funds:		
4	Comprehensive transportation fund		5,186,100
5	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
6	<b>Sec. 114. LOCAL BUS TRANSIT</b>		
7	Local bus operating	\$	206,750,000
8	Nonurban operating/capital		39,845,600
9	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>246,595,600</b>
10	Appropriated from:		
11	Federal revenues:		
12	Federal aid - transportation programs		37,845,600
13	Special revenue funds:		
14	Local funds		2,000,000
15	Comprehensive transportation fund		206,750,000
16	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
17	<b>Sec. 115. INTERCITY PASSENGER AND FREIGHT</b>		
18	Full-time equated classified positions	39.0	
19	Detroit/Wayne County Port Authority	\$	500,000
20	Freight property management		1,300,000
21	Intercity services		9,981,800
22	Marine passenger service		4,964,000
23	Office of rail--FTEs	39.0	6,865,600
24	Rail operations and infrastructure		135,850,700
25	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>159,462,100</b>
26	Appropriated from:		
27	Federal revenues:		
28	Federal aid - transportation programs		38,710,800

1	Special revenue funds:		
2	Local funds		760,000
3	Private funds		900,000
4	Comprehensive transportation fund		109,558,400
5	Intercity bus equipment fund		600,000
6	Michigan transportation fund		2,148,700
7	Rail freight fund		6,000,000
8	State trunkline fund		784,200
9	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
10	<b>Sec. 116. PUBLIC TRANSPORTATION DEVELOPMENT</b>		
11	Municipal credit program	\$	2,000,000
12	Service initiatives		18,681,600
13	Specialized services		26,541,300
14	Transit capital		172,076,100
15	Van pooling		195,000
16	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>219,494,000</b>
17	Appropriated from:		
18	Federal revenues:		
19	Federal aid - transportation programs		100,454,600
20	Special revenue funds:		
21	Local funds		35,510,000
22	Comprehensive transportation fund		83,529,400
23	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
24	<b>Sec. 117. CAPITAL OUTLAY</b>		
25	<b>(1) BUILDINGS AND FACILITIES</b>		
26	Salt storage buildings and containment control	\$	2,500,000
27	Special maintenance, remodeling, and additions		3,001,500
28	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>5,501,500</b>

1	Appropriated from:		
2	Special revenue funds:		
3	State trunkline fund		5,501,500
4	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
5	<b>(2) AIRPORT IMPROVEMENT PROGRAMS</b>		
6	Airport safety, protection, and improvement		
7	program	\$	158,461,900
8	Detroit Metropolitan Wayne County Airport		5,850,000
9	IIJA airport infrastructure grants		95,000,000
10	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>259,311,900</b>
11	Appropriated from:		
12	Federal revenues:		
13	Federal aid - transportation programs		230,000,000
14	Special revenue funds:		
15	Local funds		17,500,000
16	Qualified airport fund		5,850,000
17	State aeronautics fund		5,961,900
18	<b>State general fund/general purpose</b>	<b>\$</b>	<b>0</b>
19	<b>Sec. 118. ONE-TIME ONLY APPROPRIATIONS</b>		
20	Aviation weather station equipment replacement	\$	3,900,000
21	Cities and villages		268,472,900
22	County road commissions		481,527,100
23	Priority rail grade crossing/separation		
24	initiative		100
25	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>753,900,100</b>
26	Appropriated from:		
27	Special revenue funds:		
28	Michigan transportation fund		100

<b>State general fund/general purpose</b>	<b>\$</b>	<b>753,900,000</b>
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## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

## FOR FISCAL YEAR

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2022-2023 is \$4,657,671,700.00 and state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is \$3,063,109,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**STATE TRANSPORTATION DEPARTMENT**

Grants to regional planning councils	\$	488,800
Cities and villages		684,060,200
County road commissions		1,226,915,200
Grants to local programs		33,000,000
Local bridge program		26,981,600
Local agency wetland mitigation		2,000,000
Movable bridge		2,929,200
Rail grade crossing		1,500,000
Rail grade surface crossing improvements		3,000,000
Transportation economic development		27,975,600
Air service program		50,000
Local bus operating		206,750,000
Detroit/Wayne County Port Authority		500,000
Marine passenger service		1,812,000

1	Municipal credit program	2,000,000
2	Service initiatives	9,029,400
3	Specialized services	9,228,900
4	Transit capital	63,076,100
5	Airport safety, protection, and improvement	
6	program	5,961,900
7	Detroit Metropolitan Wayne County Airport	5,850,000
8	Priority rail grade crossing/separation	
9	initiative	100
10	Cities and villages (one-time GF/GP)	268,472,900
11	County road commissions (one-time GF/GP)	481,527,100
12	<b>Total payments to local units of government</b>	<b>\$ 3,063,109,000</b>

13 Sec. 202. The appropriations authorized under this part and  
14 part 1 are subject to the management and budget act, 1984 PA 431,  
15 MCL 18.1101 to 18.1594.

16 Sec. 203. As used in this part and part 1:

17 (a) "CTF" means comprehensive transportation fund.

18 (b) "Department" means the state transportation department.

19 (c) "Director" means the director of the department.

20 (d) "DOT" means the United States Department of  
21 Transportation.

22 (e) "DOT-FHWA" means DOT, Federal Highway Administration.

23 (f) "FTE" means full-time equated.

24 (g) "IDG" means interdepartmental grant.

25 (h) "IIJA" means the infrastructure investment and jobs act,  
26 2021, Public Law 117-58.

27 (i) "MTF" means Michigan transportation fund.

28 (j) "SAF" means state aeronautics fund.

29 (k) "STF" means state trunkline fund.

1           Sec. 204. The departments and agencies receiving  
2 appropriations in part 1 shall use the internet to fulfill the  
3 reporting requirements of this part. This requirement shall include  
4 transmission of reports via email to the recipients identified for  
5 each reporting requirement, and it shall include placement of  
6 reports on an internet site.

