

Secondary Road Patrol Maintenance of Effort

House Concurrent Resolution 63 - As Introduced

Sponsor: Representative Peter MacGregor

Analysis Completed: September 27, 2012

BRIEF SUMMARY:

House Concurrent Resolution 63 recognizes 1) that counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not merely reducing law enforcement services, and 2) that counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

BACKGROUND:

The Secondary Road Patrol (SRP) state grant program was established under P.A. 416 of 1978 and provides county sheriff departments with funding for patrol of county and local roads outside the corporate limits of cities and villages. Patrol inside the corporate limits of cities and villages may be provided upon request and by resolution adopted by the legislative body of the city or village requesting services. Primary responsibilities of the program are traffic enforcement and traffic crash prevention.

Section 51.77(1) establishes a "Maintenance of Effort" provision. The maintenance of effort provision refers to the number of general road patrol deputies that the county employed immediately before October 1, 1978. The county must continue to retain at least this number of road patrol deputies to be eligible for SRP grant funding. Cities and villages must maintain the highest number of sworn law enforcement officers employed by the city or village at any time within the immediately preceding 36 months. Counties are ineligible for grant funding, and cities and villages are ineligible for road patrol services from counties, if they reduce the level of road patrol deputies, unless they can prove economic hardship and are forced to reduce general services proportionate with the reduction in road patrol. Alternately, section 51.76(3) requires a concurrent resolution adopted by a majority vote of the House and Senate which states that the counties, cities, and villages have been required to reduce general services because of economic conditions.

FISCAL IMPACT:

Adoption of HCR 63 would prevent maintenance of effort agreements from being voided and, subsequently, would allow counties to receive and expend Secondary Road Patrol grant funding appropriated in FY 2012-13.

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