

MICHIGAN INFRASTRUCTURE COUNCIL ACT (EXCERPT)
Act 323 of 2018

21.604 Michigan infrastructure council; duties; annual report; statewide asset management system.

Sec. 4. (1) The Michigan infrastructure council shall do all of the following:

(a) Develop a multiyear program, work plan, budget, and funding recommendation for asset management; update these every year; and provide these to the governor and the legislature by September 30 every year.

(b) Ensure that the work plan in subdivision (a) includes an emphasis on coordination and integration across asset classes and regions.

(c) Prepare an annual report on the current statewide asset management assessment that tracks progress on established performance goals.

(d) Undertake research and advise on matters relating to asset management, including all of the following:

(i) Funding and financing models.

(ii) Best practices.

(iii) Information technology advancements.

(iv) Emerging technology to advance smart systems.

(v) Right sizing and cost-efficiencies.

(vi) Impediments to delivery.

(vii) Opportunities for greater coordination and collaboration across asset classes and asset owners.

(viii) Align and link state incentives to asset performance improvement goals, including cost control, asset management, operational efficiency, and cost-effective regional solutions.

(e) Within 180 days after its first meeting, evaluate the regional infrastructure asset management pilot program created under Executive Directive 2017-1, and the findings of the 21st Century Infrastructure Commission created in Executive Order No. 2016-5, and develop and publish a 3-year strategy for establishing a statewide integrated asset management system. The initial multiyear program, work plan, budget, and funding recommendation under subdivision (a) must include development of the strategy for establishing a statewide integrated asset management system. The strategy must also include, at a minimum, all of the following:

(i) A determination of appropriate assets within the asset classes.

(ii) Consistent data standards and definitions for each asset class.

(iii) Identify and designate a process to plan, analyze, and coordinate asset management across assets and asset owners at the regional level. This process may be implemented through regional planning agencies, the regional prosperity initiative regions, or another approach, which may vary among regions, that ensures all areas of the state are included and efforts are consistent with state and federal requirements. Regions shall be responsible for maintaining and managing the statewide database at a regional level.

(iv) Procedures for data storage, collecting, updating, and reporting.

(v) Recommendations related to the appropriate level of financial support for local asset data collection, local development of asset management plans, regional review and collaboration, and participation in an integrated statewide asset management system.

(vi) A process to coordinate the planning efforts of the transportation asset management council, the water asset management council, the Michigan public service commission, and the Michigan economic development corporation, with other state-required asset management planning requirements. In coordinating planning efforts under this subparagraph, the Michigan infrastructure council shall endeavor to provide efficiencies to the planning process and to reduce any unnecessary duplication of effort.

(vii) Coordination with the transportation asset management council and the water asset management council to ensure that training and education programs that address all of the following are coordinated across assets:

(A) Asset management principles and plan development.

(B) The use of the statewide database.

(C) Ongoing user support.

(D) State department asset management requirements.

(viii) Develop statewide performance goals for appropriate assets within each asset class and identify regional and statewide progress toward meeting performance goals.

(ix) Protocols that ensure data security and accuracy at the local, regional, and state levels.

(x) Development of consistent and coordinated state department, transportation asset management council, and water asset management council asset management plan components and requirements including, but not limited to:

- (A) Asset inventory, condition assessment, and uniform data.
 - (B) Performance goals.
 - (C) Revenue structure, investment strategy, and capital improvement plan.
 - (D) Asset criticality and risk analysis.
 - (E) Public engagement and transparency.
 - (F) Self-assessment of asset management maturity.
 - (G) Reports at an asset owner, regional, and statewide level. Reporting levels should take into account the size and complexity of the network or system. Priority should be placed on the largest systems.
 - (H) A resolution by the appropriate governing body approving the plan.
 - (I) Certification that asset management is being coordinated to the asset owners' best ability across asset classes and regionally.
- (f) Beginning 3 years after the effective date of this act, start the second phase of the statewide system for asset management implementation and include, at a minimum, all of the following:
- (i) Predictive analytics to forecast asset condition.
 - (ii) A public dashboard of state, regional, and local system performance across asset classes, including the appropriate and secure level of geospatial data and aggregated reporting.
 - (iii) Develop and publish a 30-year integrated infrastructure strategy that is updated every 5 years and includes all of the following:
 - (A) Current statewide condition assessment and infrastructure priorities across asset classes, tracked progress on established performance goals, and net changes in asset value.
 - (B) Investment needs to reach targeted overall system ratings and performance goals, with a goal of leveling annual investments to long-term predictable amounts.
 - (C) Network intelligence in asset management planning and monitoring. Retrofit technologies should be considered, pursued, and incorporated as they become available for upgrades and maintenance activities to existing and future assets.
- (2) The multiyear programs, work plans, budgets, and funding recommendations required in subsection (1)(a), the annual reports required by subsection (1)(c), the 3-year strategy for establishing a statewide integrated asset management system required by subsection (1)(e), and the second phase of the statewide system for asset management implementation required in subsection (1)(f) shall comply with both of the following:
- (a) Not propose, recommend, or fund any government-owned broadband or telecommunications network to provide service to residential or commercial premises, except that this prohibition does not apply to state expenditures for a transportation purpose, connected vehicle communication technologies, or other transportation-related activities.
 - (b) To the extent government funding is proposed or recommended to subsidize non-government-owned broadband networks to expand service to residential or commercial premises, require that the proposals and recommendations must be limited to areas unserved by broadband, must be technology neutral, and include a competitive bid process that results in the award of the subsidy based on objective and efficient procedures.

History: 2018, Act 323, Imd. Eff. July 2, 2018.