

**SUBSTITUTE FOR
SENATE BILL NO. 92**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2022; 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, 2022, from the following funds:

DEPARTMENT OF TRANSPORTATION

APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0
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1	Full-time equated classified positions	2,693.7
2	GROSS APPROPRIATION	\$ 5,231,001,000
3	IDG for accounting service center user charges	4,044,800
4	Total interdepartmental grants and	
5	intradepartmental transfers	4,044,800
6	ADJUSTED GROSS APPROPRIATIONS	\$ 5,226,956,200
7	Federal revenues:	
8	Federal aid - Federal Railroad Administration	20,000,000
9	Federal aid - Federal Transit Administration	4,500,000
10	Federal aid - transportation programs	1,424,019,000
11	Total federal revenues	1,448,519,000
12	Special revenue funds:	
13	Local funds	80,782,000
14	Total local revenues	80,782,000
15	Private funds	900,000
16	Total private revenues	900,000
17	Blue Water Bridge fund	17,660,900
18	Comprehensive transportation fund	357,111,900
19	Economic development fund	53,528,000
20	Intercity bus equipment fund	600,000
21	Local bridge fund	30,143,000
22	Michigan transportation fund	1,926,979,800
23	Qualified airport fund	5,200,000
24	Rail freight fund	6,000,000
25	State aeronautics	7,127,700
26	State aeronautics fund	8,103,600
27	State trunkline fund	1,284,300,300
28	Total other state restricted revenues	3,696,755,200

1	State general fund/general purpose	\$	0
2	Sec. 102. DEBT SERVICE		
3	State trunkline	\$	218,679,300
4	Economic development		11,485,600
5	Local bridge fund		2,330,400
6	Blue Water Bridge fund		6,809,800
7	Airport safety and protection plan		3,438,700
8	Comprehensive transportation		10,899,800
9	GROSS APPROPRIATION	\$	253,643,600
10	Appropriated from:		
11	Federal aid - transportation programs		50,582,100
12	Total federal revenues		50,582,100
13	Blue Water Bridge fund		6,809,800
14	Comprehensive transportation fund		10,899,800
15	Economic development fund		11,485,600
16	Local bridge fund		2,330,400
17	State aeronautics fund		3,438,700
18	State trunkline fund		168,097,200
19	Total other state restricted revenues		203,061,500
20	State general fund/general purpose	\$	0
21	Sec. 103. INTERDEPARTMENTAL GRANTS		
22	CTF grant to civil service commission	\$	250,000
23	CTF grant to department of attorney general		107,600
24	CTF grant to department of technology,		
25	management, and budget		34,500
26	CTF grant to department of treasury		46,900
27	CTF grant to legislative auditor general		43,200

1	MTF grant to department of environment, Great	
2	Lakes, and energy	1,491,400
3	MTF grant to department of state for collection	
4	of revenue and fees	20,000,000
5	MTF grant to department of treasury	3,011,900
6	MTF grant to legislative auditor general	350,200
7	SAF grant to civil service commission	150,000
8	SAF grant to department of attorney general	188,200
9	SAF grant to department of technology,	
10	management, and budget	28,000
11	SAF grant to department of treasury	84,100
12	SAF grant to legislative auditor general	33,800
13	STF grant to civil service commission	6,321,000
14	STF grant to department of attorney general	2,123,200
15	STF grant to department of state police	12,154,500
16	STF grant to department of technology,	
17	management, and budget	1,177,900
18	STF grant to department of treasury	148,800
19	STF grant to legislative auditor general	813,500
20	GROSS APPROPRIATION	\$ 48,558,700
21	Appropriated from:	
22	Comprehensive transportation fund	482,200
23	Michigan transportation fund	24,853,500
24	State aeronautics fund	484,100
25	State trunkline fund	22,738,900
26	Total other state restricted revenues	48,558,700
27	State general fund/general purpose	\$ 0

1	Sec. 104. DEPARTMENTAL ADMINISTRATION AND		
2	SUPPORT		
3	Full-time equated unclassified positions	6.0	
4	Full-time equated classified positions	246.3	
5	Unclassified salaries--FTE positions	6.0	\$ 828,600
6	Asset management council		1,876,400
7	Business support services--FTEs	41.0	6,727,800
8	Commission audit--FTEs	29.3	3,553,000
9	Economic development and enhancement programs--		
10	FTEs	10.0	1,723,300
11	Finance, contracts, and support services--FTEs	166.0	22,352,900
12	Property management		6,957,400
13	Worker's compensation		1,721,800
14	GROSS APPROPRIATION		\$ 45,741,200
15	Appropriated from:		
16	IDG for accounting service center user charges		4,044,800
17	Total interdepartmental grants and		
18	intradepartmental transfers		4,044,800
19	Comprehensive transportation fund		1,630,200
20	Economic development fund		402,100
21	Michigan transportation fund		4,386,900
22	State aeronautics fund		756,100
23	State trunkline fund		34,521,100
24	Total other state restricted revenues		41,696,400
25	State general fund/general purpose		\$ 0
26	Sec. 105. INFORMATION TECHNOLOGY		
27	Information technology services and projects		\$ 39,512,400
28	GROSS APPROPRIATION		\$ 39,512,400