7           Sec. 205. To the extent permissible under section 261 of the  
8 management and budget act, 1984 PA 431, MCL 18.1261, all of the  
9 following apply to funds appropriated in part 1:

10           (a) The funds must not be used for the purchase of foreign  
11 goods or services, or both, if competitively priced and of  
12 comparable quality American goods or services, or both, are  
13 available.

14           (b) Preference must be given to goods or services, or both,  
15 manufactured or provided by Michigan businesses, if they are  
16 competitively priced and of comparable quality.

17           (c) Preference must be given to goods or services, or both,  
18 that are manufactured or provided by Michigan businesses owned and  
19 operated by veterans, if they are competitively priced and of  
20 comparable quality.

21           Sec. 206. The director shall take all reasonable steps to  
22 ensure businesses in deprived and depressed communities compete for  
23 and perform contracts to provide services or supplies, or both.  
24 Each director shall strongly encourage firms with which the  
25 department contracts to subcontract with certified businesses in  
26 depressed and deprived communities for services, supplies, or both.

27           Sec. 207. The departments and agencies receiving  
28 appropriations in part 1 shall prepare a report on out-of-state  
29 travel expenses not later than January 1 of each year. The travel

1 report shall be a listing of all travel by classified and  
2 unclassified employees outside this state in the immediately  
3 preceding fiscal year that was funded in whole or in part with  
4 funds appropriated in the department's budget. The report shall be  
5 submitted to the senate and house appropriations committees, the  
6 house and senate fiscal agencies, and the state budget director.  
7 The report shall include the following information:

8 (a) The dates of each travel occurrence.

9 (b) The transportation and related costs of each travel  
10 occurrence, including the proportion funded with state general  
11 fund/general purpose revenues, the proportion funded with state  
12 restricted revenues, the proportion funded with federal revenues,  
13 and the proportion funded with other revenues.

14 Sec. 208. Funds appropriated in part 1 shall not be used by a  
15 principal executive department, state agency, or authority to hire  
16 a person to provide legal services that are the responsibility of  
17 the attorney general. This prohibition does not apply to legal  
18 services for bonding activities and for those activities that the  
19 attorney general authorizes.

20 Sec. 209. Not later than November 30, the state budget office  
21 shall prepare and transmit a report that provides for estimates of  
22 the total general fund/general purpose appropriation lapses at the  
23 close of the prior fiscal year. This report shall summarize the  
24 projected year-end general fund/general purpose appropriation  
25 lapses by major departmental program or program areas. The report  
26 shall be transmitted to the chairpersons of the senate and house of  
27 representatives standing committees on appropriations and the  
28 senate and house fiscal agencies.

29 Sec. 210. (1) In addition to the funds appropriated in part 1,

1 there is appropriated an amount not to exceed \$40,000,000.00 for  
2 federal contingency authorization. These funds are not available  
3 for expenditure until they have been transferred to another line  
4 item in part 1 pursuant to section 393(2) of the management and  
5 budget act, 1984 PA 431, MCL 18.1393.

6 (2) In addition to the funds appropriated in part 1, there is  
7 appropriated an amount not to exceed \$5,000,000.00 for state  
8 restricted contingency authorization. These funds are not available  
9 for expenditure until they have been transferred to another line  
10 item in part 1 pursuant to section 393(2) of the management and  
11 budget act, 1984 PA 431, MCL 18.1393.

12 (3) In addition to the funds appropriated in part 1, there is  
13 appropriated an amount not to exceed \$1,000,000.00 for local  
14 contingency authorization. These funds are not available for  
15 expenditure until they have been transferred to another line item  
16 in part 1 pursuant to section 393(2) of the management and budget  
17 act, 1984 PA 431, MCL 18.1393.

18 (4) In addition to the funds appropriated in part 1, there is  
19 appropriated an amount not to exceed \$1,000,000.00 for private  
20 contingency authorization. These funds are not available for  
21 expenditure until they have been transferred to another line item  
22 in part 1 pursuant to section 393(2) of the management and budget  
23 act, 1984 PA 431, MCL 18.1393.

24 Sec. 211. The department shall cooperate with the department  
25 of technology, management, and budget to maintain a searchable  
26 website accessible by the public at no cost that includes, but is  
27 not limited to, all of the following:

28 (a) Fiscal year-to-date expenditures by category.

29 (b) Fiscal year-to-date expenditures by appropriation unit.



1 (c) Fiscal year-to-date payments to a selected vendor,  
2 including the vendor name, payment date, payment amount, and  
3 payment description.

4 (d) The number of active department employees by job  
5 classification.

6 (e) Job specifications and wage rates.

7 Sec. 212. Within 14 days after the release of the executive  
8 budget recommendation, the department shall provide to the state  
9 budget office information sufficient to provide the senate and  
10 house appropriations chairs, the chairpersons of the senate and  
11 house appropriations subcommittees on transportation, and the  
12 senate and house fiscal agencies with an annual report on estimated  
13 state restricted fund balances, state restricted fund projected  
14 revenues, and state restricted fund expenditures for the fiscal  
15 years ending September 30, 2022 and September 30, 2023.

16 Sec. 213. The department shall maintain, on a publicly  
17 accessible website, a department scorecard that identifies, tracks,  
18 and regularly updates key metrics that are used to monitor and  
19 improve the department's performance.

20 Sec. 214. Total authorized appropriations from all sources  
21 under part 1 for legacy costs for the fiscal year ending September  
22 30, 2023 are \$69,747,100.00. From this amount, total agency  
23 appropriations for pension-related legacy costs are estimated at  
24 \$42,345,600.00. Total agency appropriations for retiree health care  
25 legacy costs are estimated at \$27,401,500.00.

26 Sec. 215. A department shall not take disciplinary action  
27 against an employee of the department or departmental agency in the  
28 state classified civil service because the employee communicates  
29 with a member of the senate or house of representatives or a

1 member's staff, unless the communication is prohibited by law and  
2 the department or agency taking disciplinary action is exercising  
3 its authority as provided by law.

