

## DESIGNATION OF MEMORIAL HIGHWAYS

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**Senate Bill 1081 as passed by the Senate**  
**Sponsor: Sen. Tom Barrett**  
**House Committee: Government Operations**  
**Senate Committee: Transportation and Infrastructure**  
**Complete to 10-2-22**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Senate Bill 1081 would require the Transportation Asset Management Council (TAMC) to designate memorial highways under the Michigan Memorial Highway Act and provide that it could do so only for an individual who did either of the following:

- Died in the line of duty in service to the state, in service to a local community, or while serving in the United States Armed Forces.
- Demonstrated acts of great heroism or valor that disregarded personal safety to protect the lives of others.

TAMC also would have to do all of the following:

- Create an electronic application form that must be made available on its website for the public to submit applications to designate a memorial highway under the act.
- Meet at least twice a year to discuss the applications and approve or reject them.
- Develop procedures to notify an applicant of the application's approval or rejection.

The bill also would amend a provision that requires the Michigan Department of Transportation (MDOT) to provide memorial highway markers only if enough private contributions are received to cover their erection and maintenance costs to include a reference to TAMC's designation of memorial highways.

MCL 250.1002 and proposed MCL 250.1002a

### BACKGROUND:

#### Michigan Memorial Highway Act

Before the enactment of the Michigan Memorial Highway Act in 2001, each memorial highway was established as a separate public act or House or Senate resolution. The Memorial Highway Act repealed those acts and resolutions and consolidated the related memorial highway designations—there were then 65 of them—into a single public act.

The establishment of memorial highways remained a legislative prerogative. Memorial highways are added to the Memorial Highway Act through a House or Senate bill that amends the act to add them. There now appear to be 203 memorial designations in the act (including such nonhighway designations as for bridges and overpasses). The MDOT memorial highway website lists 178 memorial highways.<sup>1</sup> These appear to all be on the state trunkline system. There may be other memorial roads, streets, and bridges on local roads.

<sup>1</sup> <https://www.michigan.gov/mdot/programs/highway-programs/roadside-property-management/memorial-highways>

The Memorial Highway Act also established a standard method for paying for the cost of erecting related memorial highway markers: “The state transportation department [i.e., MDOT] shall only provide for the erection and maintenance of suitable markers at the approach of any of the highways described in this act when sufficient private contributions are received to pay the cost of erecting and maintaining those markers” As a result, costs to the state for erecting memorial markers should be offset by private funds collected to erect and maintain them.

#### Transportation Asset Management Council

The Transportation Asset Management Council was first established in 2002 in section 9a of 1951 PA 51.<sup>2</sup> The original 2002 language stated that “in order to provide a coordinated, unified effort by the various roadway agencies within the state, the transportation asset management council is hereby created within the state transportation commission and is charged with advising the commission on a statewide asset management strategy and the processes and necessary tools needed to implement such a strategy beginning with the federal-aid eligible highway system, and once completed, continuing on with the county road and municipal systems, in a cost-effective, efficient manner.”<sup>3</sup>

Although the language of section 9a has been amended since 2002, the charge of the TAMC remains generally the same: the collection and reporting of “independent, objective data on the condition of Michigan's roads and bridges and a resource for implementing the concepts of Asset Management.”<sup>4</sup>

Section 9a directs that funding necessary to support the TAMC activities be provided by an annual appropriation from the Michigan Transportation Fund (MTF). The MTF appropriation for TAMC has been \$1.9 million for several years and is \$1.9 million in the FY 2022-23 enacted Transportation budget. Funding is used primarily for data collection and training activities. The additional costs of staff and technical support is provided by MDOT indirectly through the Transportation Planning appropriation line item.

#### **FISCAL IMPACT:**

Senate Bill 1081 would establish new responsibilities for TAMC with respect to the designation of memorial highways. The cost of those activities, which would effectively be costs to MDOT, cannot be readily estimated at this time. The cost would depend in part on the number of memorial highway requests and the amount of MDOT staff work necessary to review those requests.

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

<sup>2</sup> <http://legislature.mi.gov/doc.aspx?mcl-247-659a>

<sup>3</sup> <http://legislature.mi.gov/doc.aspx?2001-HB-5396>

<sup>4</sup> <https://www.michigan.gov/mic/tamc>