1	Appropriated from:			
2	Federal aid - transportation programs			520,500
3	Total federal revenues			520,500
4	Blue Water Bridge fund			56,900
5	Comprehensive transportation fund			231,700
6	Economic development fund			38,400
7	Michigan transportation fund			302,800
8	State aeronautics fund			180,700
9	State trunkline fund			38,181,400
10	Total other state restricted revenues			38,991,900
11	State general fund/general purpose		\$	0
12	Sec. 106. TRANSPORTATION PLANNING			
13	Full-time equated classified positions	136.0		
14	Planning services--FTEs	136.0	\$	41,656,400
15	Grants to regional planning councils			488,800
16	GROSS APPROPRIATION		\$	42,145,200
17	Appropriated from:			
18	Federal aid - transportation programs			24,000,000
19	Total federal revenues			24,000,000
20	Comprehensive transportation fund			622,000
21	Michigan transportation fund			9,816,400
22	State aeronautics fund			15,700
23	State trunkline fund			7,691,100
24	Total other state restricted revenues			18,145,200
25	State general fund/general purpose		\$	0
26	Sec. 107. DESIGN AND ENGINEERING SERVICES			
27	Full-time equated classified positions	1,401.3		
28	Program development and delivery--FTEs	952.3	\$	96,634,600

1	System operations management--FTEs	307.0		56,892,400
2	Business services--FTEs	142.0		23,551,900
3	GROSS APPROPRIATION		\$	177,078,900
4	Appropriated from:			
5	Federal aid - transportation programs			23,529,800
6	Total federal revenues			23,529,800
7	Comprehensive transportation fund			187,100
8	Michigan transportation fund			15,621,100
9	State aeronautics fund			160,300
10	State trunkline fund			137,580,600
11	Total other state restricted revenues			153,549,100
12	State general fund/general purpose		\$	0
13	Sec. 108. HIGHWAY MAINTENANCE			
14	Full-time equated classified positions	753.1		
15	State trunkline operations--FTEs	753.1	\$	419,481,200
16	GROSS APPROPRIATION		\$	419,481,200
17	Appropriated from:			
18	State trunkline fund			419,481,200
19	Total other state restricted revenues			419,481,200
20	State general fund/general purpose		\$	0
21	Sec. 109. ROAD AND BRIDGE PROGRAMS			
22	Cities and villages		\$	652,686,200
23	County road commissioners			1,170,643,500
24	Grants to local programs			33,000,000
25	Local agency wetland mitigation bank fund			2,000,000
26	Local bridge program			27,812,600
27	Local federal aid and road and bridge			
28	construction			290,587,800

1	Movable bridge fund		5,553,000
2	Rail grade crossing		3,000,000
3	Rail grade crossing-surface improvements		3,000,000
4	State trunkline federal aid and road and bridge		
5	construction		1,335,069,800
6	GROSS APPROPRIATION	\$	3,523,352,900
7	Appropriated from:		
8	Federal aid - transportation programs		1,141,836,600
9	Total federal revenues		1,141,836,600
10	Local funds		30,003,500
11	Total local revenues		30,003,500
12	Blue Water Bridge fund		4,079,500
13	Local bridge fund		27,812,600
14	Michigan transportation fund		1,869,882,700
15	State trunkline fund		449,738,000
16	Total other state restricted revenues		2,348,612,800
17	State general fund/general purpose	\$	0
18	Sec. 111. BLUE WATER BRIDGE		
19	Full-time equated classified positions	40.0	
20	Blue Water Bridge operations--FTEs	40.0	\$ 6,714,700
21	GROSS APPROPRIATION	\$	6,714,700
22	Appropriated from:		
23	Blue Water Bridge fund		6,714,700
24	Total other state restricted revenues		6,714,700
25	State general fund/general purpose	\$	0
26	Sec. 112. TRANSPORTATION ECONOMIC DEVELOPMENT		
27	Community service infrastructure fund	\$	3,000,000
28	Forest roads		5,000,000

1	Rural county primary		7,650,500
2	Rural county urban system		2,500,000
3	Targeted industries/economic development		15,800,900
4	Urban county congestion		7,650,500
5	GROSS APPROPRIATION	\$	41,601,900
6	Appropriated from:		
7	Economic development fund		41,601,900
8	Total other state restricted revenues		41,601,900
9	State general fund/general purpose	\$	0
10	Sec. 113. AERONAUTICS SERVICES		
11	Full-time equated classified positions	44.0	
12	Air fleet operations and maintenance--FTEs	7.0	\$ 1,774,500
13	Air service program		50,000
14	Aviation services--FTEs	37.0	5,303,200
15	GROSS APPROPRIATION	\$	7,127,700
16	Appropriated from:		
17	State aeronautics fund		7,127,700
18	Total other state restricted revenues		7,127,700
19	State general fund/general purpose	\$	0
20	Sec. 114. PUBLIC TRANSPORTATION SERVICES		
21	Full-time equated classified positions	36.0	
22	Passenger transportation services--FTEs	36.0	\$ 6,040,200
23	GROSS APPROPRIATION	\$	6,040,200
24	Appropriated from:		
25	Federal aid - transportation programs		972,100
26	Total federal revenues		972,100
27	Comprehensive transportation fund		5,068,100
28	Total other state restricted revenues		5,068,100

