

STATE TRUNK LINE HIGHWAY SYSTEM (EXCERPT)

Act 51 of 1951

247.661g Movable bridge fund; contract with person or agency having jurisdiction of publicly owned movable bridge; operational procedures and costs; "operational costs" defined.

Sec. 11g. (1) The movable bridge fund is created in the state treasury as a separate fund. The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. The department shall be the administrator of the fund for auditing purposes.

(2) The department may enter into a contract with a person or agency that has jurisdiction of a publicly owned movable bridge for the operation of that bridge. A contract entered into under this subsection shall require any contractor hired by the department to operate the bridge to maintain insurance in an amount specified by the department. This subsection does not require the department to assume ownership or jurisdiction of a publicly owned movable bridge as part of a contract described in this subsection.

(3) Each person or agency other than the department that owns or has jurisdiction of a publicly owned movable bridge shall submit to the department the operational procedures for that bridge and the operational costs incurred by the person or agency in operating the bridge on an annual basis. The department shall develop procedures to govern the operation of and to determine the operational costs of all publicly owned movable bridges in this state. The department shall annually develop an estimate for the operational cost of each publicly owned movable bridge in this state for each fiscal year. For each publicly owned movable bridge that is owned by or under the jurisdiction of a person or agency other than the department, the department shall use the operational procedures and operational costs submitted by that person or agency under this subsection in developing the procedures and estimates required by this subsection. Using the estimates developed under this subsection, the department shall distribute a percentage of money from the movable bridge fund to each person or agency responsible for the operation of a publicly owned movable bridge. If the department is responsible for the operation of a publicly owned movable bridge, the money distributed under this subsection shall be distributed to the department.

(4) If the department offers to enter into a contract described in subsection (2) and the owner or agency that has jurisdiction of the bridge declines, the owner or agency shall continue to receive the amount of money that it otherwise would have received for the operation of that bridge under this act.

(5) As used in this section, "operational costs" includes all reasonable and customary costs associated with the operation of a publicly owned moveable bridge. Operational costs do not include routine maintenance costs, capital improvement costs, or emergency structural, mechanical, electrical, or hydraulic repairs.

History: Add. 2016, Act 246, Eff. Sept. 22, 2016.

Popular name: McNitt Act

Popular name: Michigan Transportation Fund Act