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HIGHWAYS: LIMIT TOWNSHIP LIABILITY

House Bill 4010

Sponsor: Rep. Marc Shulman

Committee: Family and Civil Law

Complete to 2-5-99

A SUMMARY OF HOUSE BILL 4010 AS INTRODUCED 1-13-99

Generally, under the governmental immunity act, a governmental agency with jurisdiction over a highway is responsible for maintaining the highway in reasonable repair so that it is reasonably safe and convenient for public travel. The duty of a state or county road commission to repair and maintain a highway extends only to the portion of the road designed for vehicular travel and does not include the sidewalks, crosswalks, or any other installation outside the portion designed for vehicular travel. House Bill 4010 would amend the governmental immunity act to provide townships with immunity similar to that given to state or county road commissions for unimproved portions of a highway or those portions not designed for vehicular travel. A township would have no duty to repair or maintain, nor liability for injuries arising from, any portion of a county highway outside the improved portion designed for vehicular travel, unless the township had assumed jurisdiction over, or contracted with the county to maintain, that portion of the highway.

MCL 691.1402

House Bill 4010 (2-5-99)

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.