1	State general fund/general purpose	\$	0
2	Sec. 115. LOCAL BUS TRANSIT		
3	Local bus operating	\$	196,750,000
4	Nonurban operation/capital		30,027,900
5	GROSS APPROPRIATION	\$	226,777,900
6	Appropriated from:		
7	Federal aid - transportation programs		28,027,900
8	Total federal revenues		28,027,900
9	Local funds		2,000,000
10	Total local revenues		2,000,000
11	Comprehensive transportation fund		196,750,000
12	Total other state restricted revenues		196,750,000
13	State general fund/general purpose	\$	0
14	Sec. 116. INTERCITY PASSENGER		
15	Full-time equated classified positions	37.0	
16	Detroit/Wayne County Port Authority	\$	500,000
17	Freight property management		1,000,000
18	Intercity services		8,060,000
19	Marine passenger service		1,012,000
20	Office of rail--FTEs	37.0	6,752,500
21	Rail operations and infrastructure		98,738,000
22	GROSS APPROPRIATION	\$	116,062,500
23	Appropriated from:		
24	Federal aid - Federal Railroad Administration		20,000,000
25	Federal aid - Federal Transit Administration		4,500,000
26	Total federal revenues		24,500,000
27	Local funds		760,000
28	Total local revenues		760,000

1	Private funds	900,000
2	Total private revenues	900,000
3	Comprehensive transportation fund	80,416,800
4	Intercity bus equipment fund	600,000
5	Michigan transportation fund	2,116,400
6	Rail freight fund	6,000,000
7	State trunkline fund	769,300
8	Total other state restricted revenues	89,902,500
9	State general fund/general purpose	\$ 0
10	Sec. 117. PUBLIC TRANSPORTATION DEVELOPMENT	
11	Municipal credit program	\$ 2,000,000
12	Service initiatives	11,304,400
13	Specialized services	18,438,900
14	Transit capital - urban	52,820,700
15	Transit capital - nonurban	56,250,000
16	Transportation to work	3,875,000
17	Van pooling	195,000
18	GROSS APPROPRIATION	\$ 144,884,000
19	Appropriated from:	
20	Federal aid - transportation programs	48,550,000
21	Total federal revenues	48,550,000
22	Local funds	35,510,000
23	Total local revenues	35,510,000
24	Comprehensive transportation fund	60,824,000
25	Total other state restricted revenues	60,824,000
26	State general fund/general purpose	\$ 0
27	Sec. 118. CAPITAL OUTLAY	
28	(1) BUILDINGS AND FACILITIES	

1	Salt storage buildings and containment control	\$	2,500,000
2	Special maintenance, remodeling, and additions		3,001,500
3	GROSS APPROPRIATION	\$	5,501,500
4	Appropriated from:		
5	State trunkline fund		5,501,500
6	Total other state restricted revenues		5,501,500
7	State general fund/general purpose	\$	0
8	(2) AIRPORT IMPROVEMENT PROGRAMS		
9	Airport safety, protection and improvement		
10	program	\$	121,576,500
11	Detroit Metropolitan Wayne County Airport		5,200,000
12	GROSS APPROPRIATION	\$	126,776,500
13	Appropriated from:		
14	Federal aid - transportation programs		106,000,000
15	Total federal revenues		106,000,000
16	Local funds		12,508,500
17	Total local revenues		12,508,500
18	Qualified airport fund		5,200,000
19	State aeronautics fund		3,068,000
20	Total other state restricted revenues		8,268,000
21	State general fund/general purpose	\$	0
22	Sec. 119. ONE-TIME BASIS ONLY		
23	GROSS APPROPRIATION	\$	0
24	Appropriated from:		
25	State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2021-2022

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 2021-2022 is \$3,696,755,200.00 and state spending from state sources to be paid to local units of government for fiscal year 2021-2022 is \$2,196,214,200.00. 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	652,686,200
County road commissions	1,170,643,500
Grants to local programs	33,000,000
Local bridge program	27,812,600
Local agency wetland mitigation	2,000,000
Movable bridge	2,776,500
Rail grade crossing	1,500,000
Rail grade surface crossing improvements	3,000,000
Transportation economic development	35,597,600
Air service program	50,000
Local bus operating	196,750,000
Detroit/Wayne County Port Authority	500,000
Marine passenger service	512,000
Municipal credit program	2,000,000
Service initiatives	9,329,400
Specialized services	4,353,900
Transit capital	41,070,700

