

FY 2018-19: DEPARTMENT OF TRANSPORTATION
Summary: As Passed by the Senate
Senate Bill 865 (S-1) as Amended



Analyst: William E. Hamilton

IDG/IDT	FY 2017-18 YTD as of 2/7/18	FY 2018-19 Revised Executive	FY 2018-19 House	FY 2018-19 Senate	FY 2018-19 Enacted	Difference: Senate From FY 2017-18 YTD	
						Amount	%
	\$4,039,300	\$4,092,500	\$4,092,500	\$4,092,500		\$53,200	1.3
Federal	1,340,301,200	1,318,271,700	1,318,271,700	1,318,271,700		(22,029,500)	(1.6)
Local	50,532,000	50,532,000	50,532,000	50,532,000		0	0.0
Private	100,000	900,000	900,000	900,000		800,000	800.0
Restricted	2,954,470,500	3,156,293,700	3,169,293,700	3,166,293,700		211,823,200	7.2
GF/GP	0	0	0	0		0	--
Gross	\$4,349,443,000	\$4,530,089,900	\$4,543,089,900	\$4,540,089,900		\$190,646,900	4.4
FTEs	2,826.3	2,826.3	2,727.3	2,826.3		0.0	0.0

Notes: (1) FY 2017-18 year-to-date figures include mid-year budget adjustments through February 7, 2018. The Legislature subsequently passed PA 82 of 2018 (House Bill 4321) which appropriated \$175.0 million GF/GP. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time." (3) Information on House budget action in this document is based on House Bill 5578 as passed by the House.

Overview

The state transportation budget supports state and local highway programs, public transportation programs, aeronautics programs, and administration of the Michigan Department of Transportation (MDOT). Historically, approximately two-thirds of the revenue in this budget has come from state restricted revenue, with approximately one-third from federal sources. Most of the state-restricted revenue in this budget is constitutionally restricted – from motor fuel taxes and vehicle registration taxes – and is first credited to the Michigan Transportation Fund (MTF) and then distributed in accordance with Public Act 51 of 1951 (Act 51) to other state transportation funds and programs, including the State Trunkline Fund (STF), the Comprehensive Transportation Fund (CTF), and local road agencies. Revenue from aviation fuel and registration taxes and from an earmark of the Airport Parking Tax is credited to the State Aeronautics Fund for aeronautics programs.

Major Budget Changes From FY 2017-18 YTD Appropriations	FTE	FY 2017-18 Year-to-Date (as of 2/7/18)	FY 2018-19 Senate Change
1. Reductions in STF-Funded FTE Positions			
<u>House</u> reduces authorized STF-funded FTE positions by 97.0 and related funding by \$10.2 million in various department operating lines, as follows:	FTE	1,787.3	0.0
Unclassified salaries: (2.0 FTEs, \$210,000 STF)	Gross	NA	\$0
Finance, contracts, support services: (5.0 FTEs, \$525,000 STF)	Restricted	NA	0
Transportation planning: (7.0 FTEs, \$735,000 STF)	GF/GP	NA	\$0
Design & engineering: (83.0 FTE positions, \$8.7 million STF)			
House redirects \$10.2 million STF to the State trunkline road and bridge construction program. (Item #2, below). [In addition to the reduction in STF-funded positions, the House bill also reduces FTEs in the Aeronautics services appropriation unit.] <u>Senate</u> does not reduce authorized FTE positions or related funding.			
2. State Trunkline Road and Bridge Construction			
<u>Executive</u> reflects increases in anticipated federal and state restricted revenue sources, including: \$55.1 million increase in available STF revenue, and \$1.1 million increase in Blue Water Bridge Fund revenue for Blue Water Bridge capital projects. The STF increase reflects the anticipated increase in ongoing MTF revenue from motor fuel and vehicle registration taxes, as well as the STF share of \$150.0 million in Income Tax revenue that was earmarked to the MTF in the November 2015 Road Funding Package.	Gross	\$1,140,756,800	\$81,432,700
	Federal	783,367,300	25,240,400
	Local	30,003,500	0
	Restricted	327,386,000	56,192,300
	GF/GP	\$0	\$0

House increases funding by \$10.2 million as compared to the Executive by redirecting STF revenue related to a reduction in 97.0 FTE positions in various MDOT operating line items. Senate concurs with Executive.

