

# HOUSE BILL No. 4723

May 20, 1999, Introduced by Reps. Patterson, Rick Johnson, Howell, Bishop, Kuipers, Green, Jellema, Toy, Caul, Stamas, Bisbee, Law, Richner, Mortimer, Tabor, Pappageorge, Sanborn and Hart 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 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, critical 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,"

by amending section 10c (MCL 247.660c), as amended by 1990 PA 73.

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

1       Sec. 10c. As used in this act:

2       (a) "Urban or rural area" means a contiguous developed area,  
3 including the immediate surrounding area, where transportation  
4 services should reasonably be provided presently or in the  
5 future; the area within the jurisdiction of an eligible authori-  
6 ty; or for the purpose of receiving funds for public transporta-  
7 tion, a contiguous developed area having a population of less  
8 than 50,000 population that has an urban public transportation  
9 program approved by the state transportation department and for  
10 which the state transportation commission determines that public  
11 transportation services should reasonably be provided presently  
12 or in the future.

13       (b) "Eligible authority" means an authority organized  
14 ~~pursuant to~~ UNDER the metropolitan transportation authorities  
15 act of 1967, ~~Act No. 204 of the Public Acts of 1967, as amended,~~

1 ~~being sections 124.401 to 124.426 of the Michigan Compiled Laws~~  
2 1967 PA 204, MCL 124.401 TO 124.426.

3 (c) "Eligible governmental agency" means a county, city, or  
4 village or an authority created ~~pursuant to Act No. 55 of the~~  
5 ~~Public Acts of 1963, as amended, being sections 124.351 to~~  
6 ~~124.359 of the Michigan Compiled Laws~~ UNDER 1963 PA 55, MCL  
7 124.351 TO 124.359; the urban cooperation act of 1967, ~~Act No. 7~~  
8 ~~of the Public Acts of the Extra Session of 1967, being sections~~  
9 ~~124.501 to 124.512 of the Michigan Compiled Laws~~ 1967 (EX SESS)  
10 PA 7, MCL 124.501 TO 124.512; ~~Act No. 8 of the Public Acts of~~  
11 ~~the Extra Session of 1967, being sections 124.531 to 124.536 of~~  
12 ~~the Michigan Compiled Laws~~ 1967 (EX SESS) PA 8, MCL 124.531 TO  
13 124.536; ~~Act No. 35 of the Public Acts of 1951, as amended,~~  
14 ~~being sections 124.1 to 124.13 of the Michigan Compiled Laws~~  
15 1951 PA 35, MCL 124.1 TO 124.13; the public transportation  
16 authority act, ~~Act No. 196 of the Public Acts of 1986, being~~  
17 ~~sections 124.451 to 124.479 of the Michigan Compiled Laws~~ 1986  
18 PA 196, MCL 124.451 TO 124.479; or the revenue bond act of 1933,  
19 ~~Act No. 94 of the Public Acts of 1933, as amended, being sec-~~  
20 ~~tions 141.101 to 141.140 of the Michigan Compiled Laws~~ 1933 PA  
21 94, MCL 141.101 TO 141.140.

22 (d) "Transit vehicle" means a bus, rapid transit vehicle,  
23 railroad car, water vehicle, taxicab, or other type of public  
24 transportation vehicle or individual unit, whether operated  
25 singly or in a group which provides public transportation.

1 (e) "Transit vehicle mile" means a transit vehicle operated  
2 for 1 mile in public transportation service including demand  
3 actuated and line-haul vehicle miles.

4 (f) "Demand actuated vehicle" means a bus or smaller transit  
5 vehicle operated for providing group rides to members of the gen-  
6 eral public paying fares individually, and on demand rather than  
7 in regularly scheduled route service.

8 (g) "Demand actuated vehicle mile" means a demand actuated  
9 vehicle operated for 1 mile in service to the general public.

10 (h) "Public transportation", "comprehensive transportation",  
11 "public transportation service", "comprehensive transportation  
12 service", "public transportation purpose", or "comprehensive  
13 transportation purpose" means the movement of people and goods by  
14 publicly or privately owned water vehicle, bus, railroad car,  
15 aircraft, rapid transit vehicle, taxicab, or other conveyance  
16 which provides general or special service to the public, but not  
17 including charter or sightseeing service or transportation  
18 ~~which~~ THAT is exclusively for school purposes. Public trans-  
19 portation, public transportation services, or public transporta-  
20 tion purposes; and comprehensive transportation, comprehensive  
21 transportation services, or comprehensive transportation purposes  
22 as defined in this subdivision are declared by law to be trans-  
23 portation purposes within the meaning of section 9 of article IX  
24 of the state constitution of 1963.

25 (i) "State transportation commission" means the state trans-  
26 portation commission or the state highway commission as

1 established in section 28 of article V of the state constitution  
2 of 1963.

3 (j) "Governmental unit" means the state transportation  
4 department, state highway commission or the state transportation  
5 commission, or a county road commission.

6 (k) "Department" or "department of transportation" means the  
7 state transportation department, which may be referred to admin-  
8 istratively as the department of transportation.

9 (l) "COUNTY ROAD COMMISSION" MEANS THE BOARD OF COUNTY ROAD  
10 COMMISSIONERS ELECTED OR APPOINTED PURSUANT TO SECTION 6 OF CHAP-  
11 TER IV OF 1909 PA 283, MCL 224.6, OR, IN THE CASE OF A CHARTER  
12 COUNTY WITH A POPULATION OF 2,000,000 OR MORE WITH AN ELECTED  
13 COUNTY EXECUTIVE THAT DOES NOT HAVE A BOARD OF COUNTY ROAD COM-  
14 MISSIONERS, THE COUNTY EXECUTIVE FOR MINISTERIAL FUNCTIONS AND  
15 THE COUNTY COMMISSION PROVIDED FOR IN SECTION 14(1)(D) OF 1966  
16 PA 293, MCL 45.514, FOR LEGISLATIVE FUNCTIONS.