

# SENATE BILL No. 695

November 14, 2013, Introduced by Senators RICHARDVILLE, SMITH, YOUNG, CASPERSON, ANANICH and MOOLENAAR and referred to the Committee on Transportation.

A bill to amend 1867 PA 35, entitled "Nonprofit street railway act," by amending section 7 (MCL 472.7), as amended by 2008 PA 481.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 7. As used in this act:

2       (a) "Department" means the ~~department of transportation, the~~  
3 ~~principal department of state government created under section 350~~  
4 ~~of the executive organization act of 1965, 1965 PA 380, MCL~~  
5 ~~16.450.~~ **STATE TRANSPORTATION DEPARTMENT.**

6       (b) "Nonprofit corporation" means that term as defined under  
7 section 108 of the nonprofit corporation act, 1982 PA 162, MCL  
8 450.2108.

9       (c) "Public street or highway" means any state trunk line

1 highway, county road, or city or village street maintained by a  
2 road authority.

3 (d) "Railroad" means that term as defined under section 109 of  
4 the railroad code of 1993, 1993 PA 354, MCL 462.109.

5 (e) "Operating license agreement" means an agreement entered  
6 into under section 13 by and among a street railway and each road  
7 authority with jurisdiction over public streets and highways upon  
8 which the street railway operates or seeks to operate a street  
9 railway system, including, but not limited to, each city, village,  
10 or township road authority in the city, village, or township in  
11 which the street railway operates or seeks to operate a street  
12 railway system.

13 (f) "Road authority" means each governmental agency with  
14 jurisdiction over public streets and highways. Road authority  
15 includes the department, any other state agency, and  
16 intergovernmental, county, city, and village governmental agencies  
17 responsible for the construction, repair, and maintenance of  
18 streets and highways. When a street railway operates or seeks to  
19 operate a street railway system over public streets and highways  
20 over which more than 1 road authority possesses jurisdiction, road  
21 authority includes each road authority with jurisdiction over  
22 public streets and highways upon which the street railway operates  
23 or seeks to operate a street railway system.

24 (g) "Street railway" means a nonprofit corporation organized  
25 under this act for the purpose of operating a street railway system  
26 other than a railroad train for transporting ~~persons~~ **INDIVIDUALS** or  
27 property. **STREET RAILWAY INCLUDES A NONPROFIT CORPORATION**

1 INCORPORATED UNDER THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL  
2 450.2101 TO 450.3192, BY A STREET RAILWAY ORGANIZED UNDER SECTION  
3 11, OR BY 1 OR MORE MEMBERS OF THE BOARD OF DIRECTORS OF A STREET  
4 RAILWAY FOR THE PURPOSE OF ASSISTING THE STREET RAILWAY IN  
5 ACQUIRING, OWNING, CONSTRUCTING, FURNISHING, EQUIPPING, COMPLETING,  
6 OPERATING, IMPROVING, OR MAINTAINING A STREET RAILWAY SYSTEM OR FOR  
7 THE PURPOSE OF FINANCING A STREET RAILWAY SYSTEM.

8 (h) "Street railway system" means the facilities, equipment,  
9 and personnel required to provide and maintain a public  
10 transportation system operated on rails at grade or above or below  
11 ground within a city, village, or township utilizing streetcars,  
12 trolleys, light rail vehicles, or trams for the transportation of  
13 ~~persons~~**INDIVIDUALS** or property. Street railway system also  
14 includes necessary power feeds, signals, and stops or stations  
15 within a public right-of-way. Street railway system excludes  
16 facilities and improvements **THAT ARE** not required to maintain a  
17 public transportation system.