

HOUSE BILL NO. 6269

December 10, 2024, Introduced by Reps. Morgan and McFall 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 10e (MCL 247.660e), as amended by 2012 PA 391.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10e. (1) The comprehensive transportation fund is
2 appropriated for each fiscal year in the following order of
3 priority.

4 (2) The first priority is to pay, but only from money
5 restricted as to use by section 9 of article IX of the state

1 constitution of 1963, the principal and interest on bonds or notes
 2 issued under section 18b for comprehensive transportation purposes
 3 as defined by law. A sufficient portion of the comprehensive
 4 transportation fund is irrevocably appropriated to pay, when due,
 5 the principal and interest on those bonds and notes.

6 (3) After making or setting aside payments required by
 7 subsection (2), the second priority of the comprehensive
 8 transportation fund is the payment of the department's cost in
 9 administering the comprehensive transportation fund. The amount to
 10 be expended pursuant to this subsection ~~shall~~**must** not exceed the
 11 costs appropriated for the administration of the fund in the fiscal
 12 year ending September 30, 1987, as adjusted annually on October 1,
 13 by the change for the preceding 12 months in the Detroit ~~consumer~~
 14 ~~price index~~**Consumer Price Index** for urban wage earners and ~~shall~~
 15 **must** be appropriated annually by the legislature.

16 (4) After making or setting aside payments required by
 17 subsections (2) and (3), the balance of the comprehensive
 18 transportation fund ~~shall~~**must** be expended each fiscal year as
 19 appropriated annually by the legislature pursuant to the state
 20 transportation program approved by the commission as follows:

21 (a) The third priority ~~shall be~~**is** the payment of operating
 22 grants to eligible authorities and eligible governmental agencies
 23 according to the following formulations and subject to the
 24 following requirements:

25 (i) ~~For the fiscal year ending September 30, 1998, and for each~~
 26 ~~fiscal year thereafter, each~~**Each** eligible authority and eligible
 27 governmental agency that provides public transportation services in
 28 urbanized areas under 49 USC 5307, with a Michigan population
 29 greater than 100,000 ~~shall~~**must** receive a grant ~~of~~**as follows:**

1 **(A) For the fiscal year ending September 30, 1998 through the**
2 **fiscal year ending September 30, 2024, up to 50% of their eligible**
3 **operating expenses as defined by the department.**

4 **(B) For the fiscal year ending September 30, 2025, not less**
5 **than 40% of their eligible operating expenses as defined by the**
6 **department.**

7 **(C) For the fiscal year ending September 30, 2026 and for each**
8 **fiscal year thereafter, not less than 50% of their eligible**
9 **operating expenses as defined by the department.**

10 ~~(ii) For the fiscal year ending September 30, 1998, and each~~
11 ~~fiscal year thereafter, each~~ **Each** eligible authority and eligible
12 governmental agency that provides public transportation services in
13 urbanized areas with a Michigan population less than or equal to
14 100,000 and nonurbanized areas under 49 USC 5311, ~~shall~~ **must**
15 receive a grant ~~of~~ **as follows:**

16 **(A) For the fiscal year ending September 30, 1998 through the**
17 **fiscal year ending September 30, 2024, up to 60% of their eligible**
18 **operating expenses as defined by the department.**

19 **(B) For the fiscal year ending September 30, 2025, not less**
20 **than 50% of their eligible operating expenses as defined by the**
21 **department.**

22 **(C) For the fiscal year ending September 30, 2026, and for**
23 **each fiscal year thereafter, not less than 60% of their eligible**
24 **operating expenses as defined by the department.**

25 **(D) For purposes of receiving a grant under ~~this subparagraph~~**
26 **sub-subparagraphs (A) through (C) in nonurbanized areas, eligible**
27 **costs of services provided by water vehicle ~~shall~~ **must** be**
28 **reimbursed at not less than 50% of the portion of the costs not**
29 **eligible for reimbursement by the federal government.**

1 (iii) If the money in the comprehensive transportation fund is
 2 insufficient to fund the grants described in subparagraphs (i) and
 3 (ii), the remainder of the grants must be funded, on appropriation,
 4 from the general fund.

