

HOUSE BILL NO. 4153

February 28, 2023, Introduced by Reps. Churches, Tsernoglou, Rheingans, Andrews, Wegela, Fitzgerald, McKinney, Hood, Morse, Arbit, Brenda Carter, Wilson, MacDonell, Young, Hope, Byrnes, Edwards, Price, Paiz, Haadsma, Coffia, Morgan, McFall, Brabec, Dievendorf, Puri, Stone, Conlin, Tyrone Carter, Weiss, Miller, Steckloff, O'Neal, Meerman, Greene, Breen, Neeley, Brixie, Scott, Hoskins, Grant, Farhat and Aiyash and referred to the Committee on Transportation, Mobility and Infrastructure.

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 11j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 11j. (1) The department shall develop parameters for**
 2 **prioritizing the approval of funding applications for railroad**
 3 **crossing projects awarded under the local grade separation grant**
 4 **program created in section 11i. The parameters must give priority**
 5 **to projects for railroad crossings that meet 1 or more of the**

1 following conditions, and must give a higher priority to railroad
2 crossing projects that meet a higher number of the following
3 conditions than competing railroad crossing projects:

4 (a) Are within 10 miles of a facility with an emergency
5 planning zone, including, but not limited to, a nuclear power plant
6 or chemical plant.

7 (b) Are within 5 miles of a railyard.

8 (c) Are within 5 miles of a manufacturing facility.

9 (d) Are within 5 miles of a level I to level IV trauma center,
10 adult assisted-living facility, school, or courthouse.

11 (e) Have an above-average vehicle traffic volume, as
12 determined by the department.

13 (f) Any other condition the department considers relevant.

14 (2) Before awarding grants under the local grade separation
15 grant program created in section 11i, the department must publish
16 the parameters described in subsection (1) on the department's
17 website.

18 (3) A funding application described in subsection (1) must
19 include a list of the North American Industry Classification System
20 designations for all businesses within a 5-mile radius of the
21 railroad crossing project.

22 (4) As used in this section, "railroad crossing project" means
23 a project as described in section 11i(3)(a) or (b).

24 Enacting section 1. This amendatory act does not take effect
25 unless Senate Bill No. ____ or House Bill No. 4152 (request no.
26 01538'23) of the 102nd Legislature is enacted into law.