4 Sec. 216. (1) On a quarterly basis, the department shall  
5 report to the senate and house appropriations committees, the  
6 senate and house appropriations subcommittees on transportation,  
7 and the senate and house fiscal agencies the following information:

8 (a) The number of FTEs in pay status by type of staff and  
9 civil service classification.

10 (b) A comparison by line item of the number of FTEs authorized  
11 from funds appropriated in part 1 to the actual number of FTEs  
12 employed by the department at the end of the reporting period.

13 (2) By March 1 of the current fiscal year, the department  
14 shall report to the senate and house appropriations committees, the  
15 senate and house appropriations subcommittees on transportation,  
16 and the senate and house fiscal agencies the following information:

17 (a) Number of employees that were engaged in remote work in  
18 2022.

19 (b) Number of employees authorized to work remotely and the  
20 actual number of those working remotely in the current reporting  
21 period.

22 (c) Estimated net cost savings achieved by remote work.

23 (d) Reduced use of office space associated with remote work.

24 Sec. 217. Appropriations in part 1 shall, to the extent  
25 possible by the department, not be expended until all existing work  
26 project authorization available for the same purposes is exhausted.

27 Sec. 218. If the state administrative board, acting under  
28 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount  
29 appropriated under this act, the legislature may, by a concurrent

1 resolution adopted by a majority of the members elected to and  
2 serving in each house, intertransfer funds within this act for the  
3 particular department, board, commission, officer, or institution.

4 Sec. 219. The departments and agencies receiving  
5 appropriations in part 1 shall receive and retain copies of all  
6 reports funded from appropriations in part 1. Federal and state  
7 guidelines for short-term and long-term retention of records shall  
8 be followed. The department may electronically retain copies of  
9 reports unless otherwise required by federal and state guidelines.

10 Sec. 220. The department shall report no later than April 1 on  
11 each specific policy change made to implement a public act  
12 affecting the department that took effect during the prior calendar  
13 year to the senate and house appropriations committees, the senate  
14 and house subcommittees on transportation, the joint committee on  
15 administrative rules, and the senate and house fiscal agencies.

16 Sec. 221. (1) From the funds appropriated in part 1, the  
17 department shall do all of the following:

18 (a) Report to the house and senate appropriations committees,  
19 the house and senate fiscal agencies, the house and senate policy  
20 offices, and the state budget office any amount of severance pay  
21 for a department director, deputy director, or other high-ranking  
22 department official not later than 14 days after a severance  
23 agreement with the director or official is signed. The name of the  
24 director or official and the amount of severance pay must be  
25 included in the report required by this subdivision.

26 (b) Maintain an internet site that posts any severance pay in  
27 excess of 6 weeks of wages, regardless of the position held by the  
28 former department employee receiving severance pay.

29 (c) By February 1, report to the house and senate

1 appropriations subcommittees on transportation, the house and  
2 senate fiscal agencies, the house and senate policy offices, and  
3 the state budget office on the total amount of severance pay  
4 remitted to former department employees during the fiscal year  
5 ending September 30, 2022 and the total number of former department  
6 employees that were remitted severance pay during the fiscal year  
7 ending September 30, 2022.

8 (2) As used in this section, "severance pay" means  
9 compensation that is both payable or paid upon the termination of  
10 employment and in addition to either wages or benefits earned  
11 during the course of employment or generally applicable retirement  
12 benefits.

13 Sec. 222. (1) Any department, agency, board, commission, or  
14 public officer that receives funding under part 1 shall not:

15 (a) Require as a condition of accessing any facility or  
16 receiving services that an individual provide proof that he or she  
17 has received a COVID-19 vaccine except as provided by federal law  
18 or as a condition of receiving federal Medicare or Medicaid  
19 funding.

20 (b) Produce, develop, issue, or require a COVID-19 vaccine  
21 passport.

22 (c) Develop a database or make any existing database publicly  
23 available to access an individual's COVID-19 vaccine status by any  
24 person, company, or governmental entity.

25 (d) Require as a condition of employment that an employee or  
26 official provide proof that he or she has received a COVID-19  
27 vaccine. This subdivision does not apply to any hospital,  
28 congregate care facility, or other medical facility or any  
29 hospital, congregate care facility, or other medical facility

1     operated by a local subdivision that receives federal Medicare or  
2     Medicaid funding.

3             (2) A department, agency, board, commission, or public officer  
4     may not subject any individual to any negative employment  
5     consequence, retaliation, or retribution because of that  
6     individual's COVID-19 vaccine status.

7             (3) Subsection (1) does not prohibit any person, department,  
8     agency, board, commission, or public officer from transmitting  
9     proof of an individual's COVID-19 vaccine status to any person,  
10    company, or governmental entity, so long as the individual provides  
11    affirmative consent.

12            (4) If a department, agency, board, commission, subdivision,  
13    or official or public officer is required to establish a vaccine  
14    policy due to a federal mandate, it must provide exemptions to any  
15    COVID-19 vaccine policy to the following individuals:

16            (a) An individual for whom a physician certifies that a COVID-  
17    19 vaccine is or may be detrimental to the individual's health or  
18    is not appropriate.

19            (b) An individual who provides a written statement to the  
20    effect that the requirements of the COVID-19 vaccine policy cannot  
21    be met because of religious convictions or other consistently held  
22    objection to immunization.

23            (5) As used in this section, "public officer" means a person  
24    appointed by the governor or another executive department official  
25    or an elected or appointed official of this state or a political  
26    subdivision of this state.

27            Sec. 223. To the extent possible, the department shall provide  
28    notice to the speaker of the house, the house minority leader, the  
29    senate majority leader, the senate minority leader, the house and

1 senate standing committees on transportation, the appropriate house  
2 and senate appropriations subcommittees on transportation, and the  
3 house and senate fiscal agencies on proposed federal rule changes  
4 related to the department that would require amendments to the laws  
5 of this state. The notice shall be given within 30 business days of  
6 the proposed federal rule being posted to the Federal Register and  
7 shall include a description of the proposed federal rule, the  
8 publication date, the date when public comment closes, the document  
9 citation, and a description of the statutory changes needed when  
10 the rule is finalized.