5 (iv) ~~(iii)~~ Funds ~~shall~~**must** not be distributed to an eligible
 6 authority or eligible governmental agency under this act unless the
 7 eligible authority or eligible governmental agency provides or
 8 agrees to provide preferential fares for public transportation
 9 services to ~~persons~~**individuals** 65 years of age or over or ~~persons~~
 10 **individuals** with disabilities riding in off peak periods of
 11 service. As used in this section, "person with disabilities" means
 12 an individual with a disability as that term is defined in 61 FR
 13 56424 (November 1, 1996) and 49 CFR part 27. The preferential fares
 14 ~~shall~~**must** not be higher than 50% of the regular 1-way single fare.

15 (v) ~~(iv)~~ Eligible authorities and eligible governmental
 16 agencies ~~shall~~**must** not engage in charter service using vehicles,
 17 facilities, or equipment funded under this act except on an
 18 incidental basis as defined by 49 CFR part 604.

19 (vi) ~~(v)~~ Notwithstanding any other provision of this
 20 subsection, for the fiscal year ending September 30, 1998, each
 21 eligible authority and eligible governmental agency ~~shall~~**must**
 22 receive a distribution from the comprehensive transportation fund
 23 not less than the distribution received for eligible operating
 24 expenses for the fiscal year ending September 30, 1997. Beginning
 25 with the fiscal year ending September 30, 1998 and each fiscal year
 26 thereafter, each eligible authority and eligible governmental
 27 agency ~~shall~~**must** receive a distribution from the comprehensive
 28 transportation fund for eligible operating expenses not less than
 29 the distribution received for the fiscal year ending September 30,

1 1997. As it relates to this subsection, the ratio between
2 comprehensive transportation funds and local funds in the fiscal
3 year ending September 30, 1989 ~~shall~~**must** be maintained for all
4 fiscal years by the eligible authority and eligible governmental
5 agency. Reductions in this ratio ~~shall~~**must** require a proportionate
6 reduction in the comprehensive transportation funds provided for
7 any fiscal year.

8 (vii) ~~(vi)~~—Each eligible authority and eligible governmental
9 agency receiving comprehensive transportation funds shall prepare
10 and submit to the department a quarterly report of the progress
11 made in carrying out its local transportation program within 40
12 days after the end of each fiscal year quarter. The progress report
13 ~~shall~~**must** be made on forms authorized by the United States
14 ~~department~~**Department** of ~~transportation~~**Transportation** under the
15 provisions of the surface transportation and uniform relocation
16 assistance act of 1987, Public Law 100-17, 101 Stat. —132.

17 (viii) ~~(vii)~~—The department shall periodically adjust or
18 redistribute comprehensive transportation funds previously
19 distributed under this subdivision.

20 (b) For the fiscal year ending September 30, 1997, and each
21 fiscal year thereafter, not less than 10% ~~shall~~**must** be distributed
22 by the department for intercity passenger and intercity freight
23 transportation purposes.

24 (c) For the fiscal year ending September 30, 1997, and each
25 fiscal year thereafter, funds remaining in the fund after payment
26 of the amounts required by subdivisions (a) and (b) ~~shall~~**must** be
27 distributed by the department for public transportation purposes.
28 For the fiscal year ending September 30, 1998, and each fiscal year
29 thereafter, funds ~~shall~~**must** be made available to match all

1 projects for eligible authorities and eligible governmental
2 agencies that are approved for federal funding as provided by
3 federal law and for which an approved transportation improvement
4 program (TIP) and state transportation improvement plan (STIP)
5 exist. Funds distributed under this subdivision ~~shall~~**must** be
6 expended pursuant to specific line item appropriation for, but are
7 not limited to, the following public transportation purposes:

8 (i) The specialized services assistance program. The
9 specialized services assistance program ~~shall~~**must** be funded with
10 not less than \$3,600,100.00 from funds distributed under this
11 subdivision. Funds ~~shall~~**must** be distributed according to
12 guidelines developed by the department based upon the following
13 considerations:

14 (A) Proposals for coordinated specialized services assistance
15 funding ~~shall~~**must** be developed jointly between existing eligible
16 authorities or eligible governmental agencies that provide public
17 transportation services and the area agencies on aging or any other
18 organization representing specialized services interests, as
19 defined in this subdivision. Plans ~~shall~~**must** be reviewed and
20 approved by the bureau of urban and public transportation of the
21 department. Upon approval, the department ~~shall~~**must** release the
22 funds to the eligible authority or eligible governmental agency,
23 which ~~shall~~**must** then allocate the funds to the area agency on
24 aging or any other organization representing specialized services
25 interests, as defined in this subdivision for the purchase of
26 services as approved in the plan by the department.

