

# SENATE BILL No. 913

January 26, 2012, Introduced by Senator KOWALL and referred to the Committee on Transportation.

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; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding section 18j.

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

1           **SEC. 18J. (1) BEGINNING SEPTEMBER 30, 2014, EACH LOCAL ROAD**  
 2           **AGENCY SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THAT IT SATISFIES**  
 3           **ALL OF THE FOLLOWING CONDITIONS:**

4           **(A) THE LOCAL ROAD AGENCY IS IN COMPLIANCE WITH THE PUBLICLY**  
 5           **FUNDED HEALTH INSURANCE CONTRIBUTION ACT, 2011 PA 152, MCL 15.561**  
 6           **TO 15.569.**

7           **(B) THE LOCAL ROAD AGENCY ENROLLS NEW EMPLOYEES IN A DEFINED**  
 8           **CONTRIBUTION PLAN. AS USED IN THIS SUBDIVISION, "DEFINED**  
 9           **CONTRIBUTION PLAN" MEANS THAT TERM AS DEFINED IN SECTION 12B OF THE**  
 10           **PUBLIC EMPLOYEE RETIREMENT SYSTEM INVESTMENT ACT, 1965 PA 314, MCL**  
 11           **38.1132B.**

12           **(C) THE LOCAL ROAD AGENCY HAS ADOPTED AND IS ACTING UNDER A**  
 13           **ROAD SAFETY PLAN DESIGNED TO ENSURE UNIFORM HIGH SAFETY STANDARDS**  
 14           **ON ALL ROADS IN THIS STATE THAT, AT A MINIMUM, REQUIRES THE LOCAL**  
 15           **ROAD AGENCY TO DO ALL OF THE FOLLOWING:**

16           **(i) TABULATE THE LOCATION AND CAUSATION OF TRAFFIC ACCIDENTS,**

1 USE THE RESULTING INFORMATION TO PRIORITIZE INVESTMENT, AND PROVIDE  
2 THE RESULTING INFORMATION TO ALL LAW ENFORCEMENT AGENCIES WITHIN  
3 THE JURISDICTION OF THE LOCAL ROAD AGENCY FOR USE AS A GUIDE TO  
4 ENFORCEMENT OPERATIONS.

5 (ii) REVIEW THE WARRANTS AND TRAFFIC CONTROL ORDERS FOR ALL  
6 TRAFFIC CONTROL DEVICES ERECTED ON ITS ROADS AT LEAST EVERY 7 YEARS  
7 AND REMOVE ALL UNWARRANTED DEVICES AND ALL DEVICES THAT ARE NOT IN  
8 COMPLIANCE WITH THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1  
9 TO 257.923, OR THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND  
10 VILLAGES PROMULGATED BY THE MICHIGAN STATE POLICE.

11 (iii) REVIEW AND ADJUST THE TIMING OF SIGNAL DEVICES ON ITS  
12 ROADS TO REFLECT TRAFFIC VOLUMES AND ACTUAL OPERATING SPEEDS AT  
13 LEAST EVERY 5 YEARS AND, WHERE PRACTICABLE, SYNCHRONIZE THE  
14 OPERATION OF SIGNAL DEVICES FOR MINIMUM DELAY TO TRAFFIC.

15 (iv) CONDUCT A MULTIDISCIPLINARY ROAD SAFETY AUDIT OF EACH  
16 PROJECT OVER \$1,000,000.00 AND OF EACH HIGH-ACCIDENT LOCATION.

17 (v) EMPLOY OR CONTRACT FOR THE SERVICES OF A LICENSED TRAFFIC  
18 ENGINEER.

19 (D) THE LOCAL ROAD AGENCY IS IN COMPLIANCE WITH THE ASSET  
20 MANAGEMENT REQUIREMENTS OF SECTION 9A.

21 (2) IF A LOCAL ROAD AGENCY DOES NOT MAKE THE CERTIFICATION  
22 REQUIRED UNDER SUBSECTION (1), THE DEPARTMENT SHALL WITHHOLD ALL  
23 DISTRIBUTIONS FROM THE MICHIGAN TRANSPORTATION FUND AND THE  
24 COMMERCIAL CORRIDOR FUND UNDER THIS ACT. A WITHHOLDING UNDER THIS  
25 SUBSECTION SHALL CONTINUE FOR THE PERIOD OF NONCOMPLIANCE WITH  
26 SUBSECTION (1) BY THE LOCAL ROAD AGENCY.

27 (3) EACH LOCAL ROAD AGENCY SHALL DEVELOP AND IMPLEMENT A

1 DASHBOARD TO PROVIDE INFORMATION TO THE CITIZENS OF THIS STATE. A  
2 DASHBOARD DEVELOPED AND IMPLEMENTED UNDER THIS SUBSECTION SHALL  
3 INCLUDE, BUT IS NOT LIMITED TO, INFORMATION REGARDING THE COUNTY  
4 ROAD AGENCY'S COMPLIANCE WITH THE CONDITIONS SET FORTH IN  
5 SUBSECTION (1), ANY INFORMATION COMPILED BY THE COUNTY ROAD AGENCY  
6 AS REQUIRED BY SUBSECTION (1), AND WHETHER DISTRIBUTIONS FROM THE  
7 MICHIGAN TRANSPORTATION FUND OR THE COMMERCIAL CORRIDOR FUND HAVE  
8 BEEN WITHHELD BY THE DEPARTMENT UNDER SUBSECTION (2).

9 Enacting section 1. This amendatory act does not take effect  
10 unless House Bill No. 5303  
11 of the 96th Legislature is enacted into law.