11 Sec. 224. An executive branch department, agency, board, or  
12 commission that receives funding under part 1 shall not permit a  
13 state employee who was not working remotely, either full-time or  
14 part-time, before February 28, 2020 to work remotely, either full-  
15 time or part-time, during the current fiscal year.

16  
17 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

18 Sec. 301. The department may establish a fee schedule and  
19 collect fees sufficient to cover the costs to issue the permits  
20 that the department is authorized by law to issue upon request,  
21 unless otherwise stipulated by law. All permit fees are  
22 nonrefundable application fees and shall be credited to the  
23 appropriate fund to recover the direct and indirect costs of  
24 receiving, reviewing, and processing the requests.

25 Sec. 302. Not later than February 1, 2023, the department  
26 shall report to the house and senate appropriations subcommittees  
27 on transportation, the house and senate fiscal agencies, and the  
28 state budget office on STF debt service. The report must include  
29 all of the following:

1 (a) An accounting of the prior fiscal year's STF debt service  
2 payments, including a calculation of STF debt service payments as a  
3 percentage of STF revenue secured by constitutionally restricted  
4 revenue.

5 (b) A projection of STF debt service obligations for the  
6 fiscal year ending September 30, 2023, including a calculation of  
7 STF debt service obligations as a percentage of estimated STF  
8 revenue secured by constitutionally restricted revenue.

9 (c) A description of all bond sales planned for the fiscal  
10 year ending September 30, 2023.

11 **Sec. 303.(1) When the department places signs identifying**  
12 **trunkline construction projects as bond-financed, the signs shall**  
13 **identify the total cost of the project and the estimated borrowing**  
14 **costs associated with the bonds used to finance the project. Text**  
15 **and numeric figures identifying estimated borrowing costs**  
16 **associated with bonds used to finance projects shall be the same**  
17 **font and font size as the text and numeric figures identifying**  
18 **trunkline construction projects as bond-financed.**

19 **(2) The department must remove all signs identifying trunkline**  
20 **construction projects as bond-financed that are not in compliance**  
21 **with this section.**

22 **(3) No funds from the appropriation in part 1 may be expended**  
23 **for the salary of the department director until the department is**  
24 **in compliance with this section.**

25 Sec. 304. If, as a requirement of bidding on a highway  
26 project, the department requires a contractor to submit financial  
27 or proprietary documentation as to how the bid was calculated, that  
28 bid documentation shall be kept confidential and shall not be  
29 disclosed other than to a department representative without the

1 contractor's written consent. The department may disclose the bid  
2 documentation if necessary to address or defend a claim by a  
3 contractor.

4 Sec. 305. The department may permit space on public passenger  
5 transportation properties to be occupied by public or private  
6 tenants. The department shall require that revenue from the tenants  
7 be placed in an account to be used to pay the costs to maintain and  
8 improve the property.

9 Sec. 306. (1) The amounts appropriated in part 1 to support  
10 tax and fee collection, law enforcement, and other program services  
11 provided to the department and to transportation funds by other  
12 state departments shall be expended from transportation funds  
13 pursuant to annual contracts between the department and those other  
14 state departments. The contracts shall be executed prior to the  
15 expenditure or obligation of those funds. The contracts shall  
16 provide, but are not limited to, the following data applicable to  
17 each state department:

18 (a) Estimated costs to be recovered from transportation funds.

19 (b) Description of services provided to the department and/or  
20 transportation funds and financed with transportation funds.

21 (c) Detailed cost allocation methods appropriate to the type  
22 of services being provided and the activities financed with  
23 transportation funds.

24 (2) Not later than 2 months after publication of the state of  
25 Michigan annual comprehensive financial report, each state  
26 department receiving funding pursuant to an interdepartment  
27 contract with the department shall submit a written report to the  
28 department, the state budget director, the house and senate fiscal  
29 agencies, and the auditor general stating by spending authorization



1 account the amount of estimated funds contracted with the  
2 department, the amount of funds expended, the amount of funds  
3 returned to the transportation funds, and any unreimbursed  
4 transportation-related costs incurred but not billed to  
5 transportation funds.

6 Sec. 307. Before March 1 of each year, the department will  
7 provide to the legislature, the state budget director, and the  
8 house and senate fiscal agencies its rolling 5-year plan listing by  
9 county or by county road commission all highway construction  
10 projects for the fiscal year and all expected projects for the  
11 ensuing fiscal years.

12 Sec. 308. From the funds appropriated in part 1 for highway  
13 maintenance, the department shall initiate a winter maintenance  
14 program in accordance with section 11a of 1951 PA 51, MCL 247.661a.

15 Sec. 310. The department shall provide in a timely manner  
16 copies of the agenda, approved minutes, and audio recording of  
17 monthly transportation commission meetings to the members of the  
18 house and senate appropriations subcommittees on transportation,  
19 the house and senate fiscal agencies, and the state budget  
20 director.

21 Sec. 311. Not later than March 30, 2023, the department shall  
22 provide a progress report on the CRRSAA highway infrastructure  
23 program - local bridge bundling initiative established in section  
24 113(2) of article 14 of 2021 PA 87, to the senate and house  
25 transportation appropriations subcommittees, the state budget  
26 director, and the senate and house fiscal agencies.

27 Sec. 312. It is the intent of the legislature that the  
28 department prohibit the placement of nondirectional markings on the  
29 paved surfaces of public roads or streets of this state and work to

1 remove nondirectional markings when found on the paved surfaces of  
2 public roads and streets of this state.

3 Sec. 313. (1) From funds appropriated in part 1, the  
4 department may increase a state infrastructure bank program and  
5 grant or loan funds in accordance with regulations of the state  
6 infrastructure bank program of the United States Department of  
7 Transportation. The state infrastructure bank is to be administered  
8 by the department for the purpose of providing a revolving, self-  
9 sustaining resource for financing transportation infrastructure  
10 projects.