27 (B) If an eligible authority or eligible governmental agency
28 does not exist to provide public transportation service in a
29 county, coordinated proposals for specialized services assistance

1 funding may be submitted by the area agency on aging or any other
2 organization representing specialized services interests, as
3 defined in this subdivision. The proposals ~~shall~~**must** be reviewed
4 and approved by the bureau of urban and public transportation of
5 the department. Upon approval, the department shall release the
6 funds to the area agency on aging or any other organization
7 representing specialized services interests, as defined in this
8 subdivision for the purchase of services as approved in the plan by
9 the department.

10 (C) For the purposes of this program, "specialized services"
11 means public transportation primarily designed for ~~persons~~
12 **individuals** with disabilities or ~~persons~~**individuals** who are 65
13 years of age or older.

14 (ii) Local bus capital. For the fiscal year ending September
15 30, 1998 and each fiscal year thereafter, not less than
16 \$8,000,000.00 ~~will~~**must** be distributed for either matching federal
17 funds for local bus capital or 100% capital projects for eligible
18 authorities and eligible governmental agencies that are not
19 eligible to receive federal capital formula funds under section
20 5307 of the federal intermodal surface transportation efficiency
21 act, Public Law 102-240, or any successor act.

22 (iii) Local bus new services.

23 (iv) Not less than \$2,000,000.00 in each fiscal year for the
24 credit program established under section 10l.

25 (v) Public transportation development.

26 (vi) Other public transportation programs approved by the
27 commission.

28 (d) The unappropriated and unencumbered balance of the
29 comprehensive transportation fund lapses at the end of each fiscal

1 year and reverts to the comprehensive transportation fund for
2 appropriation in the following fiscal year.

3 (5) Eligible authorities and eligible governmental agencies
4 ~~shall~~**must** receive capital grants each fiscal year by the annual
5 process described in this section. Amounts received by an eligible
6 authority or eligible governmental agency pursuant to this
7 subsection ~~shall~~**must** be expended by that authority or agency
8 solely for capital projects that have been approved by the state
9 transportation commission. Any funds approved ~~by~~**for** distribution
10 to an eligible authority or eligible governmental agency pursuant
11 to this section that have not been encumbered by that agency or
12 authority for an approved capital project by the end of the
13 following fiscal year in which the funds were approved ~~shall~~**must**
14 not be expended by the authority or agency and ~~be~~**are** available for
15 distribution from the comprehensive transportation fund for the
16 purposes described in this section.

17 (6) The department, in carrying out the policy of the state
18 transportation commission, shall annually prepare and distribute by
19 December 1, instructions to eligible governmental agencies,
20 eligible authorities, and intercity carriers to enable the
21 preparation of a local transportation program. Eligible
22 governmental agencies, eligible authorities, and intercity carriers
23 shall give public notice of their intent to apply for money in the
24 comprehensive transportation fund to the residents of the counties,
25 townships, villages, and cities affected by the local
26 transportation program and shall make their application available
27 for a period of 30 days. All comments received by the eligible
28 governmental agency, eligible authority, or intercity carrier ~~shall~~
29 **must** be transmitted to the department.

