

HOUSE BILL NO. 5348

November 14, 2023, Introduced by Rep. Shannon and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the

truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,"

by amending section 10a (MCL 247.660a), as amended by 1992 PA 137.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10a. (1) Annually the ~~state transportation~~ department
 2 shall determine the miles of state trunk line highways, county
 3 primary and local roads, and city and village major and local
 4 streets transferred to and from state, county, city, or village
 5 jurisdiction during the preceding period of July 1 to June 30. In

1 each year after that determination, the transferred mileage ~~shall~~
 2 **must** be accumulated and added to the mileage transferred in each
 3 subsequent July 1 to June 30 period.

4 (2) The current average revenue worth per mile of a county
 5 primary road and a county local road ~~shall~~**must** be determined
 6 annually by dividing the total county primary and local road
 7 mileages respectively as of the first day of the preceding July 1
 8 to June 30 period into the total amount of Michigan transportation
 9 funds returned to counties pursuant to this act for use on county
 10 primary and local roads respectively during that period, except
 11 money returned to counties pursuant to section 12(2) and (3).

12 (3) The total amount of money to be transferred from and to
 13 the state trunk line fund, the counties, cities, and villages ~~shall~~
 14 **must** be determined annually by multiplying the current revenue
 15 worth per mile of a county primary road and a county local road
 16 respectively by the number of accumulated miles in each category
 17 transferred from and to state, county, city, or village
 18 jurisdiction. If the transferred facility becomes classified as
 19 part of the local road or street system of the receiving
 20 jurisdiction, the transfer of money ~~shall~~**must continue to** be
 21 calculated on the basis of the revenue worth per mile of a county
 22 local road. In any other category of jurisdictional transfer, the
 23 transfer of money ~~shall~~**must continue to** be calculated on the basis
 24 of the revenue worth per mile of a county primary road.

25 (4) For jurisdictional transfers made from ~~the~~**this** state to a
 26 county, city, or village after July 1, 1992, the amount in the
 27 state trunk line fund to be transferred ~~shall~~**must continue to** be
 28 transferred **directly** to the county, city, or village receiving
 29 jurisdiction **not later than 60 days after the miles of highways,**

1 **roads, and streets transferred to and from state, county, city, and**
2 **village jurisdiction is determined under subsection (1).** If the
3 transferred highway is then classified as part of the local road or
4 street system of the receiving jurisdiction, the **annual** transfer of
5 money to the receiving jurisdiction ~~shall~~**must continue to be not**
6 **less than the amount** calculated on the basis of the revenue worth
7 per mile of a county local road as determined in subsection (2) **and**
8 **any additional amount as agreed to by this state and the county,**
9 **city, or village.** If the transferred highway is then classified as
10 part of the primary road or major street system of the receiving
11 jurisdiction, the **annual** transfer of money to the receiving
12 jurisdiction ~~shall~~**must continue to be not less than the amount**
13 calculated on the basis of the revenue worth per mile of a county
14 primary road as determined in subsection (2) **and any additional**
15 **amount as agreed to by this state and the county, city, or village.**
16 This subsection and subsection (5) ~~shall not be construed to effect~~
17 ~~contracts entered into before or after the effective date of this~~
18 ~~subsection pursuant to Act No. 166 of the Public Acts of 1965,~~
19 ~~being sections 408.551 to 408.558 of the Michigan Compiled Laws, do~~
20 **not affect any contract, memorandum of understanding, or other form**
21 **of jurisdictional transfer agreement** for the **improvement or**
22 maintenance of a transferred highway **entered into pursuant to**
23 **either of the following:**

24 (a) **Former 1965 PA 166.**

25 (b) **2023 PA 10, MCL 408.1101 to 408.1126.**

26 (5) In cities and villages with a population of 25,000 or
27 more, trunk line mileage that is transferred to local jurisdiction
28 after July 1, 1992 and is then classified as a major street ~~shall~~
29 **must** be certified at twice its measured length.

1 (6) The transfer of ~~funds~~**money** under this section ~~shall~~**must**
2 be included each year in the October appropriation of the Michigan
3 transportation fund.