Major Budget Changes From FY 2017-18 YTD Appropriations		FY 2017-18 Year-to-Date (as of 2/7/18)	FY 2018-19 Senate Change
3. MTF to Local Road Agencies			
<u>Executive</u> reflects an estimated \$121.3 million increase in the MTF distribution to county road commissions, and cities/villages. This increase reflects both an anticipated increase in ongoing MTF revenue from motor fuel and vehicle registration taxes, as well as the local road agency share of \$150.0 million in Income Tax revenue that was earmarked to the MTF in the November 2015 Road Funding Package. <u>House</u> and <u>Senate</u> concur with <u>Executive</u> .	Gross	\$1,372,100,700	\$121,331,100
	Restricted	1,372,100,700	121,331,100
	GF/GP	\$0	\$0
4. Debt Service			
<u>Executive</u> included \$219.9 million for debt service, a reduction of \$9.5 million from current year, reflecting anticipated debt service schedules. [State transportation debt balance at September 30, 2017 was \$1.4 billion.]	Gross	\$228,939,400	(\$9,502,300)
	Federal	37,783,300	(1,919,900)
	Restricted	191,156,100	(7,582,400)
	GF/GP	\$0	\$0
<u>House</u> and <u>Senate</u> concur with <u>Executive</u> .			
5. Services Provided by Other State Departments			
<u>Executive</u> would provide \$48.4 million for Interdepartmental grants (IDGs) that authorize the reimbursement of other state departments from restricted transportation funds for services provided to those transportation funds. Specific IDGs include \$20.0 million MTF for Department of State vehicle registration tax collection program, \$2.7 million MTF for Department of Treasury motor fuel tax collection program, and \$11.8 million STF for Michigan State Police Commercial Vehicle Enforcement program and Criminal Justice Information Center. The net increase across all IDG line items reflects economic increases and cost allocation adjustments.	Gross	\$47,428,400	\$966,200
	Restricted	47,428,400	966,200
	GF/GP	\$0	\$0
<u>House</u> and <u>Senate</u> concur with <u>Executive</u> .			
6. Asset Management Council			
<u>Executive</u> includes \$1.9 million MTF for ongoing costs of Asset Management Council – primarily pavement condition data collection and analysis, as well as training and education. Budget eliminates one-time \$2.0 million for inspection and inventory of culverts on the local road system (added to current year through supplemental appropriation, Public Act 201 of 2017.)	Gross	\$3,876,400	(\$2,000,000)
	Restricted	3,876,400	(2,000,000)
	GF/GP	\$0	\$0
<u>House</u> and <u>Senate</u> concur with <u>Executive</u> .			
7. Information Technology			
<u>Executive</u> increases STF support by \$2.0 million to provide for workstation replacement and application modernization. <u>House</u> and <u>Senate</u> concur with <u>Executive</u> .	Gross	\$33,465,900	\$2,000,000
	Federal	520,500	0
	Restricted	32,945,400	2,000,000
	GF/GP	\$0	\$0
8. Transportation Planning			
<u>Executive</u> provides \$2.7 million increase in federal authorization to reflect anticipated increase in Statewide Planning and Research (SPR) funds. <u>House</u> and <u>Senate</u> concur with <u>Executive</u> .	Gross	\$36,245,200	\$2,750,000
	Federal	19,250,000	2,750,000
	Restricted	16,995,200	0
	GF/GP	\$0	\$0
[In the House bill this change is exclusive of a reduction in FTE positions and related STF funding.]			
9. Design and Engineering Services			
<u>Executive</u> includes \$2.0 million STF increase as part of \$10.0 million program of priority maintenance of critical state trunkline bridges. An additional \$8.0 million is included State trunkline maintenance. <u>House</u> and <u>Senate</u> concur with <u>Executive</u> .	Gross	\$161,253,100	\$2,000,000
	Federal	23,529,800	0
	Restricted	137,723,300	2,000,000
	GF/GP	\$0	\$0
[In the House bill this change is exclusive of a reduction in FTE positions and related STF funding.]			

