



Senate Fiscal Agency  
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## BILL ANALYSIS

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Senate Bill 43 (Substitute S-1 as reported)  
Sponsor: Senator John Cherry  
Committee: Transportation and Infrastructure

### **CONTENT**

The bill would amend Public Act 165 of 1917, which governs the placement of suitable barriers during the closure of highways for improvement or repair, to do the following:

- Require the Michigan Department of Transportation (MDOT) to use concrete barriers or equivalent crashworthy temporary traffic barriers when closing a freeway or a portion of freeway for construction, improvement, or repair.
- Specify that the requirement would not apply if the freeway or portion of freeway were closed for not more than three days for an emergency repair, utility crossing, maintenance, or other short-duration operation.
- Allow MDOT to exercise its engineering judgement in designing and placing concrete barriers or equivalent crashworthy temporary traffic barriers and associated traffic control devices for each closure of a freeway or portion of freeway.

MCL 247.291 et al.

### **BRIEF RATIONALE**

According to testimony before the Senate Committee on Transportation and Infrastructure, there are three to four construction worker deaths on roadways in Michigan annually. Some people believe that increasing safety measures will reduce the number of deaths, a goal of MDOT's Toward Zero Deaths safety campaign. Accordingly, it has been suggested that MDOT be required to take certain safety measures when closing a freeway for construction.

### **PREVIOUS LEGISLATION**

*(Please note: The information in this summary provides a cursory overview of previous legislation and its progress. It does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)*

The bill is similar to Senate Bill 887 from the 2021-2022 Legislative Session.

Legislative Analyst: Tyler P. VanHuyse

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the State and no fiscal impact on local governments. The bill could result in increased costs to the State if the costs of the barrier materials were more expensive, or the barriers themselves were more expensive to install and uninstall, than previous materials used. However, the bill could result in a decreased cost to the State if fewer accidents and worker injuries or deaths occurred.

Date Completed: 3-22-23

Fiscal Analyst: Bobby Canell