

Legislative Analysis



TRANSPORTATION ASSET MANAGEMENT COUNCIL

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4971 as introduced
Sponsor: Rep. Julie Alexander
Committee: Transportation
Revised 12-4-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4971 would amend 1951 PA 51 (“Act 51”) to modify provisions concerning the Transportation Asset Management Council (“Council”) and the asset management plans of local road agencies.

Under amendments enacted by 2018 PA 325,¹ the Council must develop, by October 1, 2019, an asset management plan template for use by local road agencies responsible for 100 or more certified miles of road. The template developed by the Council must ensure that local asset management plans include several components, including such things as performance goals and anticipated revenues and expenses.

The bill would add a requirement that, if such a local road agency planned to increase traffic capacity or lane expansion, it must complete an engineering and safety study as described in the Vehicle Code and submit the study with its asset management plan. A local road agency could not engage in lane expansion without the approval of the Council.

Under the bill, beginning October 1, 2020, the Council would have to annually review the asset management plans submitted by a local road agency under the act and select up to 15% of the local road system that could be modified or *right-sized* to address regional transportation infrastructure needs. (*Right-sized* would mean to decrease, increase, or combine lanes of a road to improve safety and provide space for all modes of travel.) The Council would have to work with local road agencies in determining which local roads should be right-sized and how to do so, and the local road agency would have to modify its asset management plan based on the Council review.

The bill would require the Council to maintain records of local road agencies responsible for less than 100 certified miles of road who have submitted an asset management plan.

Finally, the bill would provide that, if the Council determined the asset management plan of a local road agency responsible for 100 or more certified miles of road to be out of compliance with the requirements of the act or the standards of the template described above, the plan would be considered disapproved for purposes of sections 12 and 13 of the act.

MCL 247.659a

¹ See the House Fiscal Agency summary of 2018 PAs 323, 324, and 325:
<http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-5335-649E76FA.pdf>

FISCAL IMPACT:

The Transportation Asset Management Council is established in section 9a of Act 51. Section 9a indicates that the Council is established “within the State Transportation Commission.” Although the Council is established within the State Transportation Commission, and not within the Michigan Department of Transportation (MDOT), the department provides staff and technical support to the Council. In effect, all staff support to the Council is provided by MDOT employees.

Section 9a directs that funding necessary to support the activities of the Council be provided by an annual appropriation from the Michigan Transportation Fund (MTF) to the State Transportation Commission. The MTF appropriation for the Council was \$1.9 million in both FYs 2018-19 and 2019-20. Funding is used primarily for data collection and training activities. The additional costs of MDOT staff support is provided in other departmental line items.

House Bill 4971 would establish new responsibilities for the Council, including new responsibilities for review of local agency asset management plans and the review of local engineering and safety studies. The additional staffing and related costs necessary to perform these new functions cannot be precisely estimated at this time. The department indicates that an additional four to six full-time equated positions would be needed. Those additional positions would include positions requiring engineering qualifications. Funding for the additional costs would have to come from either an additional appropriation to the Council or through the redirection of department resources.

The bill would require that a local road agency complete “an engineering and safety study” as described in section 627 of the Michigan Vehicle Code if the local road agency plans to increase traffic capacity or lane expansion. The bill would require that the local road agency submit a copy of that engineering and safety study as part of its asset management plan. The bill would prohibit a local road agency from engaging in lane expansion unless approved by the Council. The cost to local road agencies cannot be readily estimated at this time.

Section 627 of the Michigan Vehicle Code deals with the establishment of speed limits; the words “engineering and safety study” within that section appear to be entirely associated with the establishment of speed limits. It is not clear if the requirement that a local road agency develop an “engineering and safety study” for capacity improvement projects represents a new mandate on local road agencies. Most local road agency capacity improvement projects are already developed through a planning process that includes engineering and safety considerations.

Legislative Analyst: Rick Yuille

Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.