1 (7) On or before March 1 of each year, each intercity carrier,
2 eligible authority, and eligible governmental agency shall submit
3 to the department its local transportation program for the next
4 succeeding fiscal year. The format for each local transportation
5 program ~~shall~~**must** be as prescribed by the federal ~~transportation~~
6 ~~improvement program insofar as~~**Transportation Improvement Program**
7 **to the extent that it is** practical and ~~shall~~**must** include project
8 descriptions, funding sources, and justification for each line
9 item, and summary budgets based on distributions anticipated under
10 subsection (4). The program ~~shall~~**must** contain at a minimum the
11 contemplated routes, hours of service, estimated transit vehicle
12 miles, costs of public transportation services, and projected
13 capital improvements or projects as exclusively determined by the
14 eligible authority or eligible governmental agency. The costs of
15 service and capital improvements or projects ~~shall~~**must** be in
16 sufficient detail to permit the department to evaluate and approve
17 the annual public transportation program. Determination of
18 individual projects to be included in the local transportation
19 programs other than those provided in this subsection ~~shall~~**must** be
20 made by the governing body of the eligible authority or eligible
21 governmental agency.

22 (8) On or before March 1 of each year, the department shall
23 prepare and file for public inspection and review the department
24 transportation program. The department transportation program ~~shall~~
25 **must** be prepared on similar format to the local transportation
26 programs, and ~~shall~~**must** include a summary description of projects,
27 with funding sources and project justifications for each line item
28 for the fiscal year immediately succeeding the fiscal year in which
29 the program is submitted. In addition, the department

1 transportation program ~~shall~~**must** include summary, nondetailed
2 budget and project descriptions and justifications excluding
3 projects contained in a local transportation program.

4 (9) On or before April 1 of each year, the department ~~shall~~
5 **must** prepare and file with the commission the proposed state
6 transportation program for the next succeeding fiscal year. The
7 proposed state transportation program ~~shall~~**must** contain the local
8 transportation programs of each intercity carrier, eligible
9 authority and eligible governmental agency, the department
10 transportation program, and the programs for the expenditure of the
11 state trunk line fund as they may have been supplemented, amended,
12 or modified since their original filing. The state transportation
13 program ~~shall~~**must** include the estimated amount of money in the
14 funds described in this subsection by revenue source, project
15 justifications, project descriptions funding sources, and budget
16 summaries.

17 (10) On or before May 1 of each year, the state transportation
18 commission shall act on the state transportation program for the
19 fiscal year commencing on the following October 1. In considering
20 approval of the proposed projects of each intercity carrier,
21 eligible authority, or eligible governmental agency, other than
22 projects that are to be funded pursuant to subsection (5), the
23 state transportation commission shall consider whether the projects
24 comply with state law, are within funds allocated in this section,
25 whether they may be funded within the approved budgets, whether
26 there are intercity carriers, eligible authorities, and eligible
27 governmental agencies responsible to implement the projects, and
28 the recommendations of the department on individual projects. Upon
29 making those determinations, the state transportation commission

1 shall approve the projects ~~which~~**that** best meet the criteria of
2 this subsection.

3 (11) By October 1, the department and each intercity carrier,
4 eligible authority, or eligible governmental agency shall enter
5 into a contractual agreement or standardized grant memorandum of
6 agreement, which may cover 1 or more projects to be made from this
7 section in the applicable fiscal year to the intercity carrier,
8 eligible authority, or eligible governmental agency from the
9 comprehensive transportation fund.

10 (12) After a multiyear public transportation program is
11 approved by the state transportation commission, the department may
12 enter into a grant-in-aid instrument with an eligible authority,
13 intercity carrier, or eligible governmental agency obligating the
14 state to a minimum level of funding for approved projects to be
15 available over the multiyear period of the program. This obligation
16 ~~shall be~~**is** binding upon the department as long as the provisions
17 and conditions of the state transportation commission approved
18 program are carried out as agreed.

19 (13) Contracts and grant memorandum agreements may be audited
20 by the state transportation commission's office of commission
21 audits using rules promulgated by the United States ~~general~~
22 ~~accounting office~~**General Accounting Office** and the terms and
23 conditions of the respective contracts and agreements. Third party
24 agreements are subject to the review and approval of the
25 department.

26 (14) Funds distributed by the department may pay 100% of the
27 portion of the cost not eligible for reimbursement by the federal
28 government for eligible capital projects authorized by the state
29 transportation commission using comprehensive transportation funds

1 or the proceeds of notes and bonds issued under section 18b.
 2 Priority for funding obligation ~~shall~~**must** be given to capital
 3 projects for which federal funds have been authorized.

