



Senate Fiscal Agency
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Senate Bill 472 (Substitute S-1 as reported)
Sponsor: Senator Jud Gilbert, II
Committee: Transportation

CONTENT

The bill would amend Section 18 of the county road law to specify that the procedure for abandonment of a county road provided in the statute "is the exclusive procedure by which a road under the jurisdiction of a board of county road commissioners may be absolutely abandoned and discontinued". The bill also provides that a board of county road commissioners "has the exclusive jurisdiction to decide whether a road under its jurisdiction shall be absolutely abandoned and discontinued". The bill states that it would abrogate application of the doctrine of common law abandonment that permits a road under the jurisdiction of a county road commission to be declared abandoned by reason of nonuse.

Under Section 18, by a resolution adopted by a majority vote, the board of county road commissioners of any county that has adopted the county road system may either relinquish jurisdiction of, or absolutely abandon and discontinue, any county road or any part of a county road. In a resolution of abandonment, the board must determine that it is in the best interests of the public that the road or portion of the road be absolutely abandoned and discontinued. A true copy of the resolution must be recorded in the office of the register of deeds for the county where the land is situated.

MCL 224.18

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-28-03

Fiscal Analyst: Craig Thiel