11 (2) In addition to funds provided in subsection (1), money  
12 received by the state as federal grants, repayment of state  
13 infrastructure bank loans, or other reimbursement or revenue  
14 received by the state as a result of projects funded by the program  
15 and interest earned on that money shall be deposited in the  
16 revolving state infrastructure bank fund and shall be available for  
17 transportation infrastructure projects. At the close of the fiscal  
18 year, any unencumbered funds remaining in the state infrastructure  
19 bank fund shall remain in the fund and be carried forward into the  
20 succeeding fiscal year.

21 (3) The department shall submit a report to the state budget  
22 director, the house and senate appropriations subcommittees on  
23 transportation, and the house and senate fiscal agencies on the  
24 status of the state infrastructure bank. The report shall be  
25 submitted on or before December 1, 2022. The report shall include  
26 all of the following:

27 (a) The balance in the state infrastructure bank at September  
28 30, 2022, including a breakdown of the balance by cash and cash  
29 equivalents, outstanding loans, and balance available for loan to

1 local agencies.

2 (b) A breakdown of the state infrastructure loan balance by  
3 amounts designated as originating from federal sources and the  
4 amounts originating from nonfederal sources.

5 (c) A list of outstanding loans by agency, original loan  
6 amount, project description, loan term, and amount outstanding.

7 Sec. 319. The department shall post signs at each rest area to  
8 identify the agency or contractor responsible for maintenance of  
9 the rest area. The signs shall include a department telephone  
10 number and shall indicate that unsafe or unclean conditions at the  
11 rest area may be reported to that telephone number.

12 Sec. 353. The department shall review its contractor payment  
13 process and ensure that all prime contractors are paid promptly.  
14 The department shall ensure that prime contractors are in  
15 compliance with special provision 109.10 regarding the prompt  
16 payment of subcontractors.

17 Sec. 357. When presented with complete local federal aid  
18 project submittals, the department shall complete all necessary  
19 reviews and inspections required to let local federal aid projects  
20 within 120 days of receipt. The department shall implement a system  
21 for monitoring the local federal aid project review process.

22 Sec. 375. The department is prohibited from reimbursing  
23 contractors or consultants for costs associated with groundbreaking  
24 ceremonies, receptions, open houses, or press conferences related  
25 to transportation projects funded, in whole or in part, by revenue  
26 appropriated in part 1.

27 Sec. 376. The department shall not spend funds appropriated in  
28 part 1 for the purpose of examining the potential association  
29 between commercial signs, outdoor advertising signs, billboards,

1 digital billboards, or commercial electronic variable message signs  
2 and motor vehicle activity or motor vehicle driver behavior.

3 Sec. 382. In administering a contract with a county road  
4 commission, city, or village that allocates costs of construction  
5 or reconstruction of highways, roads, and streets as provided in  
6 section 18d of 1951 PA 51, MCL 247.668d, the department shall  
7 submit the final cost-sharing bill to the county road commission,  
8 city, or village not later than 2 years after the date of the final  
9 contract payment to the construction contractor.

10 Sec. 383. (1) The department shall prepare a report on use of  
11 department-owned aircraft during the fiscal year ending September  
12 30, 2022. With respect to each department-owned aircraft, the  
13 report shall include all of the following:

14 (a) Total hours of usage.

15 (b) Description of specific flights including dates of travel,  
16 names of passengers including state agency, university, or local  
17 government affiliation, travel origin and destination, and total  
18 estimated costs associated with the air travel.

19 (2) The report shall be submitted to the senate and house  
20 appropriations subcommittees on transportation, state budget  
21 director, and the house and senate fiscal agencies no later than  
22 February 1, 2023.

23 (3) The department shall maintain a system for recovering the  
24 cost of operating department-owned aircraft through charges to  
25 aircraft users.

26 Sec. 384. (1) Except as otherwise provided in subsection (2),  
27 the department shall not obligate the state to expend any state  
28 transportation revenue for construction planning or construction of  
29 the Gordie Howe International Crossing or a renamed successor. In

1 addition, except as provided in subsection (2), the department  
2 shall not commit the state to any new contract related to the  
3 construction planning or construction of the Gordie Howe  
4 International Crossing or a renamed successor that would obligate  
5 the state to expend any state transportation revenue. An  
6 expenditure for staff resources used in connection with project  
7 activities, which expenditure is subject to full and prompt  
8 reimbursement from Canada, shall not be considered an expenditure  
9 of state transportation revenue.

10 (2) If the legislature enacts specific enabling legislation  
11 for the construction of the Gordie Howe International Crossing or a  
12 renamed successor, subsection (1) does not apply once the enabling  
13 legislation goes into effect.

14 Sec. 385. (1) The department shall submit monthly reports to  
15 the state budget director, the speaker of the house of  
16 representatives, the house of representatives minority leader, the  
17 senate majority leader, the senate minority leader, the house and  
18 senate appropriations subcommittees on transportation, and the  
19 house and senate fiscal agencies on all of the following:

20 (a) All expenditures made by the state related to the Gordie  
21 Howe Bridge.

22 (b) All reimbursements made by Canada under section 384(1) of  
23 this part to the state for expenditures for staff resources used in  
24 connection with project activities.

25 (c) All eminent domain and condemnation powers used, the  
26 related real estate involved in any governmental taking, the price  
27 paid for those properties, and the beneficiary's name or associated  
28 corporation.

29 (2) The initial report required under subsection (1) shall be

1 submitted on or before December 1, 2022. The initial report shall  
2 cover the fiscal year ending September 30, 2022.

3 Sec. 386. On or before May 1 of each year, the department  
4 shall submit a report to the state budget director, the house and  
5 senate appropriations subcommittees on transportation, and the  
6 house and senate fiscal agencies on its toll credit program. The  
7 report shall include the following information:

8 (a) The amount of toll credits earned and certified by the  
9 DOT-FHWA in the prior fiscal year.

10 (b) The value of toll credits used by programs and projects in  
11 the previous fiscal year.