4 (15) All approved local bus new services initiated by eligible
 5 authorities and eligible governmental agencies not in their fourth
 6 year or beyond of funding on October 1, 1988, ~~shall~~**must** be funded
 7 from subsection (4) (c) (iii). Local bus new services ~~shall~~**must** be
 8 funded under subsection (4) (c) (iii) in the following percentages of
 9 eligible operating expenses as determined by the department:

10 (a) Startup 100%.

11 (b) First year 90%.

12 (c) Second year 80%.

13 (d) Third year 70%.

14 (e) Fourth year and each year thereafter, as determined by and
 15 from funds provided under subsection (4) (a). The balance of
 16 eligible operating expenses ~~shall~~**must** be met from local revenue
 17 sources including farebox. The department shall pay up to 100% of
 18 eligible capital expenses during the startup and first 3 years of
 19 service, after the third year, the department shall participate in
 20 eligible capital expenses in the same percentage as for other
 21 eligible authorities and eligible governmental agencies. For the
 22 purposes of this subsection, eligible operating and capital
 23 expenses means those expenses determined by the department as
 24 applicable to existing eligible authorities and eligible
 25 governmental agencies. The department shall prioritize annually all
 26 requests for comprehensive transportation funds to institute new
 27 services under this subsection. First priority ~~shall~~**must** be given
 28 to eligible authorities and eligible governmental agencies ~~who~~**that**
 29 have not completed their first 3 years of service by October 1,

1 1998. New services initiated by eligible authorities and eligible
2 governmental agencies under this subsection ~~shall~~**must** meet all of
3 the requirements of ~~section 10~~**subsection (10)**.

4 (16) The department shall pay up to 80% of the portion of the
5 cost not eligible for reimbursement by the federal government for
6 intercity passenger operating assistance projects authorized by the
7 commission for the first 2 years of new services. For the third
8 year, eligible costs ~~shall~~**must** be reimbursed at up to 60% of the
9 portion of the cost not eligible for reimbursement by the federal
10 government. After the third year, eligible costs ~~shall~~**must** be
11 reimbursed at up to 50% of the portion of the cost not eligible for
12 reimbursement by the federal government. Eligible costs of services
13 provided as of September 30, 1981, ~~shall~~**must** be reimbursed at up
14 to 50% of the portion of the cost not eligible for reimbursement by
15 the federal government. However, the amount of funds from the
16 comprehensive transportation fund when added to federal funds and
17 local funds ~~shall~~**must** not exceed the total operating assistance
18 project cost.

19 (17) A vehicle purchased, leased, or rented after November 15,
20 1976, by an eligible authority or eligible governmental agency with
21 funds made available under this act and not already committed under
22 a contract in existence on November 15, 1976, ~~shall~~**must** not be
23 used to provide service on a fixed schedule and fixed route for
24 which a passenger fee is charged unless the vehicle is accessible
25 to ~~a person~~**an individual** using a wheelchair from a roadway level
26 or curb level, and has accommodations in which 1 or more
27 wheelchairs can be secured.

28 (18) A vehicle used to provide demand actuated service ~~shall~~
29 **must** not be purchased, leased, or rented by an eligible authority

1 or eligible governmental agency after October 1, 1978, with funds
2 made available under this act unless the eligible authority or
3 eligible governmental agency has submitted a plan to the department
4 describing the service to be provided by the demand actuated
5 service to ~~persons~~**individuals** 65 years of age or older and ~~persons~~
6 **individuals** with disabilities within the applicable service area
7 and that plan has been approved by the department. The department
8 shall approve the plan as submitted or modified or shall reject the
9 plan within 60 days after the plan is submitted. A plan that
10 describes the service to be provided by the demand actuated service
11 ~~shall~~**must** not be approved by the department unless ~~that~~**both of**
12 **the following apply:**

13 (a) **The** plan provides the following:

14 (i) ~~(a)~~ That demand actuated service ~~will~~**must** be provided to
15 ~~persons~~**individuals** 65 years of age or older and ~~persons~~
16 **individuals** with disabilities residing in the entire service area
17 subject to the plan.