1	Transportation to work	3,875,000
2	Airport safety, protection, and improvement	
3	program	3,068,000
4	Detroit Metropolitan Wayne County Airport	5,200,000
5	Total payments to local units of government	\$ 2,196,214,200

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

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

- 10 (a) "CTF" means comprehensive transportation fund.
- 11 (b) "Department" means the state transportation department.
- 12 (c) "Director" means the director of the department.
- 13 (d) "DOT" means the United States Department of
- 14 Transportation.
- 15 (e) "DOT-FHWA" means DOT, Federal Highway Administration.
- 16 (f) "FTE" means full-time equated.
- 17 (g) "IDG" means interdepartmental grant.
- 18 (h) "MTF" means Michigan transportation fund.
- 19 (i) "SAF" means state aeronautics fund.
- 20 (j) "STF" means state trunkline fund.

21 Sec. 204. The departments and agencies receiving
22 appropriations in part 1 shall use the internet to fulfill the
23 reporting requirements of this part. This requirement shall include
24 transmission of reports via electronic mail to the recipients
25 identified for each reporting requirement, and it shall include
26 placement of reports on an internet site.

27 Sec. 205. Funds appropriated in part 1 shall not be used for
28 the purchase of foreign goods or services, or both, if
29 competitively priced and of comparable quality American goods or

1 services, or both, are available. Preference shall be given to
2 goods or services, or both, manufactured or provided by Michigan
3 businesses, if they are competitively priced and of comparable
4 quality. In addition, preference shall be given to goods or
5 services, or both, that are manufactured or provided by Michigan
6 businesses owned and operated by veterans, if they are
7 competitively priced and of comparable quality.

8 Sec. 206. The director shall take all reasonable steps to
9 ensure businesses in deprived and depressed communities compete for
10 and perform contracts to provide services or supplies, or both.
11 Each director shall strongly encourage firms with which the
12 department contracts to subcontract with certified businesses in
13 depressed and deprived communities for services, supplies, or both.

14 Sec. 207. The departments and agencies receiving
15 appropriations in part 1 shall prepare a report on out-of-state
16 travel expenses not later than January 1 of each year. The travel
17 report shall be a listing of all travel by classified and
18 unclassified employees outside this state in the immediately
19 preceding fiscal year that was funded in whole or in part with
20 funds appropriated in the department's budget. The report shall be
21 submitted to the senate and house appropriations committees, the
22 house and senate fiscal agencies, and the state budget director.
23 The report shall include the following information:

24 (a) The dates of each travel occurrence.

25 (b) The transportation and related costs of each travel
26 occurrence, including the proportion funded with state general
27 fund/general purpose revenues, the proportion funded with state
28 restricted revenues, the proportion funded with federal revenues,
29 and the proportion funded with other revenues.

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

7 Sec. 209. Not later than December 31, the state budget office
8 shall prepare and transmit a report that provides for estimates of
9 the total general fund/general purpose appropriation lapses at the
10 close of the prior fiscal year. This report shall summarize the
11 projected year-end general fund/general purpose appropriation
12 lapses by major departmental program or program areas. The report
13 shall be transmitted to the chairpersons of the senate and house of
14 representatives standing committees on appropriations and the
15 senate and house fiscal agencies.

16 Sec. 211. From the funds appropriated in part 1, the
17 department shall provide the department of technology, management,
18 and budget information sufficient to maintain a searchable website
19 accessible by the public at no cost that includes, but is not
20 limited to, all of the following:

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

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

23 (c) Fiscal year-to-date payments to a selected vendor,
24 including the vendor name, payment date, payment amount, and
25 payment description.

26 (d) The number of active department employees by job
27 classification.

28 (e) Job specifications and wage rates.

29 Sec. 212. Within 14 days after the release of the executive

1 budget recommendation, the department shall provide to the state
2 budget office information sufficient to provide the senate and
3 house appropriations chairs, the chairpersons of the senate and
4 house appropriations subcommittees on transportation, and the
5 senate and house fiscal agencies with an annual report on estimated
6 state restricted fund balances, state restricted fund projected
7 revenues, and state restricted fund expenditures for the fiscal
8 years ending September 30, 2021 and September 30, 2022.

9 Sec. 213. The department shall maintain, on a publicly
10 accessible website, a department scorecard that identifies, tracks,
11 and regularly updates key metrics that are used to monitor and
12 improve the department's performance.

13 Sec. 214. Total authorized appropriations from all sources
14 under part 1 for legacy costs for the fiscal year ending September
15 30, 2022 are \$66,849,900.00. From this amount, total agency
16 appropriations for pension-related legacy costs are estimated at
17 \$37,452,900.00. Total agency appropriations for retiree health care
18 legacy costs are estimated at \$29,397,000.00.

19 Sec. 215. A department shall not take disciplinary action
20 against an employee of the department or departmental agency in the
21 state classified civil service because the employee communicates
22 with a member of the senate or house of representatives or a
23 member's staff, unless the communication is prohibited by law and
24 the department or agency taking disciplinary action is exercising
25 its authority as provided by law.