12 (c) The balance of available toll credits at the end of the  
13 prior fiscal year.

14 (d) A discussion of the department's strategy for using toll  
15 credits.

16 Sec. 387. (1) Within 90 days of completion of any formal  
17 traffic study, formal traffic control study, or formal traffic  
18 mitigation study, the department shall post the results of the  
19 study on the department's website.

20 (2) As used in this section, the terms "traffic study",  
21 "traffic control study", and "traffic mitigation study" include,  
22 but are not limited to, investigations into the need for traffic  
23 lights, reviews of traffic speeds and related recommendations  
24 regarding speed limits, and ways to improve traffic flow during  
25 peak travel times.

26 Sec. 389. Within 30 days of entering into a long-term  
27 agreement with a private contractor, a public agency, or a  
28 partnership between 1 or more private contractors or public  
29 agencies, the department shall notify the state budget director,

1 the house and senate appropriations subcommittees on  
2 transportation, and the house and senate fiscal agencies of the  
3 agreement, including the subject of the agreement, the term of the  
4 agreement, and financial obligations under the agreement. As used  
5 in this section, "long-term agreement" means an agreement that  
6 obligates the department for a period of 5 years or more and that  
7 actually or contingently obligates the department to make payments  
8 over the contract period of \$5,000,000.00 or more.

9 Sec. 393. The department shall promote best practices for  
10 public transportation services in this state, including, but not  
11 limited to, the following:

12 (a) Transit vehicle rehabilitation to reduce life-cycle cost  
13 of public transportation through midlife rehabilitation of transit  
14 buses.

15 (b) Cooperation between entities using transit, including  
16 school districts, cities, townships, and counties with a view to  
17 promoting cost savings through joint purchasing of fuel and other  
18 procurements.

19 (c) Coordination of transportation dollars among state  
20 departments that provide transit-related services, including the  
21 department of health and human services. Priority should be given  
22 to use of public transportation services where available.

23 (d) Promotion of intelligent transportation services for buses  
24 that incorporate computer and navigation technology to make transit  
25 systems more efficient, including stoplight coordinating, vehicle  
26 tracking, data tracking, and computerized scheduling.

27 Sec. 394. The department and local road agencies shall make  
28 the preservation of their existing road networks a funding  
29 priority.

1           Sec. 395. From the funds appropriated in part 1 for state  
2 trunkline federal aid road and bridge construction, the department  
3 may expend up to \$10,000,000.00 on highway maintenance activities  
4 to support safety-related, high-priority, and other deferred  
5 routine maintenance needs on the state trunkline network.

6           Sec. 398. The department shall continue to work to eliminate  
7 fatalities and serious injuries on the state trunkline network and  
8 shall maintain the Toward Zero Deaths statewide safety campaign.

9           Sec. 399. In developing its state trunkline road and bridge  
10 construction program, the department shall prioritize spending on  
11 capital preventative maintenance. From the funds appropriated in  
12 part 1 for state trunkline road and bridge construction, not less  
13 than \$200,000,000.00 must be allocated for capital preventative  
14 maintenance treatments for pavement preservation.

15  
16 **FEDERAL**

17           Sec. 402. A portion of the federal DOT-FHWA highway research,  
18 planning, and construction funds made available to this state shall  
19 be allocated to transportation programs administered by local  
20 jurisdictions in accordance with section 10o of 1951 PA 51, MCL  
21 247.660o. A local road agency, with respect to a project approved  
22 for federal aid funding in a state transportation improvement  
23 program, may enter into a voluntary buyout agreement with the  
24 department or with another local road agency to exchange the  
25 federal aid with state restricted transportation funds as agreed to  
26 by the respective parties. The state restricted transportation  
27 funds received in exchange for federal aid funds shall be used for  
28 the same purpose as the federal aid funds were originally intended.



1    **MICHIGAN TRANSPORTATION FUND**

2           Sec. 501. The money received under the motor carrier act, 1933  
3   PA 254, MCL 475.1 to 479.42, and not appropriated to the department  
4   of licensing and regulatory affairs or the department of state  
5   police is deposited in the Michigan transportation fund.

6           Sec. 503. (1) At the close of the fiscal year, funds  
7   appropriated in part 1 for the transportation economic development  
8   program shall lapse to the transportation economic development  
9   fund.

10          (2) At the close of the fiscal year, funds appropriated in  
11   part 1 for the local bridge program shall carry forward and are  
12   appropriated for the purposes defined in section 10(5) of 1951 PA  
13   51, MCL 247.660.

14          (3) Interest earned in the department of transportation  
15   economic development fund and local bridge fund shall remain in the  
16   respective funds and shall be allocated to the respective programs  
17   based on actual interest earned at the end of each fiscal year.

18          (4) In addition to the funds appropriated in part 1, the  
19   department of transportation economic development fund and local  
20   bridge fund may receive federal, local, or private funds or  
21   restricted source funds such as interest earnings. These funds are  
22   appropriated for projects that are consistent with the purposes of  
23   the respective funds.

24          (5) None of the funds statutorily dedicated to the  
25   transportation economic development fund and local bridge fund  
26   shall be diverted to other projects.

27          Sec. 504. Funds from the Michigan transportation fund shall be  
28   distributed to the comprehensive transportation fund, the economic  
29   development fund, the recreation improvement fund, and the state

trunkline fund, in accordance with this part and part 1 and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this part and part 1, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

#### **STATE TRUNKLINE FUND**

Sec. 601. (1) The department shall maintain documentation to support initial acceptance of warrantied projects, interim and final inspections, and notifications to contractors that the warranty period had expired. The department also shall review and evaluate consultant evaluation requirements or recommendations and update existing policies and procedures accordingly.

(2) The department shall review its warranty administration processes, procedures, and associated manuals to ensure that all of the following occur:

(a) Initial notifications of needed corrective action are sent prior to warranty expiration.

(b) Consistent and timely second notifications of needed corrective action are sent if contractors do not respond within 30 days of an initial notification.

