

**SUBSTITUTE FOR  
HOUSE BILL NO. 4970**

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state



transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding section 12d.

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

1           **Sec. 12d. (1) Beginning on October 1, 2020, a county road**  
 2 **commission or a county road department may enter into an**  
 3 **alternative contract delivery method agreement with a private**  
 4 **entity for design, development, financing, maintenance, or**  
 5 **operation of a highway, street, road, right-of-way, or bridge under**  
 6 **the jurisdiction of that county road commission or county road**  
 7 **department.**

8           **(2) A county road commission or a county road department shall**  
 9 **not enter into an alternative contract delivery method agreement if**



1 the total of all alternative contract delivery method agreements  
2 exceeds 50% of the yearly amount distributed under section 12 to  
3 that county road commission.

4 (3) If a county road commission or county road department  
5 enters into an alternative contract delivery method agreement for  
6 the design, development, financing, maintenance, or operation of a  
7 highway, street, road, right-of-way, or bridge under this section,  
8 except as otherwise provided in the alternative contract delivery  
9 method agreement, the alternative contract delivery method  
10 agreement must provide that the private entity assumes all control  
11 and responsibility for that portion of the highway, street, road,  
12 right-of-way, or bridge subject to the alternative contract  
13 delivery method agreement.

14 (4) As used in this section:

15 (a) "Alternative contract delivery method agreement" means a  
16 written agreement between the county road commission or the county  
17 road department and a private entity that relates to the design,  
18 development, financing, maintenance, or operation of a highway,  
19 street, road, right-of-way, or bridge under the jurisdiction of  
20 that county road commission or county road department.

21 (b) "Private entity" means an individual, corporation, general  
22 partnership, limited liability company, limited partnership, joint  
23 venture, business trust, nonprofit entity, or other business  
24 entity.