26 Sec. 216. (1) On a quarterly basis, the department shall
27 report to the senate and house appropriations committees, the
28 senate and house appropriations subcommittees on the department
29 budget, and the senate and house fiscal agencies the following

1 information:

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

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

7 (2) By April 1 of the current fiscal year and semiannually
8 thereafter, the department shall report to the senate and house
9 appropriations committees, the senate and house appropriations
10 subcommittees on the department budget, and the senate and house
11 fiscal agencies the following information:

12 (a) Number of employees that were engaged in remote work in
13 2021.

14 (b) Number of employees authorized to work remotely and the
15 actual number of those working remotely in the current reporting
16 period.

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

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

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

22 Sec. 218. If the state administrative board, acting under
23 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
24 appropriated under this article, the legislature may, by a
25 concurrent resolution adopted by a majority of the members elected
26 to and serving in each house, intertransfer funds within this
27 article for the particular department, board, commission, officer,
28 or institution.

29 Sec. 219. The departments and agencies receiving

1 appropriations in part 1 shall receive and retain copies of all
2 reports funded from appropriations in part 1. Federal and state
3 guidelines for short-term and long-term retention of records shall
4 be followed. The department may electronically retain copies of
5 reports unless otherwise required by federal and state guidelines.

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

12 Sec. 221. To the extent possible, the department shall provide
13 notice to the speaker of the house, the house minority leader, the
14 senate majority leader, the senate minority leader, the house and
15 senate standing committees on transportation, the appropriate house
16 and senate appropriations subcommittees on transportation, and the
17 house and senate fiscal agencies on proposed federal rule changes
18 related to the department that would require amendments to the laws
19 of this state. The notice shall be given within 30 business days of
20 the proposed federal rule being posted to the Federal Register and
21 shall include a description of the proposed federal rule, the
22 publication date, the date when public comment closes, the document
23 citation, and a description of the statutory changes needed when
24 the rule is finalized.

25 Sec. 270. In order to reduce costs and maintain quality, it is
26 the intent of the legislature that, excluding the fleet of motor
27 vehicles for the department of state police, the department will
28 prioritize the utilization of remanufactured parts as the primary
29 means of maintenance and repair for the state of Michigan's fleet

1 of motor vehicles.

2
3 **DEPARTMENT ADMINISTRATION AND SUPPORT**

4 Sec. 301. (1) The department may establish a fee schedule and
5 collect fees sufficient to cover the costs to issue the permits
6 that the department is authorized by law to issue upon request,
7 unless otherwise stipulated by law. All permit fees are
8 nonrefundable application fees and shall be credited to the
9 appropriate fund to recover the direct and indirect costs of
10 receiving, reviewing, and processing the requests.

11 (2) A bridge authority shall hold 3 public hearings on an
12 increase in any toll charged by the authority at least 30 days
13 before the toll change will become effective. Two of the hearings
14 shall be held within 10 miles of the bridge over which the bridge
15 authority has jurisdiction. One hearing shall be held in Lansing.
16 Public hearings held under this section shall be conducted in
17 accordance with the open meetings act, 1976 PA 267, MCL 15.261 to
18 15.275, and shall be conducted so as to provide a reasonable
19 opportunity for public comment, including both spoken and written
20 comments. Public hearings under this section shall make reasonable
21 accommodations to allow for participation by the public through
22 electronic formats, including the opportunity to view the public
23 hearing through internet broadcast and to submit comments by
24 digital means.

25 Sec. 302. (1) Total authorized annual state trunkline fund
26 debt service limits identified in section 18b of 1951 PA 51, MCL
27 247.668b, from constitutionally restricted revenue sources
28 identified in section 9 of article IX of the state constitution of
29 1963 are as follows:

1 (a) At 25% of the constitutionally restricted revenue sources
2 set aside for the state trunkline fund, the debt service limit for
3 the fiscal year ending September 30, 2022 for the state trunkline
4 fund is \$242,180,850.00.

5 (b) At 50% of the constitutionally restricted revenue sources
6 set aside for the state trunkline fund, the debt service limit for
7 the fiscal year ending September 30, 2022 for the state trunkline
8 fund is \$484,361,700.00.

9 (2) The department shall report no later than February 1, 2022
10 on the state trunkline fund debt service limit. The report must
11 include an accounting of the previous fiscal year's trunkline fund
12 debt service limit, the total amount of debt service paid for that
13 fiscal year, and the remaining portion of the debt service cap that
14 was not applied. The report must include a projection for the
15 fiscal year ending September 30, 2022 that also includes the fiscal
16 year debt service limit, the total amount of debt service planned
17 for the fiscal year ending September 30, 2022, and the remaining
18 portion of the debt service cap that could be applied. The report
19 must include all planned bonding for the fiscal year ending
20 September 30, 2022.

21 Sec. 303. From the funds appropriated in part 1 for highway
22 maintenance, the department shall initiate a winter maintenance
23 program in accordance with section 11a of 1951 PA 51, MCL 247.661a.

