

STATE TRUNK LINE HIGHWAY SYSTEM (EXCERPT)
Act 51 of 1951

247.661i Local grade separation grant program.

Sec. 11i. (1) The department shall create and operate a local grade separation grant program for the separation of motor vehicle traffic and railroad traffic in this state. The department shall provide grants to cities, villages, and county road commissions in this state.

(2) A funding application for the local grade separation grant program must be made on a form approved by the department and must contain the information required under section 11j and by the department. A funding application under this section may be made at any time as determined by the department.

(3) The department shall establish a review process for considering funding applications under this section that includes the parameters for prioritizing the approval of funding applications as described in section 11j. No later than 180 days after receiving a funding application under this section, the department shall notify the applicant whether the funding application is approved or rejected. Before releasing grant funds awarded under this section, the department must enter into a written agreement, as described in subsection (4), with the funding recipient. Grant funds awarded under this section may be used by the funding recipient for any stage of design and construction related to either of the following:

(a) A grade separation project.

(b) A project that improves traffic at a rail crossing without a full grade separation, including, but not limited to, construction of a rail siding or spur.

(4) The written agreement between the department and the funding recipient required under subsection (3) must provide for both of the following:

(a) A description of the grade separation project, or project described in subsection (3)(b).

(b) A local, private, or federal match of not less than 10% of the cost of the grade separation project, or project described in subsection (3)(b).

(5) For each year in which the department receives funding applications, the department shall report by December 1 to the standing committees of the senate and house of representatives with primary jurisdiction over issues pertaining to transportation and to the senate and house of representatives appropriations committees on the utilization of funds from the local grade separation grant program. The report must include, at a minimum, all of the following:

(a) The number of funding applications received under this section.

(b) The name of each city, village, or county road commission that submitted a funding application, and whether each funding application was approved or denied.

(c) The amount of local match for each funding application approved under this section.

(6) The local grade separation fund is created within the state treasury.

(7) The state treasurer may receive money or other assets from any source for deposit into the local grade separation fund. The state treasurer shall direct the investment of the local grade separation fund. The state treasurer shall credit to the local grade separation fund interest and earnings from local grade separation fund investments.

(8) Money in the local grade separation fund at the close of the fiscal year remains in the local grade separation fund and does not lapse into the general fund.

(9) The state transportation department is the administrator of the local grade separation fund for auditing purposes.

(10) The state transportation department shall expend money from the local grade separation fund, on appropriation, only to fund and operate the local grade separation grant program created in subsection (1).

(11) As used in this section, "grade separation" means an intersection of a railroad and roadway at different levels with the railroad either above or below the roadway.

History: Add. 2023, Act 66, Imd. Eff. July 12, 2023.

Popular name: McNitt Act

Popular name: Michigan Transportation Fund Act