Major Budget Changes From FY 2017-18 YTD Appropriations		FY 2017-18 Year-to-Date (as of 2/7/18)	FY 2018-19 Senate Change
10. State Trunkline Maintenance	FTE	793.7	0.0
<u>Executive</u> would provide \$20.3 million increase in STF support for: priority maintenance of critical state trunkline bridges program, \$8.0 million; priority maintenance of culverts, including rehabilitation or replacement, \$8.0 million; offset increased maintenance material costs and added state trunkline mileage, \$4.3 million. <u>House</u> and <u>Senate</u> concur with Executive.	Gross	\$317,593,400	\$20,337,600
	Restricted	317,593,400	20,337,600
	GF/GP	\$0	\$0
11. Local Agency Wetland Mitigation Fund Program	Gross	\$2,000,000	\$0
<u>Executive</u> includes \$2.0 million MTF for this Act 51 earmark. <u>House</u> reduces funding to \$500,000 MTF; shifts to new <i>Local grant program</i> line item in TEDF. <u>Senate</u> concurs with Executive.	Restricted	2,000,000	0
	GF/GP	\$0	\$0
12. Transportation Economic Development Fund (TEDF)	Gross	\$42,119,100	(\$1,770,100)
<u>Executive</u> recommends permanent redirection of \$13.0 million in certain drivers' license fee revenue from TEDF, Target Industries, to the state General Fund. (Requires statutory change.) Also reflects increase in anticipated interest on fund balance.	Restricted	42,119,100	(1,770,100)
	GF/GP	\$0	\$0
<u>House</u> retains \$13.0 million in TEDF, Category A; includes an additional \$1.5 million MTF in a new Local grant program line. <u>Senate</u> retains \$10.0 million in driver's license fee revenue in this budget, \$3.0 million less than Executive and House. <u>Senate</u> creates two new TEDF-funded line items: Community service infrastructure fund, \$7.0 million; and Salt storage shed projects (one-time), \$3.0 million.			
13. Local Bus Transit	Gross	\$216,277,900	\$3,000,000
<u>Executive</u> provides \$189.2 million CTF, an increase of \$1.0 million from current year, for local bus operating formula distribution to 81 local public transit agencies. Also recognizes \$2.0 million anticipated increase in federal transit grants to non-urban transit agencies.	Federal	26,027,900	2,000,000
	Local	2,000,000	0
	Restricted	188,250,000	1,000,000
	GF/GP	\$0	\$0
<u>House</u> includes an increase of \$4.0 million CTF, \$3.0 million more than the Executive; also recognizes increased federal spending authority. <u>Senate</u> concurs with Executive.			
14. Transit Capital	Gross	\$59,403,500	\$7,209,100
<u>Executive</u> increases CTF support by \$7.2 million for program that provides matching funds on behalf of local transit agencies to access federal transit capital grants. <u>House</u> and <u>Senate</u> concur with Executive.	Federal	15,300,000	0
	Local	1,250,000	0
	Restricted	42,853,500	7,209,100
	GF/GP	\$0	\$0
15. Service Initiatives	Gross	\$3,389,200	\$1,200,000
<u>Executive</u> increases CTF support by \$1.2 million for program that funds transit-related research, training and development, and demonstration projects. <u>House</u> and <u>Senate</u> concur with Executive.	Federal	1,650,000	0
	Local	325,000	0
	Restricted	1,414,200	1,200,000
	GF/GP	\$0	\$0
16. Transportation to Work	Gross	\$3,700,000	\$175,000
<u>Executive</u> increases CTF support for Blue Water Transportation Commission's Job Access/Reverse Commute program. <u>House</u> and <u>Senate</u> concur with Executive.	Restricted	3,700,000	175,000
	GF/GP	\$0	\$0
17. Detroit Wayne County Port Authority	Gross	\$200,000	\$268,200
<u>Executive</u> had included \$468,200 CTF, a \$268,200 increase as compared to current year. <u>House</u> provides same funding as current year, \$200,000 CTF; shifts \$168,200 to Rail operations and infrastructure, \$100,000 to Marine passenger. <u>Senate</u> concurs with Executive.	Restricted	200,000	268,200
	GF/GP	\$0	\$0