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

1 documentation if necessary to address or defend a claim by a
2 contractor.

3 Sec. 305. (1) The department may permit space on public
4 passenger transportation properties to be occupied by public or
5 private tenants on a competitive market rate basis. The department
6 shall require that revenue from the tenants be placed in an account
7 to be used to pay the costs to maintain and improve the property.

8 (2) The department shall charge all public transit agencies
9 and all intercity bus carriers equal rates per square foot, at fair
10 market rates, for leasing space in state-owned intermodal
11 facilities.

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

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

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

24 (c) Detailed cost allocation methods appropriate to the type
25 of services being provided and the activities financed with
26 transportation funds.

27 (2) Not later than 2 months after publication of the state of
28 Michigan comprehensive annual financial report, each state
29 department receiving funding pursuant to an interdepartment

1 contract with the department shall submit a written report to the
2 department, the state budget director, the house and senate fiscal
3 agencies, and the auditor general stating by spending authorization
4 account the amount of estimated funds contracted with the
5 department, the amount of funds expended, the amount of funds
6 returned to the transportation funds, and any unreimbursed
7 transportation-related costs incurred but not billed to
8 transportation funds.

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

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. 313. (1) From funds appropriated in part 1, the
22 department may increase a state infrastructure bank program and
23 grant or loan funds in accordance with regulations of the state
24 infrastructure bank program of the United States Department of
25 Transportation. The state infrastructure bank is to be administered
26 by the department for the purpose of providing a revolving, self-
27 sustaining resource for financing transportation infrastructure
28 projects.

29 (2) In addition to funds provided in subsection (1), money

1 received by the state as federal grants, repayment of state
2 infrastructure bank loans, or other reimbursement or revenue
3 received by the state as a result of projects funded by the program
4 and interest earned on that money shall be deposited in the
5 revolving state infrastructure bank fund and shall be available for
6 transportation infrastructure projects. At the close of the fiscal
7 year, any unencumbered funds remaining in the state infrastructure
8 bank fund shall remain in the fund and be carried forward into the
9 succeeding fiscal year.

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

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

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

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

1 Sec. 376. The department shall not spend funds appropriated in
2 part 1 for the purpose of examining the potential association
3 between commercial signs, outdoor advertising signs, billboards,
4 digital billboards, or commercial electronic variable message signs
5 and motor vehicle activity or motor vehicle driver behavior.

6 Sec. 377. No funds from the appropriation in part 1 may be
7 expended for any contractual service contract with a value in
8 excess of \$100,000.00 with any vendor in which a former department
9 director has direct input into the solicitation response or
10 contract negotiation process, or will be compensated for any work
11 performed on the contract within 24 months of that former
12 director's last employment with the department. This section may be
13 waived by resolution of the Michigan house of representatives and
14 senate.

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

22 Sec. 383. (1) The department shall prepare a report on use of
23 department-owned aircraft during the fiscal year ending September
24 30, 2021. With respect to each department-owned aircraft, the
25 report shall include all of the following:

26 (a) Total hours of usage.

27 (b) Description of specific flights including dates of travel,
28 names of passengers including state agency, university, or local
29 government affiliation, travel origin and destination, and total

1 estimated costs associated with the air travel.

2 (2) The report shall be submitted to the senate and house
3 appropriations subcommittees on transportation, state budget
4 director, and the house and senate fiscal agencies no later than
5 February 1, 2022.

6 (3) The department shall maintain a system for recovering the
7 cost of operating department-owned aircraft through charges to
8 aircraft users.

9 Sec. 384. (1) Except as otherwise provided in subsection (2),
10 the department shall not obligate the state to expend any state
11 transportation revenue for construction planning or construction of
12 the Gordie Howe International Crossing or a renamed successor. In
13 addition, except as provided in subsection (2), the department
14 shall not commit the state to any new contract related to the
15 construction planning or construction of the Gordie Howe
16 International Crossing or a renamed successor that would obligate
17 the state to expend any state transportation revenue. An
18 expenditure for staff resources used in connection with project
19 activities, which expenditure is subject to full and prompt
20 reimbursement from Canada, shall not be considered an expenditure
21 of state transportation revenue.

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

26 Sec. 385. (1) The department shall submit monthly reports to
27 the state budget director, the speaker of the house of
28 representatives, the house of representatives minority leader, the
29 senate majority leader, the senate minority leader, the house and

1 senate appropriations subcommittees on transportation, and the
2 house and senate fiscal agencies on all of the following:

3 (a) All expenditures made by the state related to the Gordie
4 Howe Bridge.

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

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

12 (2) The initial report required under subsection (1) shall be
13 submitted on or before December 1, 2021. The initial report shall
14 cover the fiscal year ending September 30, 2021.

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

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

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

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

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

28 Sec. 387. (1) Within 60 days of completion of any formal
29 traffic study, formal traffic control study, or formal traffic

1 mitigation study, the department shall post the results of the
2 study on the department's website.

