

SUBSTITUTE FOR  
SENATE BILL NO. 1592

A bill to amend 1976 PA 295, entitled  
"State transportation preservation act of 1976,"  
by amending sections 1, 2, 5, 15, and 16 (MCL 474.51, 474.52,  
474.55, 474.65, and 474.66), section 2 as amended by 1998 PA 235  
and sections 5, 15, and 16 as amended by 1984 PA 210.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. (1) This act shall be known and may be cited as the  
2 "state transportation preservation act of 1976".

3           (2) There exists a need to provide authorization for financial  
4 assistance for the capital improvement, maintenance, and operation  
5 of rail, **STREET RAILWAY**, intercity bus, and ferry services in this  
6 state. To undertake the planning, development, acquisition, and  
7 operation of these services is in the best interest of the state  
8 and is a valid public purpose.

9           (3) The preservation of abandoned railroad rights of way for

1 future rail use and their interim use as public trails is declared  
2 to be a public purpose.

3 Sec. 2. As used in this act:

4 (a) "Bureau" means the bureau of ~~urban and public~~ **PASSENGER**  
5 transportation in the department.

6 (b) "Commuter trail" means a trail, lane, path, road, or other  
7 right of way on which motorized vehicles are not permitted and  
8 which has the primary or substantial purpose and result of  
9 providing a means for people to move from 1 location to another.

10 (c) "Department" means the state transportation department.

11 (d) "Federal acts" means the regional rail reorganization act  
12 of 1973, 45 ~~U.S.C.~~ **USC** 701 to 797m; the railroad revitalization and  
13 regulatory reform act of 1976, Public Law 94-210; ~~, 90 Stat. 31,~~  
14 the local rail service assistance act of 1978, section 5, Public  
15 Law 89-670; ~~, 80 Stat. 931;~~ the staggers rail act of 1980, Public  
16 Law 96-448; ~~, 94 Stat. 1895;~~ and the northeast rail service act of  
17 1981, subtitle E title XI, Public Law 97-35. ~~, 95 Stat. 643.~~

18 (e) "Recreational trail" means a trail, lane, path, road, or  
19 other right of way ~~which~~ **THAT** because of its scenic, wild, or  
20 topographical nature, has as its primary purpose recreational use  
21 of the trail itself.

22 **(F) "STREET RAILWAY" MEANS THAT TERM AS DEFINED UNDER THE**  
23 **NONPROFIT STREET RAILWAY COMPANY ACT, 1867 PA 35, MCL 472.1 TO**  
24 **472.31.**

25 Sec. 5. The department may provide financial assistance in the  
26 form of grants, leases, loans, and purchases, or any combination of  
27 grants, leases, loans, and purchases, within the limits of the

## Senate Bill No. 1592 as amended December 4, 2008

1 funds appropriated by the legislature or otherwise obtained, for  
 2 the maintenance of a railroad **OR A STREET RAILWAY** within the state  
 3 as provided in the federal acts, other relevant federal  
 4 legislation, ~~Act No. 51 of the Public Acts of 1951, being sections~~  
 5 ~~247.651 to 247.674 of the Michigan Compiled Laws, 1951 PA 51, MCL~~  
 6 **247.651 TO 247.675**, or other relevant state law. The department may  
 7 act as the agent for the state, a person, a public or private  
 8 corporation, a local or regional transportation authority, a local  
 9 governmental unit, a private carrier, a group of rail users, or a  
 10 combination of these entities for the maintenance of a railroad **OR**  
 11 **A STREET RAILWAY** in this state.

12       Sec. 15. The department may spend sums appropriated and other  
 13 available funds for the construction, modernization,  
 14 rehabilitation, rebuilding, and relocation of rail property and may  
 15 perform or contract for maintenance or improvements on rail  
 16 property owned by the state, a person, a public or private  
 17 corporation, a local or regional transportation authority, a local  
 18 governmental unit, a private carrier, a group of rail users, or a  
 19 combination of these entities, **INCLUDING, BUT NOT LIMITED TO, A**  
 20 **STREET RAILWAY**, as is necessary in the public interest **AS**  
 21 **DETERMINED BY THE DEPARTMENT.**

22       Sec. 16. The department may contract with a person, firm, or  
 23 public or private corporation to provide rail, **STREET RAILWAY**,  
 24 intercity bus, or ferry service deemed by the department to be in  
 25 the best interest of ~~the~~**THIS** state.

<<Enacting section 1. This amendatory act does not take effect  
 unless all of the following bills of the 94th Legislature are enacted  
 into law:

- (a) House Bill No. 6542.
- (b) House Bill No. 6543.
- (c) House Bill No. 6546.
- (d) House Bill No. 6625.>>