Major Budget Changes From FY 2017-18 YTD Appropriations		FY 2017-18 Year-to-Date (as of 2/7/18)	FY 2018-19 Senate Change
18. Rail Operations and Infrastructure/Rail Freight Economic Dev.	Gross	\$124,759,700	(\$42,551,700)
<u>Executive</u> includes \$7.5 million CTF increase for program that includes capital and operating support for rail passenger service in Michigan. Reduces federal funds by \$50.1 million to better align with anticipated federal grants. Executive budget also rolls two current lines, Rail operations and infrastructure, and Rail freight economic development, into a single line.	Federal	60,100,000	(50,100,000)
	Local	100,000	0
	Private	100,000	0
	Restricted	64,459,700	7,548,300
	GF/GP	\$0	\$0
<u>House</u> keeps two lines unrolled; includes \$4.5 million CTF baseline increase –\$3.0 million less than the Executive; also includes \$168,200 redirected from the Detroit Wayne County Port Authority line.			
<u>Senate</u> concurs with Executive in total funding for rail programs but shifts \$3.0 million from the Rail freight fund to create a new one-time line item “Ann Arbor/Traverse City rail project.”			
19. Intercity Services	Gross	\$8,060,000	(\$700,000)
<u>Executive</u> recognizes anticipated private funds made available for program that supports intercity bus service in Michigan. Reduces CTF support by \$1.5 million. <u>House</u> and <u>Senate</u> concur with Executive.	Federal	4,500,000	0
	Local	160,000	0
	Private	0	800,000
	Restricted	3,400,000	(1,500,000)
	GF/GP	\$0	\$0
20. Marine Passenger	Gross	\$400,000	\$0
<u>Executive</u> recommends same funding as current year, \$400,000 CTF. <u>House</u> recommends \$500,000 CTF, \$100,000 more than the Executive using funds shifted from Detroit Wayne County Port Authority line. <u>Senate</u> concurs with Executive.	Restricted	400,000	0
	GF/GP	\$0	\$0
21. Aviation Services	FTE	48.0	0.0
<u>Executive</u> budget recognized minor revenue adjustment of \$1,300. <u>House</u> unrolls into two lines: Aviation services, \$5.6 million with 36.0 FTE positions; and Airfleet operations and maintenance, \$1.8 million and 10.0 FTEs – a net decrease of \$300,000 in State Aeronautics Fund support and 2.0 FTE positions. House shifts the \$300,000 to the Airport Improvement Program line item, below. <u>Senate</u> concurs with Executive.	Gross	\$7,596,100	(\$1,300)
	Restricted	7,596,100	(1,300)
	GF/GP	\$0	\$0
22. Airport Improvement Program	Gross	\$93,943,000	\$570,200
<u>Executive</u> increases State Aeronautics Fund support by \$570,200. <u>House</u> increases by \$870,000, using \$300,000 shifted from Aeronautics services appropriation unit. <u>Senate</u> concurs with Executive.	Federal	79,000,000	0
	Local	12,508,500	0
	Restricted	2,434,500	570,200
	GF/GP	\$0	\$0
23. Detroit Metropolitan Wayne County Airport	Gross	\$6,500,000	(\$975,000)
<u>Executive</u> reduces Qualified Airport Fund support for Detroit Metro Airport by almost \$1.0 million to reflect revenue estimates. The Qualified Airport Fund was established through an amendment to the State Aeronautics Code made in the 2015 aviation funding package (Public Acts 258 through 262 of 2015). <u>House</u> and <u>Senate</u> concur with Executive.	Restricted	6,500,000	(975,000)
	GF/GP	\$0	\$0
24. Economic Adjustments	Gross	NA	\$5,926,400
<u>Executive</u> recognizes increased costs of \$5.9 million Gross (\$0 GF/GP) for negotiated salary and wage increases (2.0% ongoing), actuarially required retirement contributions, worker’s compensation, building occupancy charges, and other economic adjustments. <u>House</u> and <u>Senate</u> concur with Executive.	IDG	NA	53,200
	Federal	NA	936,000
	Restricted	NA	4,937,200
	GF/GP	NA	\$0
25. Misc. Revenue Adjustments	Gross	NA	(\$1,019,200)
<u>Senate</u> incorporates minor revenue adjustments not recognized in the above discussion on major budget changes.	IDG	NA	0
	Federal	NA	(936,000)
	Restricted	NA	(83,200)
	GF/GP	NA	\$0