3 (2) As used in this section, the terms "traffic study",
4 "traffic control study", and "traffic mitigation study" include,
5 but are not limited to, investigations into the need for traffic
6 lights, reviews of traffic speeds and related recommendations
7 regarding speed limits, and ways to improve traffic flow during
8 peak travel times.

9 Sec. 389. Within 30 days of entering into a long-term
10 agreement with a private contractor, a public agency, or a
11 partnership between 1 or more private contractors or public
12 agencies, the department shall notify the state budget director,
13 the house and senate appropriations subcommittees on
14 transportation, and the house and senate fiscal agencies of the
15 agreement, including the subject of the agreement, the term of the
16 agreement, and financial obligations under the agreement. As used
17 in this section, "long-term agreement" means an agreement that
18 obligates the department for a period of 5 years or more and that
19 actually or contingently obligates the department to make payments
20 over the contract period of \$5,000,000.00 or more.

21 Sec. 391. The department shall not use any funds from the
22 appropriations in part 1 to perform, or to assist any other state
23 department in performing, inspections or testing of motor fuel
24 quality.

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

28 Sec. 398. The department shall continue to work to eliminate
29 fatalities and serious injuries on Michigan's trunkline network and

1 shall maintain the Toward Zero Deaths statewide safety campaign.
2 The department shall prioritize additional median cable guardrail
3 installation when appropriate to address trunkline locations with a
4 history of correctable fatal and serious injury crashes.

5 Sec. 399. From the funds appropriated for state trunkline
6 federal aid and road and bridge construction, not less than 10%
7 shall be spent on capital preventative maintenance of state
8 trunkline, as defined in section 10c of 1951 PA 51, MCL 247.660c.

9
10 **FEDERAL**

11 Sec. 402. A portion of the federal DOT-FHWA highway research,
12 planning, and construction funds made available to this state shall
13 be allocated to transportation programs administered by local
14 jurisdictions in accordance with section 10o of 1951 PA 51, MCL
15 247.660o. A local road agency, with respect to a project approved
16 for federal aid funding in a state transportation improvement
17 program, may enter into a voluntary buyout agreement with the
18 department or with another local road agency to exchange the
19 federal aid with state restricted transportation funds as agreed to
20 by the respective parties. The state restricted transportation
21 funds received in exchange for federal aid funds shall be used for
22 the same purpose as the federal aid funds were originally intended.

23
24 **MICHIGAN TRANSPORTATION FUND**

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

29 Sec. 503. (1) At the close of the fiscal year, funds

1 appropriated in part 1 for the transportation economic development
2 program shall lapse to the transportation economic development
3 fund.

4 (2) At the close of the fiscal year, funds appropriated in
5 part 1 for the local bridge program shall lapse to the local bridge
6 fund.

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

11 (4) In addition to the funds appropriated in part 1, the
12 department of transportation economic development fund and local
13 bridge fund may receive federal, local, or private funds or
14 restricted source funds such as interest earnings. These funds are
15 appropriated for projects that are consistent with the purposes of
16 the respective funds.

17 (5) None of the funds statutorily dedicated to the
18 transportation economic development fund and local bridge fund
19 shall be diverted to other projects.

20 Sec. 504. Funds from the Michigan transportation fund shall be
21 distributed to the comprehensive transportation fund, the economic
22 development fund, the recreation improvement fund, and the state
23 trunkline fund, in accordance with this part and part 1 and part
24 711 of the natural resources and environmental protection act, 1994
25 PA 451, MCL 324.71101 to 324.71108, and may only be used as
26 specified in this part and part 1, 1951 PA 51, MCL 247.651 to
27 247.675, and part 711 of the natural resources and environmental
28 protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

29

1 **STATE TRUNKLINE FUND**

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

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

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

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

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

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

20 (3) The department shall report on the review described in
21 subsection (2) and changes resulting from the review. The
22 department shall submit the report to the state budget director,
23 the house and senate appropriations subcommittees on
24 transportation, and the house and senate fiscal agencies no later
25 than March 31, 2022.

26 Sec. 604. At the close of the fiscal year, any unencumbered
27 and unexpended balance in the state trunkline fund shall remain in
28 the state trunkline fund.

29 Sec. 612. The department shall establish guidelines governing

1 incentives and disincentives provided under contracts for state
2 trunkline projects. The guidelines shall include specific financial
3 information concerning incentives and disincentives.

4 Sec. 660. (1) The legislature encourages the department to
5 examine the use of alternative road surface materials and develop
6 criteria and specifications for their use in both department-
7 managed and contracted projects.

8 (2) From funds appropriated in part 1, the department shall
9 establish the Michigan state transportation innovation council to
10 review innovative road materials and innovative road and bridge
11 design and construction specifications. The Michigan state
12 transportation innovation council shall include, but is not limited
13 to, a representative of the DOT-FHWA, an appointee chosen by the
14 speaker of the house of representatives, and an appointee chosen by
15 the senate majority leader.