(c) The department has an effective process to establish time frames for corrective action completion.

(d) Daily inspector reports on all warranty segments are completed consistently.

(3) The department shall report on the review described in subsection (2) and changes resulting from the review. The department shall submit the report to the state budget director,

1 the house and senate appropriations subcommittees on  
2 transportation, and the house and senate fiscal agencies no later  
3 than March 31, 2023.

4 Sec. 604. At the close of the fiscal year, any unencumbered  
5 and unexpended balance in the state trunkline fund shall remain in  
6 the state trunkline fund and shall carry forward and is  
7 appropriated for federal aid road and bridge programs for projects  
8 contained in the annual state transportation program.

9 Sec. 612. The department shall establish guidelines governing  
10 incentives and disincentives provided under contracts for state  
11 trunkline projects. The guidelines shall include specific financial  
12 information concerning incentives and disincentives.

13 Sec. 613. (1) From the funds appropriated in part 1 for state  
14 trunkline operations, \$750,000.00 must be allocated to provide each  
15 department maintenance garage an industrial magnet roadway sweeper.  
16 As used in this section, "industrial magnet roadway sweeper" means  
17 an industrial-strength magnet that mounts to the front of road  
18 maintenance vehicles and is used to remove metal debris from  
19 roadway and highway shoulders.

20 (2) Industrial magnet roadway sweepers procured by the  
21 department must meet the following specifications:

22 (a) They must fit or be capable of being retrofitted on  
23 existing maintenance vehicles.

24 (b) The vehicle operator must be able to turn the magnet on  
25 and off from inside the vehicle cab.

26 (c) The magnet must not exceed a 2% loss of magnet life per  
27 100 years.

28 (3) The department must give preference to vendors  
29 headquartered in this state.

1           Sec. 614. From the funds appropriated in part 1, \$5,000,000.00  
2 must be allocated to incentivize and support the inclusion of low  
3 impact development stormwater management practices in the design of  
4 state trunkline and local road agency construction projects. With  
5 respect to state trunkline highways, low impact development  
6 stormwater management practices must include consideration of  
7 impacts on land and drainage within 75 feet of a state trunkline  
8 highway.

9           Sec. 615. From the funds appropriated in part 1, the  
10 department shall conduct a study of the feasibility of vehicle  
11 miles traveled as a replacement for motor fuel taxes as a basis for  
12 transportation funding.

13  
14 **TRANSIT AND RAIL RELATED FUNDS**

15           Sec. 701. The department shall establish an intercity bus  
16 equipment and facility fund as a subsidiary fund within the  
17 comprehensive transportation fund created under section 10b of 1951  
18 PA 51, MCL 247.660b. Proceeds received by this state from the sale  
19 of state-owned intercity bus equipment shall be credited to the  
20 intercity bus equipment and facility fund for the purchase and  
21 repair of intercity bus equipment, as appropriated. Security  
22 deposits not returned to a lessee of state-owned intercity bus  
23 equipment under terms of the lease agreement shall be credited to  
24 the intercity bus equipment and facility fund for the repair of  
25 intercity bus equipment, as appropriated. Money received by the  
26 department from lease payments for state-owned intercity bus  
27 equipment, and facility maintenance charges under terms of leases  
28 of state-owned intercity facilities, shall be credited to the  
29 intercity bus equipment and facility fund for the purchase and

1 repair of intercity bus equipment or for the maintenance and  
2 rehabilitation of state-owned intercity facilities, as  
3 appropriated. At the close of the fiscal year, any funds remaining  
4 in the intercity bus equipment and facility fund shall remain in  
5 the fund and be carried forward into the succeeding fiscal year.

6 Sec. 702. Money that is received by this state as repayment  
7 for loans made for rail or water freight capital projects, and as a  
8 result of the sale of property or equipment used or projected to be  
9 used for rail or water freight projects shall be deposited in the  
10 rail freight fund created by section 17 of the state transportation  
11 preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of  
12 the fiscal year, any funds remaining in the rail freight fund shall  
13 remain in the fund and be carried forward into the succeeding  
14 fiscal year.

15 Sec. 703. After receiving notification from a railroad company  
16 pursuant to section 8 of the state transportation preservation act  
17 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately  
18 notify the house of representatives and senate appropriations  
19 subcommittees on transportation and the state budget office that  
20 the railroad company has filed with the appropriate governmental  
21 agencies for abandonment of a line.

22 Sec. 704. From the funds appropriated in part 1, the  
23 department shall prepare and transmit a report that provides detail  
24 regarding the department's obligations for programs funded under  
25 the appropriation in part 1 for rail operations and infrastructure.  
26 The report shall include a breakdown of the appropriation by  
27 program, year-to-date obligations under each program itemized by  
28 project, and an estimate of future obligations under each program  
29 itemized by project for the remainder of the fiscal year. The

1 initial report shall be submitted to the senate and house  
2 appropriations subcommittees on transportation, the state budget  
3 director, and the senate and house fiscal agencies, on or before  
4 February 1, 2023. The department also shall update and resubmit the  
5 final report on or before November 1, 2023.

6 Sec. 706. The Detroit/Wayne County Port Authority shall issue  
7 a complete operations assessment and a financial disclosure  
8 statement. The operations assessment shall include operational  
9 goals for the next 5 years and recommendations to improve land  
10 acquisition and development efficiency. The report shall be  
11 completed and submitted to the house of representatives and senate  
12 appropriations subcommittees on transportation, the state budget  
13 director, and the house and senate fiscal agencies by June 30 of  
14 each fiscal year for the prior fiscal year.

15 Sec. 707. (1) Before March 1 of each year, the department will  
16 provide to the legislature, the state budget office, and the house  
17 and senate fiscal agencies its rail strategic plan. The strategic  
18 plan shall include, but is not limited to, a rolling 5-year rail  
19 plan and summary of the department's obligations for programs  
20 funded under the appropriation in part 1 for rail operations and  
21 infrastructure.

