



HOUSE BILL No. 5941

September 26, 2000, Introduced by Rep. Stamas and referred to the Committee on Transportation.

A bill to amend 1969 PA 296, entitled

"An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts,"

by amending sections 1, 2, and 10 (MCL 247.851, 247.852, and 247.860).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Highway authority" means the state highway commission,
3 a board of county road commissioners, A TOWNSHIP BOARD, or the
4 governing body of a city or village.

5 (b) "Highway" means a highway, road or street.

6 (c) "Board" means the highway jurisdiction determination
7 board.

1 Sec. 2. The provisions of any law to the contrary
2 notwithstanding, a highway may not ~~not [sic]~~ be transferred
3 from the jurisdiction of the state to a county, TOWNSHIP, city,
4 or village or from a county to a TOWNSHIP, city, or village with-
5 out the consent of both parties, except as provided by this act.
6 The consent shall be evidenced by a written agreement entered
7 into after approval by resolution of each highway authority that
8 is party to the agreement. The agreement shall identify the
9 effective date of the transfer of jurisdiction, the limits and
10 general description of the highway involved, the extent of
11 improvements and other terms and conditions mutually agreed to.
12 The agreement may be amended, superseded or voided by consent of
13 both parties. If the proposed transfer of jurisdiction is depen-
14 dent on the future opening of a new, relocated highway and a def-
15 inite effective date cannot be ascertained and agreed to at the
16 time the agreement is entered into, the transfer shall be effec-
17 tive upon the opening of the new highway unless otherwise pro-
18 vided in the agreement.

19 Sec. 10. The provisions of this act ~~shall~~ DO not apply to
20 the transfer of jurisdiction over county roads in unincorporated
21 areas ~~which~~ THAT become incorporated through annexation,
22 incorporation, or consolidation after ~~the effective date of this~~
23 ~~act and which~~ MARCH 20, 1970 AND THAT are transferred to the
24 TOWNSHIP, city, or village jurisdiction within 1 year after the
25 date of the annexation, incorporation, or consolidation.