

SUBSTITUTE FOR  
HOUSE BILL NO. 6545

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.

1 (3) The preservation of abandoned railroad rights of way for  
 2 future rail use and their interim use as public trails is declared  
 3 to be a public purpose.

4 Sec. 2. As used in this act:

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

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

11 (c) "Department" means the ~~state transportation~~ department **OF**  
 12 **TRANSPORTATION, THE PRINCIPAL DEPARTMENT CREATED UNDER SECTION 350**  
 13 **OF THE EXECUTIVE ORGANIZATION ACT OF 1965, 1965 PA 380, MCL 16.450.**

14 (d) "Federal acts" means the regional rail reorganization act  
 15 of 1973, 45 U.S.C. ~~USC~~ 701 to 797m; the railroad revitalization and  
 16 regulatory reform act of 1976, Public Law 94-210; ~~7-90 Stat. 31,~~  
 17 the local rail service assistance act of 1978, section 5, Public  
 18 Law 89-670; ~~7-80 Stat. 931;~~ the staggers rail act of 1980, Public  
 19 Law 96-448; ~~7-94 Stat. 1895;~~ and the northeast rail service act of  
 20 1981, subtitle E title XI, Public Law 97-35. ~~7-95 Stat. 643.~~

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

25 **(F) "STREET RAILWAY" MEANS THAT TERM AS DEFINED UNDER THE**  
 26 **NONPROFIT STREET RAILWAY COMPANY ACT, 1867 PA 35, MCL 472.1 TO**  
 27 **472.31.**

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

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

25           Sec. 16. The department may contract with a person, firm, or  
26 public or private corporation to provide rail, **STREET RAILWAY**,  
27 intercity bus, or ferry service deemed by the department to be in

1 the best interest of ~~the~~**THIS** state.