

HOUSE BILL NO. 5579

November 30, 2021, Introduced by Reps. Pohutsky, Hood, Neeley, Morse, Hope, Sowerby, Kuppa, Rogers, Brabec, Koleszar, Brixie, Scott, O'Neal, Thanedar, Cavanagh, Steckloff, Stone, Young, Tyrone Carter, Yancey, Peterson, Whitsett and Aiyash and referred to the Committee on Transportation.

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the

truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding section 1k.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1k. (1) Beginning on the effective date of the amendatory**
- 2 act that added this section, and until after the green**
- 3 infrastructure permit program described in subsection (3) is**
- 4 operational, the state transportation department shall not begin**

1 any highway infrastructure project.

2 (2) After the green infrastructure permit program described in
3 subsection (3) is operational, the state transportation department
4 must apply for and receive a green infrastructure permit from the
5 department of environment, Great Lakes, and energy before beginning
6 any highway infrastructure project. The application must be
7 submitted on a form prescribed by, and contain the information
8 required by, the department of environment, Great Lakes, and
9 energy, the department of natural resources, and the state
10 transportation department. For each application received, the
11 department of environment, Great Lakes, and energy shall perform a
12 green infrastructure analysis as described in subsection (3).

13 (3) By not later than 1 year after the effective date of the
14 amendatory act that added this section, the department of
15 environment, Great Lakes, and energy, the department of natural
16 resources, and the state transportation department shall jointly
17 create a green infrastructure permit program for highway
18 infrastructure projects. The green infrastructure permit program
19 must include a green infrastructure analysis by the department of
20 environment, Great Lakes, and energy that includes all of the
21 following:

22 (a) An analysis of the impact of forecasted climate conditions
23 over the expected life of the highway infrastructure project.

24 (b) An analysis of precipitation data, trends, and projections
25 over the expected life of the highway infrastructure project.

26 (c) An analysis of alternative methods of stormwater
27 management for the highway infrastructure project including green
28 infrastructure options.

29 (d) An identification and review of potential alternatives to

1 the highway infrastructure project based on the analysis under
2 subdivisions (a) to (c) and including, but not limited to, both of
3 the following:

4 (i) Recommendations for reducing the impact of vehicle traffic,
5 including, but not limited to, decommissioning roads, removing
6 lanes, increasing public transit, and converting existing lanes to
7 dedicated public transit lanes.

8 (ii) Recommendations for green infrastructure options for
9 stormwater management to reduce flooding and gray infrastructure
10 costs.

11 (4) As used in this section:

12 (a) "Gray infrastructure" means infrastructure for water and
13 stormwater management designed to capture water and transport it to
14 a centralized treatment facility or discharge it to surface waters
15 including, but not limited to, pipes, sewers, drains, pipelines,
16 wastewater storage, retention basins, and wastewater treatment
17 plants.

18 (b) "Green infrastructure" means measures that use plant or
19 soil systems, permeable pavement or other permeable surfaces or
20 substrates, stormwater harvesting and reuse, or landscaping to
21 store, infiltrate, or evapotranspire stormwater and reduce flows
22 to sewer systems and surface waters.

23 (c) "Highway infrastructure project" means opening, widening,
24 improving, constructing, or reconstructing a state trunk line
25 highway or bridge, including any ramp, interchange, or connection
26 to a state trunk line highway or bridge.