

Act No. 486
Public Acts of 2014
Approved by the Governor
January 10, 2015
Filed with the Secretary of State
January 13, 2015
EFFECTIVE DATE: January 13, 2015

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Senators Richardville, Smith, Young, Casperson, Ananich and Moolenaar

ENROLLED SENATE BILL No. 695

AN ACT to amend 1867 PA 35, entitled "An act to provide for the formation of nonprofit street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies; to prescribe powers and duties of certain state and local agencies and officials; to provide remedies and penalties; to provide for the establishment of a transit development finance zone; and to authorize the use of tax increment financing," by amending section 7 (MCL 472.7), as amended by 2008 PA 481.

The People of the State of Michigan enact:

Sec. 7. As used in this act:

- (a) "Department" means the state transportation department.
- (b) "Nonprofit corporation" means that term as defined under section 108 of the nonprofit corporation act, 1982 PA 162, MCL 450.2108.
- (c) "Public street or highway" means any state trunk line highway, county road, or city or village street maintained by a road authority.
- (d) "Railroad" means that term as defined under section 109 of the railroad code of 1993, 1993 PA 354, MCL 462.109.
- (e) "Operating license agreement" means an agreement entered into under section 13 by and among a street railway and each road authority with jurisdiction over public streets and highways upon which the street railway operates or seeks to operate a street railway system, including, but not limited to, each city, village, or township road authority in the city, village, or township in which the street railway operates or seeks to operate a street railway system.
- (f) "Road authority" means each governmental agency with jurisdiction over public streets and highways. Road authority includes the department, any other state agency, and intergovernmental, county, city, and village governmental agencies responsible for the construction, repair, and maintenance of streets and highways. When a street railway operates or seeks to operate a street railway system over public streets and highways over which more than 1 road authority possesses jurisdiction, road authority includes each road authority with jurisdiction over public streets and highways upon which the street railway operates or seeks to operate a street railway system.
- (g) "Street railway" means a nonprofit corporation organized under this act for the purpose of operating a street railway system other than a railroad train for transporting individuals or property. Street railway includes a nonprofit corporation incorporated under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192, by a street railway organized under section 11, or by 1 or more members of the board of directors of a street railway for the purpose of assisting the street railway in acquiring, owning, constructing, furnishing, equipping, completing, operating, improving, or maintaining a street railway system or for the purpose of financing a street railway system.

(h) "Street railway system" means the facilities, equipment, and personnel required to provide and maintain a public transportation system operated on rails at grade or above or below ground within a city, village, or township utilizing streetcars, trolleys, light rail vehicles, or trams for the transportation of individuals or property. Street railway system also includes necessary power feeds, signals, and stops or stations within a public right-of-way. Street railway system excludes facilities and improvements that are not required to maintain a public transportation system.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor