



TRANSPORTATION APPROPRIATIONS BOILERPLATE DECISION DOCUMENT

FY 2023-24 Budget Proposals:

Executive Recommendation

House Bill 4309 (H-2) as passed by the House 5/10/2023

Senate Bill 178 (S-2) as passed by the Senate 5/10/2023

House Bill 4437 Enacted #

Compared to:

FY 2022-23 Budget (Article 13, 2022 PA 166)

The FY 2023-24 Transportation budget appears as Article 15 within Omnibus budget bill, House Bill 4437, enacted as 2023 PA 119, August 1, 2023.

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Appropriations Subcommittee on Transportation

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DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>GENERAL SECTIONS</u> Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2022-2023 is \$3,971,271,600.00 and state spending from state sources to be paid to local units of government for fiscal year 2022-2023 is \$2,387,503,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>Grants to regional planning councils488,800 Cities and villages.....684,060,200 County road commissions.....1,226,915,200 Grants to local programs.....33,000,000 Local bridge program.....26,981,600 Local agency wetland mitigation.....2,000,000 Movable bridge.....2,929,200 Rail grade crossing.....1,500,000 Rail grade surface crossing improvements.....3,000,000 Transportation economic development39,120,300 Air service program50,000 Local bus operating201,750,000 Detroit/Wayne County Port Authority.....500,000 Marine passenger service.....1,812,000</p> <p><i>[continued on page 2]</i></p>	<p><u>GENERAL SECTIONS</u> Updated to reflect FY 2023-24 budget.</p>	<p><u>GENERAL SECTIONS</u> Updated to reflect FY 2023-24 budget decisions.</p>	<p><u>GENERAL SECTIONS</u> Updated to reflect FY 2023-24 budget decisions.</p>	<p><u>GENERAL SECTIONS</u> Updated to reflect FY 2023-24 budget decisions.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>[continued from page 1]</i></p> <p>Municipal credit program..... 2,000,000</p> <p>Service initiatives..... 9,029,400</p> <p>Specialized services 9,228,900</p> <p>Transit capital..... 68,076,100</p> <p>Airport safety, protection, and improvement program 5,961,900</p> <p>Detroit Metropolitan Wayne County Airport 5,850,000</p> <p>Priority rail grade/crossing/separation Initiative 12,000,000</p> <p>Basic marine dock 700,000</p> <p>Upper Peninsula freight rail infrastructure..... 550,000</p> <p>Airport infrastructure grants 25,000,000</p> <p>Technical assistance, planning, and IJJA Match grants..... 25,000,000</p> <p>Total payments to local units of government \$ 2,387,503,600</p>				
<p><i>Management and Budget Act</i> Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	Technical changes	No change from current law.	No change from current law.	No change from current law.



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<p>Abbreviations Sec. 203. As used in this part and part 1: a. “CTF” means comprehensive transportation fund. b. “Department” means the state transportation department. c. “Director” means the director of the department. d. “DOT” means the United States Department of Transportation. e. “DOT-FHWA” means DOT, Federal Highway Administration. f. “FTE” means full-time equated. g. “IDG” means interdepartmental grant. h. “IIJA” means the infrastructure investment and jobs act, 2021, Public Law 117-58. i. “MTF” means Michigan transportation fund. j. “SAF” means state aeronautics fund. k. “STF” means state trunkline fund.</p>	<p>Technical changes</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>
<p>Internet Reporting Sec. 204. The departments and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on an internet site.</p>	<p>Technical changes</p>	<p>No change from current law.</p>	<p>Technical changes</p>	<p>Modified as follows: Sec. 204. The department shall use the internet to fulfill the reporting requirements of this article. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on an internet site.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
				<p>NEW</p> <p>Sec. 205. Except as otherwise provided in this part, all reports required under this part shall be submitted to the senate and house appropriations subcommittees on transportation, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.</p>
<p>Buy American</p> <p>Sec. 205. To the extent permissible under section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, all of the following apply:</p> <p>(a) The funds appropriated in part 1 must not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.</p> <p>(b) Preference must be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality.</p> <p>(c) Preference must be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	<p>Technical changes</p>	<p>No change from current law.</p>	<p>Technical changes</p>	<p>Renumbered as Sec. 206 with minor working changes:</p> <p>Sec. 206. To the extent permissible under section 261 of the management and budget act, 1984 PA 431, MCL 18.1261:</p> <p>(a) Funds appropriated in part 1 must not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.</p> <p>No changes to subdivisions (b) or (c).</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Deprived/Depressed Communities</i> Sec. 206. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.</p>	<p>Revises first sentence to read: “To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure geographically disadvantaged businesses enterprises in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, or supplies, or both.</p>	<p>Concurs with Executive.</p>	<p>Concurs with Executive.</p>	<p>Concurs with Executive but moves, with revisions, to Sec. 216. – see below.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
				<p><i>Disciplinary Action against State Employees</i> Sec. 207. A department shall not take disciplinary action against an employee or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.</p> <p>[This was Sec. 215 in current year and in House and Senate bills. Renumbered as Sec. 207.]</p> <p><i>[The Governor's signing letter indicates that this section is unenforceable.]</i></p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Out of State Travel Report Sec. 207. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department’s budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:</p> <p>(a) The dates of each travel occurrence.</p> <p>(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p>	<p>Revises first sentence to read: “Consistent with MCL 18.1217 [Section 217 of the Management and Budget Act]....” other technical changes.</p>	<p>No change from current law.</p>	<p>Concurs with Executive.</p>	<p>Renumbered/Revised: Sec. 208. Consistent with section 217 of the management and budget act, 1984 PA 431, CL 18.1217, the departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department’s budget. The department shall submit the report to the senate and house appropriations committees and to report recipients required in section 205 of this part. The report shall include the following information:</p> <p>(a) The dates of each travel occurrence.</p> <p>(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Legal Services/Attorney General</i> Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.</p>	<p>Modifies to replace "activities" with "outside services."</p>	<p>No change from current law.</p>	<p>Concurs with Executive.</p>	<p>Renumbered/Revised: Sec. 209. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.</p>
<p><i>GF/GP Lapses</i> Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies.</p>	<p>Revises date to December 31; other technical changes.</p>	<p>Revises date to December 15</p>	<p>Concurs with Executive.</p>	<p>Renumbers as Sec. 210; Revises date to December 15.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Contingency Authorization Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$40,000,000.00 for federal contingency authorization. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>Revises to \$200.0 million; changes "authorization" to "funds"; other technical changes.</p>	<p>No change from current law.</p>	<p>Concurs with Executive.</p>	<p>No change from current law other than to renumber as Sec. 211(1).</p>
<p>(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency authorization. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>Revises to \$40.0 million; changes "authorization" to "funds"; other technical changes.</p>	<p>No change from current law.</p>	<p>Concurs with Executive.</p>	<p>No change from current law other than to renumber as Sec. 211(2).</p>
<p>(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency authorization. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No change from current law other than "authorization" to "funds"; other technical changes.</p>	<p>No change from current law.</p>	<p>Concurs with Executive.</p>	<p>No change from current law other than to renumber as Sec. 211(3).</p>
<p>(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for private contingency authorization. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No change from current law other than "authorization" to "funds"; other technical changes.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>Renumber as Sec. 211(4); contingency authorization increased to \$11.0 million.</p>



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<p>Transparency Website Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:</p> <ul style="list-style-type: none"> a. Fiscal year-to-date expenditures by category. b. Fiscal year-to-date expenditures by appropriation unit. c. Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description. d. The number of active department employees by job classification. e. Job specifications and wage rates. 	<p>Not Included.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>No change from current law other than renumbered as Sec. 212.</p>
	<p>NEW: Diversity, Equity, Inclusion Sec. 1-211. (1) No money appropriated in part 1 shall be used to restrict or interfere with actions related to diversity, equity and inclusion (DEI); to restrict or impede a marginalized community's access to government resources, programs or facilities; or to diminish, interfere with, or restrict an individual's ability to exercise the right to reproductive freedom.</p> <p>(2) From the funds appropriated in part 1, local governments shall report any action or policy that attempts to restrict or interfere with the duties of the local health officer.</p>	<p>Concurs with Executive – include as new Sec. 225.</p>	<p>Not included.</p>	<p>Renumbered/Revised: Sec. 215. (1) No money appropriated in part 1 shall be used to restrict or impede a marginalized community's access to government resources, programs, or facilities.</p> <p>(2) From the funds appropriated in part 1, local governments shall report any action or policy that attempts to restrict or interfere with the duties of the local health officer.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Restricted Fund Report Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall provide to the state budget office information sufficient to provide the senate and house appropriations chairs, the chairpersons of the senate and house appropriations subcommittees on transportation, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2021 and September 30, 2022.</p>	Not Included.	No change from current law other than date references.	No change from current law other than date references.	No change from current law other than date references and renumbered as Sec. 213.
<p>Key Metrics Website Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.</p>	Not included.	No change from current law.	No change from current law.	Renumbered/Revised: Sec. 214. The department shall maintain, on a publicly accessible website, information that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.
<p>Legacy Costs Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2023 are \$69,747,100.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$42,345,600.00. Total agency appropriations for retiree health care legacy costs are estimated at \$27,401,500.00.</p>	Not included.	Not included.	Not included.	Not included.



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Disciplinary Action against State Employees Sec. 215.</i> A department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house of representatives or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>Moved to Section 207, with minor wording changes, above.</p>
				<p><i>Geographically Disadvantaged Business Enterprises Sec. 216.</i> To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure geographically-disadvantaged business enterprises compete for and perform contracts to provide services, supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified geographically-disadvantaged business enterprises for services, supplies, or both.</p> <p>[This section was Sec. 206 in current year and House and Senate bills – moved to Sec. 216.]</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>FTE Staffing Report Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on transportation, and the senate and house fiscal agencies the following information:</p> <p>a. The number of FTEs in pay status by type of staff and civil service classification.</p> <p>b. A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.</p>	<p>Modified as follows: Sec. 216. On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies, and the State Budget Office a comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.</p> <p>Subsection (a) not included.</p>	<p>Concurs with Executive</p>	<p>No change from current law.</p>	<p>No change from current law other than renumbered as Sec. 217.</p>
<p>(2) By March 1 of the current fiscal year, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on transportation, and the senate and house fiscal agencies the following information:</p> <p>(a) Number of employees that were engaged in remote work in 2022.</p> <p>(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.</p> <p>(c) Estimated net cost savings achieved by remote work.</p> <p>(d) Reduced use of office space associated with remote work.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>No change from current law other than date reference.</p>	<p>Not included.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Work Project Balances Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.</p>	Not included.	No change from current law.	No change from current law.	<p>Sec. 225. No change from current law other than renumbered as Sec. 225.</p> <p><i>[The Governor's signing letter indicates that this section is unenforceable.]</i></p>
<p>State Administrative Board Transfers Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this act for the particular department, board, commission, officer, or institution.</p>	Not included.	Not included.	Not included.	<p>Sec. 219. No change from current law other than renumbered as Sec. 219.</p> <p><i>[The Governor's signing letter indicates that this section is unenforceable.]</i></p>
				<p>NEW <i>Provisions Governing Grants Agreements</i> Sec. 220.</p> <p>[Enacted budget includes new section on grant agreements; not reproduced in full in this decision document.]</p>
<p>Receive and Retain Reports Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.</p>	Not included.	No change from current law.	No change from current law.	<p>No change from current law other than renumbered as Sec. 221.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Policy Changes in Response to Public Acts Sec. 220.</i> The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on transportation, the joint committee on administrative rules, and the senate and house fiscal agencies.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>No change from current law other than renumbered as Sec. 222.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Severance Pay Report Sec. 221. (1) From the funds appropriated in part 1, the department shall do all of the following:</p> <p>(a) Report to the house and senate appropriations committees, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office any amount of severance pay for a department director, deputy director, or other high-ranking department official not later than 14 days after a severance agreement with the director or official is signed. The name of the director or official and the amount of severance pay must be included in the report required by this subdivision.</p> <p>(b) Maintain an internet site that posts any severance pay in excess of 6 weeks of wages, regardless of the position held by the former department employee receiving severance pay.</p> <p>(c) By February 1, report to the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the total amount of severance pay remitted to former department employees during the fiscal year ending September 30, 2022 and the total number of former department employees that were remitted severance pay during the fiscal year ending September 30, 2022.</p>	<p>Not included.</p>	<p>No change from current law, with the exception of striking subsection (b), and update of date references.</p>	<p>No change from current law.</p>	<p>Renumbered/Revised: Sec. 223. (1) From the funds appropriated in part 1, the department shall do the following: (a) Report to the senate and house appropriations committees, the house and senate fiscal agencies, the house and senate policy offices, and the state budget director any amount of severance pay for a department director, deputy director, or other high-ranking department official not later than 14 days after a severance agreement with the director or official is signed. The name of the director or official and the amount of severance pay must be included in the report required by this subdivision.</p> <p>[Strike (b) as included in FY 2022-23 budget bill.]</p> <p>(b) By February 1, report on the total amount of severance pay remitted to former department employees during the fiscal year ending September 30, 2023 and the total number of former department employees that were remitted severance pay during the fiscal year ending September 30, 2023.</p>



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(2) As used in this section, “severance pay” means compensation that is both payable or paid upon the termination of employment and in addition to either wages or benefits earned during the course of employment or generally applicable retirement benefits.	Not included.	No change from current law.	No change from current law.	No change from current law.
<p>COVID-19 Passports</p> <p>Sec. 222. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:</p> <p>(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.</p> <p>(b) Produce, develop, issue, or require a COVID-19 vaccine passport.</p> <p>(c) Develop a database or make any existing database publicly available to access an individual’s COVID-19 vaccine status by any person, company, or governmental entity.</p> <p>(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local subdivision that receives federal Medicare or Medicaid funding.</p>	Not included.	Not included.	Not included.	Not included.
(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual’s COVID-19 vaccine status.	Not included.	Not included.	Not included.	Not included.



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<p>(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.</p>	Not included.	Not included.	Not included.	Not included.
<p>(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:</p> <p>(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.</p> <p>(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.</p>	Not included.	Not included.	Not included.	Not included.
<p>(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state.</p>	Not included.	Not included.	Not included.	Not included.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Federal Rule Change Notification</i> Sec. 223. To the extent possible, the department shall provide notice to the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, the house and senate standing committees on transportation, the appropriate house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on proposed federal rule changes related to the department that would require amendments to the laws of this state. The notice shall be given within 30 business days of the proposed federal rule being posted to the Federal Register and shall include a description of the proposed federal rule, the publication date, the date when public comment closes, the document citation, and a description of the statutory changes needed when the rule is finalized.</p>	Not included.	No change from current law.	Not included.	Not included.
<p><i>Maximize In-Person Work</i> Sec. 224. It is the intent of the legislature that departments maximize the efficiency of the state workforce and, where possible, prioritize in-person work. Each executive branch department, agency, board, or commission that receives funding under part 1 must post its in-person, remote, or hybrid work policy on its website.</p>	Not included.	No change from current law.	No change from current law.	<p>Renumbered as Sec. 218 with minor wording changes. Sec. 218. It is the intent of the legislature that the department maximize the efficiency of the state workforce and, where possible, prioritize in-person work and post its in-person, remote, or hybrid work policy on its website.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>DEPARTMENTAL ADMINISTRATION AND SUPPORT</u></p> <p><i>Permit Fees</i> Sec. 301. The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, unless otherwise stipulated by law. All permit fees are nonrefundable application fees and shall be credited to the appropriate fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.</p>	No change from current law.	No change from current law.	No change from current law.	No change from current law.
<p><i>Debt Service Report</i></p> <p>Sec. 302. Not later than February 1, 2023, the department shall report to the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget office on STF debt service. The report must include all of the following:</p> <p>(a) An accounting of the prior fiscal year's STF debt service payments, including a calculation of STF debt service payments as a percentage of STF revenue secured by constitutionally restricted revenue.</p> <p>(b) A projection of STF debt service obligations for the fiscal year ending September 30, 2023, including a calculation of STF debt service obligations as a percentage of estimated STF revenue secured by constitutionally restricted revenue.</p> <p>(c) A description of all bond sales planned for the fiscal year ending September 30, 2023.</p>	Not included.	Not included.	No change other than date reference.	No change other than date reference.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Signage for Bond-Financed Projects Sec. 303. (1) When the department places signs identifying trunkline construction projects as bond-financed, the signs shall identify the total cost of the project and the estimated borrowing costs associated with the bonds used to finance the project. Text and numeric figures identifying estimated borrowing costs associated with bonds used to finance projects shall be the same font and font size as the text and numeric figures identifying trunkline construction projects as bond-financed.</p>	Not included.	Not included.	Not included.	Not included.
<p>(2) The department must remove all signs identifying trunkline construction projects as bond-financed that are not in compliance with this section.</p>	Not included.	Not included.	Not included.	Not included.
<p>Confidentiality of Bid Documents Sec. 304. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.</p>	No change from current law.			
<p>Space Rental – MDOT-Owned Properties Sec. 305. The department may permit space on public passenger transportation properties to be occupied by public or private tenants. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.</p>	Not included.	Not included.	Not included.	Not included.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Services Provided by Other State Departments</p> <p>Sec. 306. (1) The amounts appropriated in part 1 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department:</p> <p>a. Estimated costs to be recovered from transportation funds.</p> <p>b. Description of services provided to the department and/or transportation funds and financed with transportation funds.</p> <p>c. Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.</p>	No change from current law.			
<p>(2) Not later than 2 months after publication of the state of Michigan annual comprehensive financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, the house and senate fiscal agencies, and the auditor general stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to transportation funds.</p>	No change from current law.			



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Rolling 5-Year Transportation Plan</i> Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget director, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.</p>	No change from current law.	No change from current law.	No change from current law.	No change from current law.
<p><i>Winter Maintenance Materials</i> Sec. 308. From the funds appropriated in part 1 for highway maintenance, the department shall initiate a winter maintenance program in accordance with section 11a of 1951 PA 51, MCL 247.661a.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Remanufactured Parts</i> Sec. 309. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts or recycled parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>State Transportation Commission Agenda</i> Sec. 310. The department shall provide in a timely manner copies of the agenda, approved minutes, and audio recording of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.</p>	Not included.	Modify to strike "monthly" includes the word "state."	Modify to strike "monthly" and replace with "quarterly"	Modifies to strike "monthly"



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Bridge Bundling Report Sec. 311. Not later than March 30, 2023, the department shall provide a progress report on the CRRSAA highway infrastructure program - local bridge bundling initiative established in section 113(2) of article 14 of 2021 PA 87, to the senate and house transportation appropriations subcommittees, the state budget director, and the senate and house fiscal agencies.</p>	Not included.	Retain, updates report date.	Not included.	Retain, updates report date.
<p>Non-Directional Signs Sec. 312. It is the intent of the legislature that the department prohibit the placement of nondirectional markings on the paved surfaces of public roads or streets of this state and work to remove nondirectional markings when found on the paved surfaces of public roads and streets of this state.</p>	Not included.	Not included.	Not included.	Not included.
<p>State Infrastructure Bank Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States Department of Transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.</p>	No change from current law.	No change from current law.	No change from current law.	No change from current law.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>
<p>(3) The department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the status of the state infrastructure bank. The report shall be submitted on or before December 1, 2022. The report shall include all of the following:</p> <p>(a) The balance in the state infrastructure bank at September 30, 2022, including a breakdown of the balance by cash and cash equivalents, outstanding loans, and balance available for loan to local agencies.</p> <p>(b) A breakdown of the state infrastructure loan balance by amounts designated as originating from federal sources and the amounts originating from nonfederal sources.</p> <p>(c) A list of outstanding loans by agency, original loan amount, project description, loan term, and amount outstanding.</p>	<p>Not included.</p>	<p>No change from current law other than date references.</p>	<p>Not included.</p>	<p>Not included – drafting error. [The department has agreed to provide this report as requested.]</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Rest Area Signage</i> Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.</p>	Not included.	No change from current law.	No change from current law.	Not included.
<p><i>Subcontractor Prompt Payment</i> Sec. 353. The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.</p>	Not included.	No change from current law.	Not included.	Not included.
<p><i>Local Federal-Aid – 120 day Review Clock</i> Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system for monitoring the local federal aid project review process.</p>	Not included.	No change from current law.	Not included.	Not included.
<p><i>Groundbreaking Ceremonies</i> Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.</p>	Not included.	No change from current law.	Not included.	Not included.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Outdoor Signs/Distracted Driving</i> Sec. 376. The department shall not spend funds appropriated in part 1 for the purpose of examining the potential association between commercial signs, outdoor advertising signs, billboards, digital billboards, or commercial electronic variable message signs and motor vehicle activity or motor vehicle driver behavior.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Local Federal Aid – 2-Years to Final Project</i> Sec. 382. In administering a contract with a county road commission, city, or village that allocates costs of construction or reconstruction of highways, roads, and streets as provided in section 18d of 1951 PA 51, MCL 247.668d, the department shall submit the final cost-sharing bill to the county road commission, city, or village not later than 2 years after the date of the final contract payment to the construction contractor.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Department-Owned Aircraft Report</i> Sec. 383. (1) The department shall prepare a report on use of department-owned aircraft during the fiscal year ending September 30, 2022. With respect to each department-owned aircraft, the report shall include all of the following:</p> <p>a. Total hours of usage.</p> <p>b. Description of specific flights including dates of travel, names of passengers including state agency, university, or local government affiliation, travel origin and destination, and total estimated costs associated with the air travel.</p>	Not included.	No change from current law other than date reference.	No change from current law other than date reference.	No change from current law other than date reference.



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation, state budget director, and the house and senate fiscal agencies no later than February 1, 2023.	Not included.	No change from current law other than date reference.	No change from current law other than date reference.	No change from current law other than date reference.
(3) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.	Not included.	No change from current law.	No change from current law.	No change from current law.
<i>Gordie Howe Bridge – Obligation Limits</i> Sec. 384. (1) Except as otherwise provided in subsection (2), the department shall not obligate the state to expend any state transportation revenue for construction planning or construction of the Gordie Howe International Crossing or a renamed successor. In addition, except as provided in subsection (2), the department shall not commit the state to any new contract related to the construction planning or construction of the Gordie Howe International Crossing or a renamed successor that would obligate the state to expend any state transportation revenue. An expenditure for staff resources used in connection with project activities, which expenditure is subject to full and prompt reimbursement from Canada, shall not be considered an expenditure of state transportation revenue.	No change from current law.	No change from current law.	No change from current law.	No change from current law.
(2) If the legislature enacts specific enabling legislation for the construction of the Gordie Howe International Crossing or a renamed successor, subsection (1) does not apply once the enabling legislation goes into effect.	No change from current law.	No change from current law.	No change from current law.	No change from current law.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>Gordie Howe Bridge Report Sec. 385. (1) The department shall submit monthly reports to the state budget director, the speaker of the house of representatives, the house of representatives minority leader, the senate majority leader, the senate minority leader, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on all of the following:</p> <p>a. All expenditures made by the state related to the Gordie Howe Bridge.</p> <p>b. All reimbursements made by Canada under section 384(1) of this part to the state for expenditures for staff resources used in connection with project activities.</p> <p>c. All eminent domain and condemnation powers used, the related real estate involved in any governmental taking, the price paid for those properties, and the beneficiary's name or associated corporation.</p>	No change from current law.			
<p>(2) The initial report required under subsection (1) shall be submitted on or before December 1, 2022. The initial report shall cover the fiscal year ending September 30, 2022.</p>	No change from current law other than date reference.	No change from current law other than date reference.	No change from current law other than date reference.	No change from current law other than date reference.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Toll Credit Report</i> Sec. 386. On or before May 1 of each year, the department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on its toll credit program. The report shall include the following information:</p> <p>a. The amount of toll credits earned and certified by the DOT-FHWA in the prior fiscal year.</p> <p>b. The value of toll credits used by programs and projects in the previous fiscal year.</p> <p>c. The balance of available toll credits at the end of the prior fiscal year.</p> <p>d. A discussion of the department’s strategy for using toll credits.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Traffic Studies</i> Sec. 387. (1) Within 90 days of completion of any formal traffic study, formal traffic control study, or formal traffic mitigation study, the department shall post the results of the study on the department’s website.</p>	Not included.	No change from current law.	No change from current law.	Not included.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Long-Term Obligations</i> Sec. 389. Within 30 days of entering into a long-term agreement with a private contractor, a public agency, or a partnership between 1 or more private contractors or public agencies, the department shall notify the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies of the agreement, including the subject of the agreement, the term of the agreement, and financial obligations under the agreement. As used in this section, “long-term agreement” means an agreement that obligates the department for a period of 5 years or more and that actually or contingently obligates the department to make payments over the contract period of \$5,000,000.00 or more.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>No change from current law.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Best Practices for Public Transportation</i> Sec. 393. The department shall promote best practices for public transportation services in this state, including, but not limited to, the following:</p> <p>(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through midlife rehabilitation of transit buses.</p> <p>(b) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.</p> <p>(c) Coordination of transportation dollars among state departments that provide transit-related services, including the department of health and human services. Priority should be given to use of public transportation services where available.</p> <p>(d) Promotion of intelligent transportation services for buses that incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>Not included.</p>	<p>No change from current law other than new reporting requirement:</p> <p>(2) The department shall report on efforts taken to implement this section. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1, 2024.</p>
<p><i>Preservation as Funding Priority</i> Sec. 394. The department and local road agencies shall make the preservation of their existing road networks a funding priority.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>Not included.</p>	<p>Not included.</p>



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>\$10.0 Million Flex from Road and Bridge</i> Sec. 395. From the funds appropriated in part 1 for state trunkline federal aid road and bridge construction, the department may expend up to \$10,000,000.00 on highway maintenance activities to support safety-related, high-priority, and other deferred routine maintenance needs on the state trunkline network.</p>	No change from current law.	No change from current law.	No change from current law.	No change from current law.
<p><i>Towards Zero Deaths</i> Sec. 398. The department shall continue to work to eliminate fatalities and serious injuries on Michigan's trunkline network and shall maintain the Toward Zero Deaths statewide safety campaign.</p>	No change from current law.	No change from current law.	No change from current law.	No change from current law.
<p><i>Earmark for CPM</i> Sec. 399. In developing its state trunkline road and bridge construction program, the department shall prioritize spending on capital preventative maintenance. From the funds appropriated in part 1 for state trunkline road and bridge construction, not less than \$100,000,000.00 must be allocated for capital preventative maintenance treatments for pavement preservation.</p>	Not included.	Retains first sentence, strikes second sentence.	No change from current law	No change from current law.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>FEDERAL</u></p> <p>State/Local Federal-Aid Buyouts Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to this state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.</p>	<p>No change from current law.</p>			



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p><i>Motor Carrier Act</i> Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42, and not appropriated to the department of licensing and regulatory affairs or the department of state police is deposited in the Michigan transportation fund.</p>	No change from current law.			
<p><i>Subsidiary Funds – TEDF/LBF</i> Sec. 503. (1) At the close of the fiscal year, funds appropriated in part 1 for the transportation economic development program shall lapse to the transportation economic development fund.</p>	No change from current law.			
<p>(2) At the close of the fiscal year, funds appropriated in part 1 for the local bridge program shall carry forward and are appropriated for the purposes defined in section 10(5) of 1951 PA 51, MCL 247.660.</p>	No change from current law.			
<p>(3) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.</p>	No change from current law.			
<p>(4) In addition to the funds appropriated in part 1, the department of transportation economic development fund and local bridge fund may receive federal, local, or private funds or restricted source funds such as interest earnings. These funds are appropriated for projects that are consistent with the purposes of the respective funds.</p>	No change from current law.			



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
(5) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.	No change from current law.			
<p><i>MTF Distribution - References</i></p> <p>Sec. 504. Funds from the Michigan transportation fund shall be distributed to the comprehensive transportation fund, the economic development fund, the recreation improvement fund, and the state trunkline fund, in accordance with this part and part 1 and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this part and part 1, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.</p>	No change from current law.			
<p><u>STATE TRUNKLINE FUND</u></p> <p><i>Warranty Documentation</i></p> <p>Sec. 601. (1) The department shall maintain documentation to support initial acceptance of warrantied projects, interim and final inspections, and notifications to contractors that the warranty period had expired. The department also shall review and evaluate consultant evaluation requirements or recommendations and update existing policies and procedures accordingly.</p>	Not included.	No change from current law.	Not included.	No change from current law.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>(2) The department shall review its warranty administration processes, procedures, and associated manuals to ensure that all of the following occur:</p> <p>(a) Initial notifications of needed corrective action are sent prior to warranty expiration.</p> <p>(b) Consistent and timely second notifications of needed corrective action are sent if contractors do not respond within 30 days of an initial notification.</p> <p>(c) The department has an effective process to establish time frames for corrective action completion.</p> <p>(d) Daily inspector reports on all warranty segments are completed consistently.</p>	Not included.	No change from current law.	Not included.	No change from current law.
<p>(3) The department shall report on the review described in subsection (2) and changes resulting from the review. The department shall submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies no later than March 31, 2023.</p>	Not included.	No change from current law, other than date references.	Not included.	No change from current law, other than date references.
<p>EV Impact on MTF Revenue Sec. 602. From the funds appropriated in part 1, the department shall study the potential impact of electric vehicle (EV) integration on Michigan transportation fund revenue. The study shall include an analysis of the feasibility of alternate user-based systems as funding sources for the Michigan transportation fund. The department shall report its findings to the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget office no later than September 30, 2023.</p>	Not included.	Not included.	Not included.	Not included.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Mackinac Bridge Report</i> Sec. 603. The department shall report to the senate and house appropriations subcommittees on transportation by December 31, 2023 on the operational condition of the Mackinac Bridge, its long-term viability, the costs of preventative maintenance and potential upgrades, and the cost and feasibility of constructing a separate method of transporting commercial, emergency, and passenger vehicle traffic.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>STF Carryforward Authority</i> Sec. 604. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.</p>	No change from current law.			
<p><i>Incentive/Disincentive Contracts</i> Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives.</p>	Not included.	Not included.	No change from current law.	<p>Modified as follows: Sec. 612. The department shall provide establish guidelines and a report on the previous year's governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives.</p> <p>The department shall submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies no later than March 31, 2024.</p>



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	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Magnetic Roadway Sweepers</i> Sec. 613. (1) The funds appropriated in part 1 for magnetic roadway sweepers shall be used to provide department maintenance garages, as needed, with industrial magnet roadway sweepers. As used in this section, “industrial magnet roadway sweeper” means an industrial-strength magnet that mounts to the front of road maintenance vehicles and is used to remove metal debris from roadway and highway shoulders.</p>	Not included.	Not included.	Not included.	Not included.
<p>(2) Industrial magnet roadway sweepers procured by the department must meet the following specifications: (a) They must fit or be capable of being retrofitted on existing maintenance vehicles. (b) The vehicle operator must be able to turn the magnet on and off from inside the vehicle cab. (c) The magnet must not exceed a 2% loss of magnet life per 100 years. (3) The department must give preference to vendors headquartered in this state.</p>	No change from current law.	Not included.	Not included.	Not included.



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FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
		<p>NEW <i>Stormwater Mitigation</i> Sec. 614. From the funds appropriated in part 1, \$5,000,000.00 must be allocated to incentivize and support the inclusion of low impact development stormwater management practices in the design of state trunkline and local road agency construction projects. With respect to state trunkline highways, low impact development stormwater management practices must include consideration of impacts on land and drainage within 75 feet of a state trunkline highway.</p>		<p>Modified as follows:</p> <p>Sec. 614. From the funds appropriated in part 1, up to \$5,000,000.00 must be allocated to incentivize and support the inclusion of low impact development stormwater management practices in the design of state trunkline and local road agency construction projects. With respect to state trunkline highways, low impact development stormwater management practices must include consideration of impacts on land and drainage within 75 feet of a state trunkline highway.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
		<p>NEW <i>Road Usage Charge Pilot Project</i></p> <p>Sec. 615. (1) From the funds appropriated in part 1, the department shall apply for grant funding under the national motor vehicle per-mile user fee pilot program under section 13002 of the infrastructure investment and jobs act, Public Law 117-58. If the grant funding is awarded, it must be used to establish a pilot program to determine the feasibility of road usage charges as a replacement for motor fuel taxes as a basis for transportation funding.</p> <p>(2) From the funds appropriated in part 1, \$1,000,000.00 is appropriated to provide matching funds for an application for grant funding as described in subsection (1).</p>		<p>Modified as follows:</p> <p>Sec. 615. From the funds appropriated in part 1, the department shall apply for grant funding under the national motor vehicle per-mile user fee pilot program under section 13002 of the infrastructure investment and jobs act, Public Law 117-58. If the grant funding is awarded, it must be used to establish a pilot program to determine the feasibility of road usage charges as a replacement for motor fuel taxes as a basis for transportation funding.</p>
<p>Alternative Material Sec. 660. (1) The legislature encourages the department to examine the use of alternative road surface materials and develop criteria and specifications for their use in both department-managed and contracted projects.</p>	Not included.	Not include.	No change from current law.	No change from current law.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>(2) From funds appropriated in part 1, the department shall establish the Michigan state transportation innovation council to review innovative road materials and innovative road and bridge design and construction specifications. The Michigan state transportation innovation council shall include, but is not limited to, a representative of the DOT-FHWA, an appointee chosen by the speaker of the house of representatives, and an appointee chosen by the senate majority leader.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>No change from current law.</p> <p><i>[The Governor's signing letter indicates that this subsection is unenforceable.]</i></p>
<p>(3) The department shall report on efforts taken to implement this section. The report shall include descriptions of specific field or laboratory tests. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1 of each year.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>Not included.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>TRANSIT AND RAIL RELATED FUNDS</u></p> <p><i>Intercity Bus and Facility Fund</i> Sec. 701. The department shall establish an intercity bus equipment and facility fund as a subsidiary fund within the comprehensive transportation fund created under section 10b of 1951 PA 51, MCL 247.660b. Proceeds received by this state from the sale of state-owned intercity bus equipment shall be credited to the intercity bus equipment and facility fund for the purchase and repair of intercity bus equipment, as appropriated. Security deposits not returned to a lessee of state-owned intercity bus equipment under terms of the lease agreement shall be credited to the intercity bus equipment and facility fund for the repair of intercity bus equipment, as appropriated. Money received by the department from lease payments for state-owned intercity bus equipment, and facility maintenance charges under terms of leases of state-owned intercity facilities, shall be credited to the intercity bus equipment and facility fund for the purchase and repair of intercity bus equipment or for the maintenance and rehabilitation of state-owned intercity facilities, as appropriated. At the close of the fiscal year, any funds remaining in the intercity bus equipment and facility fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	<p>No change from current law.</p>			



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Rail Freight Fund</i> Sec. 702. Money that is received by this state as repayment for loans made for rail or water freight capital projects, and as a result of the sale of property or equipment used or projected to be used for rail or water freight projects shall be deposited in the rail freight fund created by section 17 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal year, any funds remaining in the rail freight fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	No change from current law.			
<p><i>Rail Line Abandonment Notification</i> Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.</p>	Not included.	Not included.	Not included.	Not included.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Rail Operations and Infrastructure Report</i> Sec. 704. From the funds appropriated in part 1, the department shall prepare and transmit a report that provides detail regarding the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure. The report shall include a breakdown of the appropriation by program, year- to-date obligations under each program itemized by project, and an estimate of future obligations under each program itemized by project for the remainder of the fiscal year. The initial report shall be submitted to the senate and house appropriations subcommittees on transportation, the state budget director, and the senate and house fiscal agencies, on or before February 1, 2023. The department also shall update and resubmit the final report on or before November 1, 2023.</p>	<p>Modified as follows: Sec. 704. From the funds appropriated in part 1, the department shall prepare and transmit a report that provides includes the department's current rolling 5-year rail plan and detail regarding the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure. The report shall include a breakdown of the appropriation by program, year-to-date obligations under each program itemized by project, and an estimate of future obligations under each program itemized by project for the remainder of the fiscal year.</p> <p>The initial report shall be submitted to the senate and house appropriations subcommittees on transportation, the state budget director, and the senate and house fiscal agencies. on or before February 1, 2024.</p> <p>The department also shall update and resubmit the final report on or before November 1, 2023.</p>	<p>Concurs with Executive.</p>	<p>Concurs with Executive.</p>	<p>Concurs with Executive.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Detroit/Wayne County Port Authority</i> Sec. 706. The Detroit/Wayne County Port Authority shall issue a complete operations assessment and a financial disclosure statement. The operations assessment shall include operational goals for the next 5 years and recommendations to improve land acquisition and development efficiency. The report shall be completed and submitted to the house and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies by June 30 of each fiscal year for the prior fiscal year.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>Not included.</p>
<p><i>State Rail Strategic Plan</i> Sec. 707. (1) Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rail strategic plan. The strategic plan shall include, but is not limited to, a rolling 5-year rail plan and summary of the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure.</p>	<p>Not included.</p>	<p>No change from current law.</p>	<p>Not included.</p>	<p>Modified as follows: Sec. 707. (1) Before March 1, 2024, the department shall provide to the legislature, the state budget office, and the house and senate fiscal agencies its rail strategic plan. The strategic plan shall include, but is not limited to, a rolling 5-year rail plan and summary of the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>(2) The rolling 5-year rail plan shall include, but is not limited to, all of the following:</p> <p>(a) A listing by county of all rail infrastructure projects on rail lines within the state utilizing state funds, and the estimated cost of each project.</p> <p>(b) The actual or projected state expenditures for operation of passenger rail service.</p> <p>(c) The actual or projected state expenditures for maintenance of passenger service rail lines.</p>	Not included.	No change from current law.	Not included.	No change from current law.
<p>(3) The period of the rolling 5-year rail plan includes the current fiscal year and the 4 fiscal years immediately following the current fiscal year.</p>	Not included.	No change from current law.	Not included.	<p>Modified as follows:</p> <p>(3) The period of the rolling 5-year rail plan includes the fiscal year ending September 30, 2024, and the immediately following 4 fiscal years.</p>
<p>(4) The summary of the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure shall include a breakdown of the appropriation by program, year-to-year obligations under each program itemized by project, and an estimate of future obligations under each program itemized by project for the remainder of the fiscal year.</p>	Not included.	No change from current law.	Not included.	No change from current law.
<p>(5) From the funds appropriated in part 1 for rail operations and infrastructure, not less than \$21,500,000.00 must be allocated for the support of rail-related economic development projects and rail freight system preservation projects.</p>	Not included.	No change from current law.	Not included.	<p>Modified as follows:</p> <p>(5) From the funds appropriated in part 1 for rail operations and infrastructure, not less than \$20,000,000.00 must be allocated for the support of rail-related economic development projects and rail freight system preservation projects</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Farebox Recovery</i> Sec. 720. It is the intent of the legislature that all transit agencies in Michigan should strive to achieve a farebox recovery rate of not less than 6%.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Street Railway</i> Sec. 735. For the fiscal year ending September 30, 2023, the appropriation to a street railway pursuant to section 10e(22) of 1951 PA 51, MCL 247.660e, is \$0.</p>	No change from current law other than date reference.	No change from current law other than date reference.	Not included.	No change from current law other than date reference.
<p><i>Straits of Mackinac Pipeline Project</i> Sec. 736. No funds from the appropriations in part 1 may be used for a rail freight development project to support the cessation of energy pipeline operations across the Straits of Mackinac.</p>	Not included.	Not included.	Not included.	Not included.
<p><i>Rail Industry Meeting</i> Sec. 752. The legislature encourages the department to meet with representatives of a rail industry trade association to provide information on the availability of rail infrastructure loan and grant funding programs and freight economic development project opportunities.</p>	Not included.	No change from current law.	Not included.	Not included.
<p><i>Marine Passenger Grant Distributions</i> Sec. 753. From the funds appropriated in part 1 for marine passenger service, 60% must be spent on eligible entities servicing multiple destinations. The remaining funds must be spent on eligible entities servicing a single destination.</p>	Not included.	Not included.	Not included.	Not included.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><i>Rail Passenger Corridor Investment Plan</i> Sec. 757. In developing its rail passenger corridor investment plan, the department shall include both of the following:</p> <p>(a) An analysis of the feasibility of rail passenger service from New Buffalo, Michigan to Traverse City, Michigan.</p> <p>(b) Information necessary to advance a project related to the establishment and operation of rail passenger service between Ann Arbor, Michigan and Traverse City, Michigan.</p>	Not included.	Not included.	Not included.	Not included.
<p><u>AERONAUTICS FUND</u></p> <p><i>State Aeronautics Fund Lapse</i> Sec. 801. Except as otherwise provided in section 903 of this part for capital outlay, at the close of the fiscal year, any unobligated and unexpended balance in the state aeronautics fund created in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.</p>	No change from current law.			



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p><u>CAPITAL OUTLAY</u></p> <p><i>Airport Improvement Program Grants</i> Sec. 901. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.</p>	No change from current law.			
<p>(2) Political entities and subdivisions shall provide not less than 5% of the cost of any project under this section, unless a total nonfederal share less than 10% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.</p>	No change from current law.			



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2022-23 CURRENT LAW	FY 2023-24			
	EXECUTIVE	HOUSE	SENATE	ENACTED 2023 PA 119
<p>(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this part and part 1 and the project application is approved by the governing body of each political subdivision or public agency making the application and by the Michigan aeronautics commission.</p>	No change from current law.			
<p>Capital Outlay Carryforward Sec. 903. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.</p>	No change from current law.			

ONE-TIME ONLY APPROPRIATIONS

The FY 2022-23 budget act included five boilerplate sections related to one-time part 1 appropriations.

None of the FY 2022-23 one-time appropriations, or related boilerplate sections, were carried into FY 2023-24.

For clarity of presentation, these FY 2022-23 sections are not reprinted in this Decision Document but are summarized below:

Sec. 1001. *Rail Grade Separation – \$12.0 million earmark for project in Wayne County (Huron Township/New Boston)*

Sec. 1002. *Basic Marine Dock (Escanaba) earmark for private project*

Sec. 1003. *Chippewa County Rail Infrastructure Project*

Sec. 1004. *IIJA Technical Assistance Grants*

Sec. 1005. *Earmark of Airport Infrastructure Grants to the Wayne County Airport Authority*

Boilerplate sections related to one-time FY 2023-24 appropriations are shown below.

Note that the format for the FY 2023-24 one-time sections is different from that used in the preceding pages of this Decision Document.

Only sections as included in the **Enacted Budget** are shown in detail – on the left half of each page.

Notes, including discussion of Executive, House, and Senate action, are shown on the right half of the page.

Additional detail on boilerplate sections in the Executive, House, and Senate FY 2023-24 budget proposals is available from the House Fiscal Agency on request.