Major Boilerplate Changes From FY 2017-18

Sec. 215. Communication with the Legislature – RETAINED

Prohibits the department from taking disciplinary action against an employee for communicating with a legislator or his/her staff. Executive deletes; House and Senate retain.

Sec. 217. Report on Proposed Federal Rule Changes – RETAINED

Requires the department to notify the Legislature on proposed federal rule changes that would impact state law. Executive deletes; House and Senate retain.

Sec. 270. Remanufactured Parts – RETAINED

Requires use of remanufactured parts for repair and maintenance of state motor vehicle fleet. Executive deletes; House and Senate retain.

Sec. 305. Lease of Space in Public Transportation Property – RETAINED

Authorizes rental of department-owned public transportation properties at competitive market rates; requires that revenue from tenants be placed in an account to maintain/improve property. Executive deletes; House and Senate retain.

Sec. 319. Rest Area Maintenance – RETAINED

Requires signs/telephone numbers for reporting unclean and unsafe conditions at rest areas. Executive deletes; House and Senate retain.

Sec. 353. Prompt Payment – RETAINED

Directs department to review contractor payment process; references Special Provision 109.10. Executive deletes; House and Senate retain.

Sec. 357. Local Federal Aid Project Review – RETAINED

Directs MDOT to complete project reviews within 120 days; requires system for monitoring review process. Executive deletes; House and Senate retain.

Sec. 375. MDOT Open Houses and Groundbreaking Ceremonies – RETAINED

Prohibits MDOT from reimbursing contractors or consultants for groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded from appropriations. Executive deletes; House and Senate retain.

Sec. 376. Prohibition on Studies of Highway Signs and Motorist Behavior – RETAINED

Prohibits the department from studying the association between highway signs and motorist behavior. Executive deletes; House and Senate retain.

Sec. 381. E-Verify for Legal Status of Contractor/Subcontractor New Employees – RETAINED

Requires the department to use the E-Verify system to verify legal status of contractor and subcontractor new hires. Provides reporting requirement. Executive deletes; House and Senate retain.

Sec. 382. Finalize Local Agency Cost Sharing Agreements – RETAINED

Requires the department to submit final bill to the local agency within two years of final payment to construction contractor. Executive deletes; House and Senate retain.

Sec. 386. Toll Credits – NEW (House)

House includes new section which directs department to use toll credits as a method in financing federal-aid highway projects; established priority in using toll credits; requires report on toll credits earned and year-end balance. Senate does not include.

Sec. 387. Traffic Studies – NEW (House)

House includes new section requiring the department to post traffic study on the department website. Senate does not include.

Sec. 388. Review and Report on Performance Audit Standards – NEW (House)

House includes new section which directs department to review and report on costs and benefits of performance audits of local road agencies required under Public Act 298 of 2012. Senate does not include.

Sec. 389. Long-Term Obligations – NEW (House)

House includes new section which requires the department to notify Legislature within 30 days of entering into long-term agreements that obligate future payments. Senate does not include.

Sec. 390. Report on Restricted Funds and Accounts – NEW (House)

House includes new section which requires the department to report on statutory authority for, revenue source and distribution, and ending balances of restricted funds and accounts. Senate does not include.