18 (ii) ~~(b)~~ That as a minimum, demand actuated service ~~will~~**must**
19 be provided to ~~persons~~**individuals** 65 years of age or older and
20 ~~persons~~**individuals** with disabilities during the same hours as
21 service is provided to all other ~~persons~~**individuals** in the service
22 area subject to the plan.

23 (iii) ~~(c)~~ That the average time period required for demand
24 actuated service to ~~persons~~**individuals** 65 years of age or older
25 and ~~persons~~**individuals** with disabilities from the initiation of a
26 service request to arrival at the destination is equal to the
27 average time period required for demand actuated service provided
28 to all other ~~persons~~**individuals** in the service area subject to the
29 plan.

1 **(b)** ~~(d)~~ That the eligible authority or eligible governmental
 2 agency submitting the plan has established a local advisory council
 3 with not less than 50% of its membership representing ~~persons~~
 4 **individuals** 65 years of age or older and ~~persons~~**individuals** with
 5 disabilities within the service area subject to the plan and that
 6 the local advisory council has had an opportunity to review and
 7 comment upon the plan before its submission to the department. Each
 8 eligible authority or eligible governmental agency jointly with the
 9 area agency on aging shall approve at least 1 or the equivalent of
 10 12% of the membership of the local advisory council. Each advisory
 11 council comment ~~shall~~**must** be included in the plan when submitted
 12 to the department.

13 (19) Notwithstanding subsection (18), a plan required by
 14 subsection (18) that is not approved or rejected by the department
 15 within 60 days after submission ~~shall be~~**is** considered approved as
 16 submitted.

17 (20) Subsections (17), (18), and (19) ~~shall~~**do** not apply to
 18 vehicles or facilities used to transport ~~persons~~**individuals** by
 19 rail, air, or water or to vehicles of common carriers licensed by
 20 the department.

21 (21) After January 1, 1979, the department shall submit an
 22 annual report to the legislature detailing the service provided in
 23 the prior year for ~~persons~~**individuals** 65 years of age or older and
 24 ~~persons~~**individuals** with disabilities by fixed route service and
 25 demand actuated service. This report ~~shall~~**must** include a record of
 26 passenger usage and ~~shall~~**must** be submitted by April 1 of each
 27 year.

28 (22) Notwithstanding any other provision of this section, for
 29 each fiscal year that begins after September 30, 2009, the governor

1 and the state budget director ~~shall~~**must** include in the annual
 2 budget submitted to the legislature for the ensuing fiscal period
 3 under section 18 of article V of the state constitution of 1963 an
 4 appropriation from a fund or funds other than the comprehensive
 5 transportation fund to a street railway organized under ~~the~~
 6 ~~nonprofit street railway act, 1867 PA 35, MCL 472.1 to 472.27, part~~
 7 **5 of the recodified tax increment financing act, 2018 PA 57, MCL**
 8 **125.4503 to 125.4527**, of a sum equal to the difference between the
 9 annual operating expenses of the street railway and revenue
 10 received by the street railway during the same annual period,
 11 including, but not limited to, tax increment revenues received by
 12 the street railway under ~~section 23 of the nonprofit street railway~~
 13 ~~act, 1867 PA 35, MCL 472.23.~~**section 523 of the recodified tax**
 14 **increment financing act, 2018 PA 57, MCL 125.4523.** The
 15 appropriation submitted in the budget under this section ~~shall~~**must**
 16 not exceed 8% of the total private investment in the street railway
 17 as determined by the department. A street railway is not an
 18 eligible authority or eligible governmental agency for purposes of
 19 ~~subdivision~~**subsection** (4) (a).

20 (23) For each eligible authority and each eligible
 21 governmental agency within a public transit region, a regional
 22 transit authority shall apply for, receive, and disburse funds
 23 under section 8 of the regional transit authority act, **2012 PA 387,**
 24 **MCL 124.548.**

25 (24) **As used in this section, "individual with disabilities"**
 26 **means an individual with a disability as that term is defined in 61**
 27 **FR 56424 (November 1, 1996) and 49 CFR part 27.**

28 Enacting section 1. This amendatory act does not take effect
 29 unless Senate Bill No. ____ or House Bill No. 6270 (request no.

1 05093'23) of the 102nd Legislature is enacted into law.