

## STATE TRUNK LINE HIGHWAY SYSTEM (EXCERPT)

Act 51 of 1951

### **247.661f Funds received under local federal match program; projects; submission; grant awards; criteria; unused bond proceeds; reports; distribution of remaining funds; additional criteria.**

Sec. 11f. (1) Funds received under the local federal match program created in section 11e shall be granted to local municipalities and other local road agencies to match federal aid projects as provided in this subsection. Projects shall be submitted to the state transportation department by the local municipality or other local road agency. The department shall review the submittals and apply criteria that take into account the needs of highway, road, and street systems and an equitable allocation of available funds considering the geographic location of the proposed project. If the projects meet the criteria, the state transportation department shall award grants to the extent of available funds. An individual grant shall not exceed 25% of the amount of federal funds available for the project. Projects selected for funding shall meet all of the following criteria:

(a) Except for projects described in subdivision (d)(iv), the project shall be under construction or let for bid no later than September 5, 2008.

(b) The applicant shall have identified all of the necessary funding to complete the project.

(c) The project shall be for the opening, widening, improving, construction, or reconstruction of a federal aid eligible road or street, including the work incidental to that opening, widening, improving, construction, or reconstruction.

(d) The project shall be 1 or more of the following:

(i) Projects that are the subject of a federal appropriation in the safe, accountable, flexible, efficient transportation equity act, a legacy for users (SAFETEA-LU), Public Law 109-59, or the transportation equity act for the 21st century, Public Law 105-178, and have been designated as high priority road and bridge projects and that can be let for bid no later than April 4, 2008.

(ii) Projects that are not the subject of a federal appropriation in the safe, accountable, flexible, efficient transportation equity act, a legacy for users (SAFETEA-LU), Public Law 109-59, or the transportation equity act for the 21st century, Public Law 105-178, that have received earmarks in the federal budget and that can be let for bid no later than April 4, 2008.

(iii) Projects that are for federal aid eligible roads and that are scheduled to be under construction or let for bid during the fiscal year that begins October 1, 2008 or a later fiscal year and that can be advanced to the fiscal year that begins October 1, 2007 and can be let for bid no later than September 5, 2008.

(iv) Projects that are the subject of a federal appropriation in the safe, accountable, flexible, efficient transportation equity act, a legacy for users (SAFETEA-LU), Public Law 109-59, or the transportation equity act for the 21st century, Public Law 105-178, and have been designated as high priority road and bridge projects from the following list as determined by the department:

(A) Romeo Plank, construction of 5 lane concrete pavement with curb, gutter, and sewer on Romeo Plank Road from M-59 to 23 Mile Road in Macomb Township.

(B) Finkbeiner Road, construct improvements to Crane & Finkbeiner Road from Patterson Road to Whitneyville Road in Barry County, and new bridge over Thornapple River.

(C) CR 492, Marquette County, realignment of 3200 feet of County Road 492 from U.S. 41 north to County Road HD.

(D) H-58, Alger County, reconstruct, pave, and some realignment of H-58 from 2600 feet south of Little Beaver Lake Road to 4600 feet east of Hurricane River.

(E) Westland, Ann Arbor Trail between Farmington and Inkster, Warren/Newburgh intersection, reconstruction.

(F) Port Huron, NAFTA corridor congestion mitigation project, grade separation, integrated highway realignment at Port Huron, Michigan to eliminate road blockages from NAFTA rail traffic.

(G) Muskegon County, City of Muskegon: study and implement transportation system alternatives in the vicinity of U.S. 31/M 46. Quarterline Rd, Laketon to McArthur, US-31/M-46 vicinity. Transportation system improvements on Quarterline Road from Laketon Avenue to Stebbins Road. Project description; right-of-way acquisition, road relocation, road reconstruction/resurfacing and signal improvements.

(2) Except for projects described in subsection (1)(d)(iv), all bond proceeds not used to fund grants awarded by September 5, 2008 are appropriated for the purposes described in section 11(1)(f).

(3) Beginning February 1, 2007, the department shall submit a written report to the legislature by each February 1 containing all of the following information:

(a) The balance contained in the program.

- (b) A list of all projects currently funded under the program.
- (c) A list of all federal high priority projects eligible for funding under the program.
- (d) A list of pending requests for funding under the program, if any.
- (4) The department shall submit a written report to the legislature no later than 30 days after the program has expended \$40,000,000.00. The report shall contain all of the following:
  - (a) A list of all projects currently funded under the program.
  - (b) A list of federal high priority projects eligible to receive funding from the program.
  - (c) A list of pending requests for funding under the program, if any.
- (5) The department shall provide additional criteria if necessary for selecting the remaining projects to be funded in a fiscal year no later than 30 days after the report required under subsection (4) is issued. In determining the additional criteria to apply to the remaining funds, the department shall consult with interested local road agencies, the Michigan municipal league, and the county road association of Michigan and shall utilize any recommendations made on additional criteria by these entities unless the department determines that the additional criteria are inequitable or impractical. If the additional criteria are deemed inequitable or impractical, the department is directed to work with the interested parties to develop equitable and practical criteria. The department shall apply those criteria that most equitably distribute the remaining funds considering the geographic location of the funded projects. In applying criteria, the department shall take into account the needs of highway, road, and street systems and an equitable allocation of available funds considering the geographic location of the funded project.

**History:** Add. 2006, Act 140, Imd. Eff. May 22, 2006;—Am. 2007, Act 27, Imd. Eff. June 28, 2007;—Am. 2008, Act 73, Imd. Eff. Apr. 7, 2008.

**Popular name:** McNitt Act

**Popular name:** Michigan Transportation Fund Act