



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**UPTRAN HEAD; PROPERTY
DISPOSAL; MDOT
ADMINISTRATIVE AUTHORITY**

House Bill 6487

Sponsor: Rep. Judson Gilbert II

Committee: Transportation

Complete to 11-8-02

A SUMMARY OF HOUSE BILL 6487 AS INTRODUCED 11-7-02

House Bill 6487 would amend Public Act 286 of 1964, which provides for the organization, powers, and duties of the Department of Transportation, to specify that powers and duties vested in the Transportation Commission would be vested in the department.

In addition, the bill specifies that the director could award all contracts that are both for and incidental to the construction, improvement, and maintenance of the highways and transportation facilities under the jurisdiction of the department. Further, the director could acquire, own, and hold real and personal property in the name of the state or the department, and sell, lease, encumber, or otherwise dispose of that property. These functions are now within the purview of the commission. In addition, the bill specifies that the commission would be required to establish policy by resolution or rule for the guidance and direction of the director.

House Bill 6487 also would repeal three sections of the act. Section 5a specifies that the chief administrative officer of the Bureau of Urban and Public Transportation is appointed by the governor, serves as deputy director of the department, and is appointed with the advice and consent of the senate (MCL 247.8051). This section would be repealed. In addition, section 6 of the act specifies the duties of the Transportation Commission [including the requirements that its members serve as advisors to the highway commission; request information from the commissioner; assist in the preparation of budget requests (for the fiscal year commencing July 1, 1965); and, designate the director (whose employment could not begin until the commission assumed the powers and duties of the former highway commissioner)] (MCL 247.806). This section would be repealed by the bill. Finally, section 10 of the act, which specifies how documents and instruments are executed by the commission, would be repealed (MCL 247.810)

The bill also specifies that a person who violates any of the rules promulgated under the act would be guilty of a misdemeanor if the rule prohibited specified conduct and advised that violation of the prohibition was a misdemeanor. Currently under the law, those who violate any of the rules are guilty of a misdemeanor.

MCL 247.802 et al.

Analyst: J. Hunault

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