

EXECUTIVE REORGANIZATION ORDER
E.R.O. No. 1982-3

247.823 Transfer of authority from public service commission to department of transportation.

WHEREAS, for purposes of centralization of railroad functions and coordination of administration of railroad transportation in Michigan, by authority vested in the Governor in Article V, Section 2, of the Michigan Constitution of 1963, certain regulatory powers, authority, functions, duties, responsibilities and records and staff of the Public Service Commission were transferred effective January 1, 1976, to the Michigan Department of State Highways and Transportation; and

WHEREAS, that transfer was made by Executive Order 1975-10; and

WHEREAS, pursuant to Acts 483 and 484, of the Public Acts of 1978, the Department of State Highways and Transportation has been reorganized as the Department of Transportation; and

WHEREAS, clarification of the Department of Transportation's regulatory authority over railroad transportation is desirable,

NOW, THEREFORE, I, WILLIAM G. MILLIKEN, Governor of the State of Michigan, pursuant to Article V, Section 2 of the Michigan Constitution, hereby order the following:

1. The statutory authority, powers, duties, functions, and responsibilities of the Public Service Commission for the regulation of common carrier railroad under the following statutory provisions are hereby transferred to the Department of Transportation:

- Sections 1 and 2 of Act 94 of the Public Acts of 1923, as amended, being Sections 460.351 and 460.352 of the Compiled Laws of 1970;

- Sections 1 through 49 of Article II. of Act 198 of the Public Acts of 1873, as amended, being Sections 464.1 through 464.49 of the Compiled Laws of 1970;

- Sections 1 through 25 of Article IV. of Act 198 of the Public Acts of 1873, as amended, being Sections 466.1 through 466.25 of the Compiled Laws of 1970;

- Sections 1 through 36 of Article V. of Act 198 of the Public Acts of 1873, as amended, being Sections 467.1 through 467.36 of the Compiled Laws of 1970;

- Section 35 of Act 35 of the Public Acts of 1867, as amended, being Section 472.35 of the Compiled Laws of 1970;

- Sections 1 and 2 of Act 137 of the Public Acts of 1956, as amended, being Sections 467.301 and 467.302 of the Compiled Laws of 1970.

2. It is the intent of this Order that the authority, powers, duties, functions, and responsibilities covered by this Order be transferred consistent with the intent expressed in Executive Order 1975-10.

In fulfillment of the requirements of Article V, Section 2, of the Michigan Constitution, the provisions of this Executive Order shall become effective August 16, 1982.

History: 1982, E.R.O. No. 1982-3, Eff. Aug. 16, 1982.

Compiler's note: This section was promulgated June 7, 1982, as Executive Order No. 1982-7 and became effective August 16, 1982.