

HOUSE BILL No. 4878

June 5, 1997, Introduced by Reps. Rison, Bogardus, Schauer, Murphy, Hale, Kilpatrick, Varga, Brewer, Price, Scott, Thomas, Cherry, Jaye, Quarles, Leland, Frank, Parks, Schermesser, Brater, Hanley and Emerson and referred to the Committee on Local Government.

A bill to provide for the removal of certain dead animals from certain areas open to vehicular traffic in this state; and to prescribe the powers and duties of certain state and local agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Board of county road commissioners" means a board of
3 county road commissioners or, in a county that has adopted a
4 charter under 1966 PA 293, MCL 45.501 to 45.521, and reorganized
5 the powers and duties of a county road commission pursuant to
6 section 6 of chapter IV of 1909 PA 283, MCL 224.6, the entity
7 exercising the powers and duties of a board of county road
8 commissioners.

9 (b) "Person" means an individual, partnership, corporation,
10 association, governmental entity, or other legal entity.

1 (c) "Roadway" means the entire width between the boundary
2 lines of every way publicly maintained when any part is improved,
3 designed, or ordinarily used for public vehicular travel.

4 (d) "Shoulder" means that portion of the roadway that is
5 contiguous to the roadway and generally extends the contour of
6 the roadway and that is not designed for vehicular traffic but is
7 maintained for the temporary accommodation of disabled or stopped
8 vehicles otherwise permitted on the roadway.

9 Sec. 2. (1) Except as otherwise provided in subsection (2),
10 as soon as practical after receiving notice from a person, the
11 department of natural resources shall remove the carcass of a
12 deer, bear, elk, or moose from the traveled portion or the shoul-
13 der of any public roadway or bridge in this state.

14 (2) The department of natural resources may enter into a
15 contract with the board of county road commissioners of any
16 county that seeks to undertake in that county the responsibili-
17 ties of the department provided under subsection (1).

18 (3) Contracts authorized under subsection (2) shall be nego-
19 tiated by the department of natural resources with individual
20 boards of county road commissioners and shall provide reasonable
21 compensation in exchange for the service provided by a board of
22 county road commissioners.