

## Chapter 249

### HIGHWAYS

#### FEDERAL AID ROADS

##### Act 99 of 1917

AN ACT to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state's portion of the expense incurred hereunder.

**History:** 1917, Act 99, Imd. Eff. Apr. 25, 1917

*The People of the State of Michigan enact:*

#### **249.1 Assent to federal aid for construction of rural post road; availability of funds; authority to survey, contract, receive and disburse money.**

##### Sec. 1.

The legislature of the state of Michigan hereby assents to the provisions of the act of congress, approved July 11, 1916, 39 Stat. 355, entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," and the good faith of the state is hereby pledged under the provisions of this act to make available from time to time sufficient funds to pay the state's portion of the cost of constructing and maintaining federal aided roads. The state transportation department through the director of the state transportation department may make surveys, prepare plans and specifications, and take charge of the building and maintaining of federal aided roads in accordance with the provisions of the act of congress and the rules and regulations of the secretary of agriculture made under that act and amendments to that act as may from time to time be made. The director of the state transportation department may enter into all contracts and agreements with the United States government relating to the construction and maintenance of rural post roads under the provisions of the act of congress, to submit the scheme or program of construction and maintenance as may be required by the secretary of agriculture, and do all other things necessary fully to carry out the cooperation contemplated and provided for by that act. The state treasurer may receive any and all money due the state of Michigan under the provisions of this act, and shall pay out the same under the orders of the director of the state transportation department.

**History:** 1917, Act 99, Imd. Eff. Apr. 25, 1917 ;-- CL 1929, 4398 ;-- CL 1948, 249.1 ;-- Am. 2002, Act 139, Imd. Eff. Apr. 1, 2002

#### **249.2 Authority to raise funds; bonds; estimates, plans; separate account.**

##### Sec. 2.

Townships, good roads districts and counties are hereby authorized to raise funds, either by general taxation or bond issues, for the building of federal aided roads and to deposit their portion of the cost of such roads with the state treasurer to be credited to the specific federal aid road project for which the money has been appropriated, which funds shall be paid out by the state highway commissioner together with funds appropriated by the state as the work of construction proceeds. Taxes for such purpose may be authorized, spread and collected, and bonds may be issued and sold, in the same manner, and subject to the same limitations and restrictions, as is or may be provided, in Act 283 of the Public Acts of 1909, as amended: Provided, however, That in no case shall the furnishing of estimates, plans or specifications by the board of county road commissioners for the construction, maintenance or improvement of a highway hereunder be regarded as necessary: Provided further, That the state highway commissioner shall upon written request by a board of supervisors or by a township board, or at his own option, furnish estimates, plans and specifications for any such improvement. The state treasurer is hereby

authorized and directed to open and maintain a separate account with each road project for the purpose of carrying out the provisions of this act.

**History:** 1917, Act 99, Imd. Eff. Apr. 25, 1917 ;-- CL 1929, 4399 ;-- CL 1948, 249.2

**Compiler's Notes:** For provisions of Act 283 of 1909, referred to in this section, see MCL 220.1 et seq.

**249.3-249.6 Repealed. 1958, Act 77, Eff. Sept. 13, 1958.**

**Compiler's Notes:** The repealed sections provided for cost sharing, validation, tax levy and contracts with state commissioner.

**ROADS IN UNITED STATES FOREST**

**Act 96 of 1931**

AN ACT to provide for the construction and maintenance of non-trunk line roads located within the limits of a United States forest.

**History:** 1931, Act 96, Imd. Eff. May 11, 1931

*The People of the State of Michigan enact:*

**249.31 United States forest; state construction of roads.**

Sec. 1.

The state highway department of the state of Michigan, through the state highway commissioner, is hereby authorized to make surveys, prepare plans and specifications and take charge of the construction, including the letting of contracts and the paying out of all costs of preliminary work and construction, of roads located in part or in whole within the limits of a United States forest within this state: Provided, however, That before proceeding with any work the state highway commissioner shall, and is hereby authorized to, enter into a contract with the United States government relative to the construction of said road, said contract to provide that the state of Michigan shall be reimbursed by the United States government to the extent of 50 per cent of the total amount of funds expended by the state of Michigan and the United States government on such forest road: Provided further, That in no case shall the amount of state funds used for this purpose exceed 100,000 dollars in any 1 year.

**History:** 1931, Act 96, Imd. Eff. May 11, 1931 ;-- CL 1948, 249.31

**249.32 Construction of forest highways; county road commissioners; cost and maintenance.**

Sec. 2.

The boards of county road commissioners are also authorized to expend funds either raised by general taxation or received from the distribution of motor vehicle funds for the purposes of the construction and/or maintenance of such forest highways. For the purposes of construction the counties' share of such cost shall be such share as may be mutually agreed upon between the United States government, the state highway commissioner and the board of county road commissioners. The maintenance of any such road built under the provisions of this act shall be a direct obligation of the county in which the said road is located and shall be to all intents and purposes a part of the

county road system of such county and shall so remain unless such road has been or may be hereafter lawfully established as trunk line highway. The maintenance and construction of trunk line highways through the United States forests shall be subject to the general provisions of law relating thereto.

**History:** 1931, Act 96, Imd. Eff. May 11, 1931 ;-- CL 1948, 249.32

**249.33 Disbursements of funds.**

Sec. 3.

The state treasurer is authorized to pay out money under the provisions of this act under orders of the director of the state transportation department, and the state treasurer is authorized to receive any and all money due the state of Michigan under the provisions of this act.

**History:** 1931, Act 96, Imd. Eff. May 11, 1931 ;-- CL 1948, 249.33 ;-- Am. 2002, Act 168, Imd. Eff. Apr. 23, 2002

**249.34 Disbursements; fund from which paid.**

Sec. 4.

All money required to carry out the state's share of such contracts shall be paid out of the state highway fund.

**History:** 1931, Act 96, Imd. Eff. May 11, 1931 ;-- CL 1948, 249.34