22 (2) The rolling 5-year rail plan shall include, but is not  
23 limited to, all the following:

24 (a) A listing by county of all rail infrastructure projects on  
25 rail lines within the state utilizing state funds, and the  
26 estimated cost of each project.

27 (b) The actual or projected state expenditures for operation  
28 of passenger rail service.

29 (c) The actual or projected state expenditures for maintenance

1 of passenger service rail lines.

2 (3) The period of the rolling 5-year rail plan includes the  
3 current fiscal year and the 4 fiscal years immediately following  
4 the current fiscal year.

5 (4) The summary of the department's obligations for programs  
6 funded under the appropriation in part 1 for rail operations and  
7 infrastructure shall include a breakdown of the appropriation by  
8 program, year-to-year obligations under each program itemized by  
9 project, and an estimate of future obligations under each program  
10 itemized by project for the remainder of the fiscal year.

11 (5) from the funds appropriated in part 1 for rail operations  
12 and infrastructure, not less than \$21,500,000.000 must be allocated  
13 for the support of rail-related economic development projects and  
14 rail freight system preservation projects.

15 Sec. 720. It is the intent of the legislature that all transit  
16 agencies in Michigan should strive to achieve a farebox recovery  
17 rate of not less than 6%.

18 Sec. 735. For the fiscal year ending September 30, 2023, the  
19 appropriation to a street railway pursuant to section 10e(22) of  
20 1951 PA 51, MCL 247.660e, is \$0.

21 Sec. 736. No funds from the appropriations in part 1 may be  
22 used for a rail freight development project to support the  
23 cessation of energy pipeline operations across the Straits of  
24 Mackinac.

25 Sec. 752. The legislature encourages the department to meet  
26 with representatives of a rail industry trade association to  
27 provide information on the availability of rail infrastructure loan  
28 and grant funding programs and freight economic development project  
29 opportunities.

1           Sec. 753. From the funds appropriated in part 1 for marine  
2 passenger service, 60% must be spent on eligible entities servicing  
3 multiple destinations. The remaining funds must be spent on  
4 eligible entities servicing a single destination.

5           Sec. 757. From the funds appropriated in part 1, the  
6 department shall conduct a study of the feasibility of rail  
7 passenger service from New Buffalo, Michigan to Traverse City,  
8 Michigan.

9  
10       **AERONAUTICS FUND**

11           Sec. 801. Except as otherwise provided in section 903 of this  
12 part for capital outlay, at the close of the fiscal year, any  
13 unobligated and unexpended balance in the state aeronautics fund  
14 created in the aeronautics code of the state of Michigan, 1945 PA  
15 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics  
16 fund and be appropriated by the legislature in the immediately  
17 succeeding fiscal year.

18  
19       **CAPITAL OUTLAY**

20           Sec. 901. (1) From federal-state-local project appropriations  
21 contained in part 1 for the purpose of assisting political entities  
22 and subdivisions of this state in the construction and improvement  
23 of publicly used airports and landing fields within this state, the  
24 state transportation department may permit the award of contracts  
25 on behalf of units of local government for the authorized locations  
26 not to exceed the indicated amounts, of which the state allocated  
27 portion shall not exceed the amount appropriated in part 1.

28           (2) Political entities and subdivisions shall provide not less  
29 than 5% of the cost of any project under this section, unless a



1 total nonfederal share less than 10% is otherwise specified in  
2 federal law. State money shall not be allocated until local money  
3 is allocated. State money for any 1 project shall not exceed 1/3 of  
4 the total appropriation in part 1 from state funds for airport  
5 improvement programs.

6 (3) The Michigan aeronautics commission may take those steps  
7 necessary to match federal money available for airport construction  
8 and improvement within this state and to meet the matching  
9 requirements of the federal government. Whether acting alone or  
10 jointly with another political subdivision or public agency or with  
11 this state, a political subdivision or public agency of this state  
12 shall not submit to any agency of the federal government a project  
13 application for airport planning or development unless it is  
14 authorized in this part and part 1 and the project application is  
15 approved by the governing body of each political subdivision or  
16 public agency making the application and by the Michigan  
17 aeronautics commission.

18 Sec. 903. The appropriations in part 1 for capital outlay  
19 shall be carried forward at the end of the fiscal year consistent  
20 with the provisions of section 248 of the management and budget  
21 act, 1984 PA 431, MCL 18.1248.

#### 22 23 **ONE-TIME ONLY APPROPRIATIONS**

24 Sec. 1001. The one-time general fund/general purpose  
25 appropriation in part 1 for county road commissions shall be  
26 distributed among the county road commissions in accordance with  
27 section 12 of 1951 PA 51, MCL 247.662, to be used by county road  
28 commissions as provided under that section. The one-time general  
29 fund/general purpose appropriation in part 1 for cities and

1 villages shall be distributed among cities and villages in  
2 accordance with section 13 of 1951 PA 51, MCL 247.663, to be used  
3 by cities and villages as provided under that section.

4 Sec. 1002. (1) The one-time funds appropriated in part 1 for  
5 the priority rail grade crossing/separation initiative shall be  
6 expended by the department to support a local grant program for the  
7 separation of motor vehicle traffic and railroad traffic in this  
8 state. Grant funds awarded under this program may be used by local  
9 road agencies for any stage of design and construction related to a  
10 grade separation project or a project that improves traffic at a  
11 rail crossing without a full grade separation including, but not  
12 limited to, construction of a rail siding or spur. Projects shall  
13 be selected for inclusion in the program subject to available  
14 funding and according to the following criteria:

15 (a) Grade separation projects that will eliminate significant  
16 blockages or backups.

17 (b) Grade separation projects that will have a positive impact  
18 on the local economy, safety, and the efficient movement of goods  
19 and people.

20 (c) Any other criteria established by the department.

21 (2) The department shall provide a progress report on the  
22 priority rail/grade separation initiative to the senate and house  
23 transportation appropriations subcommittees, the state budget  
24 director, and the senate and house fiscal agencies by September 30,  
25 2023.