16 (3) The department shall report on efforts taken to implement
17 this section. The report shall include descriptions of specific
18 field or laboratory tests. The department shall complete and submit
19 the report to the state budget director, the house and senate
20 appropriations subcommittees on transportation, and the house and
21 senate fiscal agencies on or before March 1 of each year.

22 23 **TRANSIT AND RAIL RELATED FUNDS**

24 Sec. 701. The department shall establish an intercity bus
25 equipment and facility fund as a subsidiary fund within the
26 comprehensive transportation fund created under section 10b of 1951
27 PA 51, MCL 247.660b. Proceeds received by this state from the sale
28 of state-owned intercity bus equipment shall be credited to the
29 intercity bus equipment and facility fund for the purchase and

1 repair of intercity bus equipment, as appropriated. Security
2 deposits not returned to a lessee of state-owned intercity bus
3 equipment under terms of the lease agreement shall be credited to
4 the intercity bus equipment and facility fund for the repair of
5 intercity bus equipment, as appropriated. Money received by the
6 department from lease payments for state-owned intercity bus
7 equipment, and facility maintenance charges under terms of leases
8 of state-owned intercity facilities, shall be credited to the
9 intercity bus equipment and facility fund for the purchase and
10 repair of intercity bus equipment or for the maintenance and
11 rehabilitation of state-owned intercity facilities, as
12 appropriated. At the close of the fiscal year, any funds remaining
13 in the intercity bus equipment and facility fund shall remain in
14 the fund and be carried forward into the succeeding fiscal year.

15 Sec. 702. Money that is received by this state as repayment
16 for loans made for rail or water freight capital projects, and as a
17 result of the sale of property or equipment used or projected to be
18 used for rail or water freight projects shall be deposited in the
19 rail freight fund created by section 17 of the state transportation
20 preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of
21 the fiscal year, any funds remaining in the rail freight fund shall
22 remain in the fund and be carried forward into the succeeding
23 fiscal year.

24 Sec. 703. After receiving notification from a railroad company
25 pursuant to section 8 of the state transportation preservation act
26 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately
27 notify the house of representatives and senate appropriations
28 subcommittees on transportation and the state budget office that
29 the railroad company has filed with the appropriate governmental

1 agencies for abandonment of a line.

2 Sec. 704. From the funds appropriated in part 1, the
3 department shall prepare and transmit a report that provides detail
4 regarding the department's obligations for programs funded under
5 the appropriation in part 1 for rail operations and infrastructure.
6 The report shall include a breakdown of the appropriation by
7 program, year-to-date obligations under each program itemized by
8 project, and an estimate of future obligations under each program
9 itemized by project for the remainder of the fiscal year. The
10 initial report shall be submitted to the senate and house
11 appropriations subcommittees on transportation, the state budget
12 director, and the senate and house fiscal agencies, on or before
13 February 1, 2022. The department also shall update and resubmit the
14 final report on or before November 1, 2022.

15 Sec. 706. The Detroit/Wayne County Port Authority shall issue
16 a complete operations assessment and a financial disclosure
17 statement. The operations assessment shall include operational
18 goals for the next 5 years and recommendations to improve land
19 acquisition and development efficiency. The report shall be
20 completed and submitted to the house of representatives and senate
21 appropriations subcommittees on transportation, the state budget
22 director, and the house and senate fiscal agencies by June 30 of
23 each fiscal year for the prior fiscal year.

24 Sec. 707. (1) Before March 1 of each year, the department will
25 provide to the legislature, the state budget office, and the house
26 and senate fiscal agencies its rail strategic plan. The strategic
27 plan shall include, but is not limited to, a rolling 5-year rail
28 plan and summary of the department's obligations for programs
29 funded under the appropriation in part 1 for rail operations and

1 infrastructure.

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

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

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

9 (c) The actual or projected state expenditures for maintenance
10 of passenger service rail lines.

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

14 (4) The summary of the department's obligations for programs
15 funded under the appropriation in part 1 for rail operations and
16 infrastructure shall include a breakdown of the appropriation by
17 program, year-to-year obligations under each program itemized by
18 project, and an estimate of future obligations under each program
19 itemized by project for the remainder of the fiscal year.

20 Sec. 735. For the fiscal year ending September 30, 2022, the
21 appropriation to a street railway pursuant to section 10e(22) of
22 1951 PA 51, MCL 247.660e, is \$0.

23 Sec. 752. At least once each fiscal year, the department shall
24 meet with representatives of a rail industry trade association to
25 provide information on the availability of rail infrastructure loan
26 and grant funding programs and freight economic development project
27 opportunities.

28 Sec. 753. From the funds appropriated in part 1 for marine
29 passenger service, 60% must be spent on eligible entities servicing

multiple destinations. The remaining funds must be spent on eligible entities servicing a single destination.

AERONAUTICS FUND

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

CAPITAL OUTLAY

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

(2) Political entities and subdivisions shall provide not less than 5% of the cost of any project under this section, unless a total nonfederal share less than 10% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.

(3) The Michigan aeronautics commission may take those steps

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

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