Sec. 391. Prohibition on Motor Fuel Quality Testing – NEW (House)

House includes new section which prohibits the department from performing or assisting any other state agency in performing, motor fuel quality testing. Senate does not include.

Sec. 393. Best Practices for Public Transportation – RETAINED

Directs the department to promote best practices in public transportation, including transit vehicle rehabilitation to reduce life-cycle cost. Executive deletes; House and Senate retain.

Major Boilerplate Changes From FY 2017-18

Sec. 394. Priority of Preservation – RETAINED

Directs the department and local road agencies to make preservation of the existing infrastructure a funding priority. Executive deletes; House and Senate retain.

Sec. 396. Assurance that Contractors Have Ability to Perform Work – RETAINED

Requires department to obtain assurance that contractors, other than construction contractors, have ability to complete work. Executive deletes; House and Senate retain.

Sec. 397. Report on Work Project Balances and Federal Earmarks – DELETED

Requires the department to report on work project balances and unexpended federal earmarks. Executive deletes; House and Senate retain.

Sec. 399. Community Service Infrastructure Fund – NEW (Senate)

Senate includes new section establishing and defining new TEDF program. House does not include.

Sec. 403. Priority of Federal Transit Grants – RETAINED

Establishes priority for federal Section 5310 transit grants. Executive deletes; House and Senate retain.

Sec. 606. Project on I-94/between M60 and Sargent Road in Jackson County – RETAINED

Expresses Legislative intent with respect to project. Executive deletes. House concurs with Executive. Senate retains.

Sec. 610. Dead Deer – RETAINED

Describes legislative intent regarding priority of cleanup of dead deer and other large animal remains. Executive deletes; House and Senate retain.

Sec. 612. Incentive/Disincentive – RETAINED

Requires department to establish guidelines for use of incentive/disincentive contracts; establishes a reporting requirement; report due January 1st of each year. Executive deletes; House and Senate retain.

Sec. 613. Report on Engineering Costs – RETAINED

Requires report on engineering costs including breakout of department and consultant costs, engineering as a percentage of construction costs. Executive deletes; House retains and adds “design life” as report element. Senate retains current year language.

Sec. 660. Use of Alternative Materials – RETAINED

Encourages the department to examine the use of alternative road surface materials; use of crumb rubber from tires. Executive deletes; House and Senate retain.

Sec. 703. Rail Abandonment Notice – RETAINED

Requires notification of Legislature when railroad companies file for abandonment of lines. Executive deletes; House and Senate retain.

Sec. 704. Rail Operations and Infrastructure Report – MODIFIED

Requires report on anticipated expenditures from the rail operations and infrastructure line item. Executive deletes; House retains. Senate modifies to eliminate the requirement for a second, final report.

Sec. 750. Rail Economic Development – DELETED

Directs department to spend not less than \$2.5 million CTF from Rail freight economic development line for rail freight economic development. Executive deleted; House retains. Senate deletes.

Sec. 802. MDOT-Owned Airports – DELETED

Legislature encourages the department to find private entities or local public agencies to assume ownership and operating responsibility for department-owned airports. Executive deleted; House retains. Senate concurs with Executive and deletes.

Sec. 803. MDOT-Owned Airplanes – DELETED

Requires the department to request proposals for management of the state airfleet; also requires the department to sell one of two state-owned planes. Executive deletes; House retains subsections requiring the department to seek RFP for 3rd party management of the state airfleet. Senate deletes.

Sec. 804. Airfleet Operations and Maintenance – Contingent Appropriation – NEW (House)

House prohibits the department from spending funds appropriated for airfleet operations and maintenance if the department owns 5 or more aircraft; requires the department to notify when it owns four aircraft or fewer. Senate does not include.

Sec. 1002. Rural Salt Storage Shed Projects – NEW (Senate)

Senate includes section establishing and defining new one-time \$3.0 million TEDF program. House does not include.

Sec. 1003. Ann Arbor/Traverse City Rail Passenger Project – NEW (Senate)

Senate includes section establishing and defining new one-time \$3.0 million rail passenger program. House does not include.