DEPARTMENT OF TRANSPORTATION

**House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections**

Notes/Description

Intermodal Capital Investment Grants

Sec. 1001. (1) Funds appropriated in part 1 for intermodal capital investment grants shall be expended by the department to support capital needs that improve rail, marine, intercity and local transit infrastructure or equipment in the state and that are eligible for funding under sections 10d or 10s of 1951 PA 51, or the fixed guideway capital investment grants program authorized in section 30005 of the infrastructure investment and jobs act, Public Law 117-58.

(2) The department may require a local match for local projects funded by the intermodal investment capital grants program consistent with the provisions of 1951 PA 51. In addition, the department may leverage all available federal grant funding in support of projects selected for the program. All federal and local funds received are appropriated for the purposes of the program.

(3) The department shall develop program guidelines and selection criteria in consultation with the Michigan infrastructure office.

Executive: Proposed this section to govern part-1 appropriation.

House: Not included.

Senate: Adds subsection 4 to limit individual grants to \$20.0 million.

Enacted: Concurs with Executive as shown. Does not include the Senate's grant limitation.

Bridge Bundling Initiative

Sec. 1002. Funds appropriated in part 1 for the local bridge bundling initiative shall be expended by the department to support a statewide program for the rehabilitation or replacement of locally owned bridges. The department shall coordinate the local bridge bundling initiative and issue contracts necessary for planning, design, and construction work related to bridges selected for the program. Bridges shall be selected for inclusion in the program subject to available funding and according to all of the following criteria:

- (a) Locally owned bridges that have previously been considered for funding under the local bridge program created in section 10(4) of 1951 PA 51, MCL 247.660.
- (b) Nature of the need and geographic dispersal throughout the state.
- (c) The difficulty that a local government would have in funding the local bridge project.

[Also includes work project language.]

Executive: Proposed this section to govern part-1 appropriation. Executive language, which provided criteria for bridge selection, would have included state trunkline bridges as eligible for funding.

House: Not included.

Senate: Concurs with Executive with addition of work project language.

Enacted: Largely follows the Executive as shown; limits funding to local bridges, includes work project language.



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections

Notes/Description

MI Contracting Opportunity

Sec. 1003. Funds appropriated in part 1 for MI contracting opportunity shall be expended by the department to support activities that enhance the development and availability of contractors or suppliers for the delivery of the department's programs that are socially or economically disadvantaged business concerns as defined under section 100002 of the infrastructure investment and jobs act, Public Law 117-58. These activities may include, but are not limited to, **any of** the following:

- (a) A revolving loan program to provide for bank fees and initial project-based loans for socially or economically disadvantaged businesses to participate in the delivery of the department's programs.
- (b) Development of a small business mentor protégé program.
- (c) A program to expand the availability of affordable insurance options for eligible suppliers.
- (d) Development of a small business trucking program.

Executive: Proposed this section to govern part-1 appropriation.

House: Concurs with Executive.

Senate: Concurs with Executive with some wording changes.

Enacted: Concurs with Senate, as shown.



DEPARTMENT OF TRANSPORTATION

**House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections**

Notes/Description

New Technology/Mobility

Sec. 1004 (1). From the one-time funds appropriated in part 1 for new technology and mobility, **\$18,500,000.00** is appropriated to the department as follows:

(a) **\$10,000,000.00** for implementation of aerial mobility and drone infrastructure projects including drone hubs, drone ports, and last mile delivery.

(b) **\$5,000,000.00** for a Lake Michigan Electric Vehicle Circuit Tour project.

(c) **\$3,500,000.00** for creation and implementation of a shared streets and spaces program and all of the following apply:

(i) The department shall establish and administer a shared streets and spaces grant program to provide grant funding, as provided in this section, to municipalities and public transit agencies to implement improvements to plazas, sidewalks, curbs, streets, bus stops, parking areas, and other public spaces in support of public health, safe mobility, and strengthened commerce.

(ii) The funds are appropriated for grants for new or improved bicycle and pedestrian infrastructure intended to increase safety and convenience of biking and walking. Eligible projects include any of the following:

(a) New or improved pedestrian crossings, including new paint, shortened crossings, better ramps, or refuge islands.

(b) Pedestrian signal upgrades at intersections or mid-block crossings.

(c) Bike lanes.

(d) Trails or shared use paths connections.

(e) At-grade rail crossing improvements for bicyclists and pedestrians.

(f) Bicycle parking.

(g) Pedestrian or bicyclist lighting.

(h) Pedestrian or bicyclist wayfinding.

(i) New bikeshare equipment.

(j) Bicycle-friendly drain grates.

[Continued below]

Executive: Not part of the Executive budget recommendation.

House: **House Bill 4309** included **Sec. 1010** which defined the New Technology and Mobility appropriation; Separate **Sec. 1004** defined the Shared Streets and Spaces appropriation.

Senate: Not included.

Enacted: Modifies as shown to include earmarks of the **\$18.5 million** appropriation for New Technology/Mobility: Aerial Mobility, Lake Michigan Electric Vehicle Circuit Tour, and Shared Streets and Spaces. Includes most of the language from the Sec. 1004 of House Bill 4309 regarding Shared Streets & Spaces.



DEPARTMENT OF TRANSPORTATION

**House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections**

Notes/Description

[Continued from previous page]

(iii) Grants for projects under the shared streets and spaces grant program may be awarded up to \$200,000 per project to any municipality or public transit agency.

(iv) Projects funded through the shared streets and spaces grant program must be established under a grant agreement that does both of the following:

(A) Outlines milestones and activities that must be met in order to receive a disbursement of funds.

(B) Identifies measurable project outcomes.

(2) In implementing the appropriations in this section the department shall work with Office of Future Mobility and Electrification.

(3) As used in this section:

(a) "Municipality" means an incorporated city.

(b) "Public transit agency" means an eligible authority or eligible governmental agency as those terms are defined in section 10c of 1951 PA 51, MCL 247.660c.



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation) FY 2023-24 One-Time Sections	Notes/Description
<p>Critical Infrastructure</p> <p>Sec. 1005. (1) Funds appropriated in part 1 for Critical infrastructure projects shall be expended for infrastructure projects and are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:</p> <p>(a) The purpose of the project is to fund infrastructure in critical need.</p> <p>(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.</p> <p>(c) The total estimated cost of the project is \$181,600,000.00.</p> <p>(d) The tentative completion date is September 30, 2028.</p> <p>(2) The funds described in subsection (1) must be divided accordingly:</p>	<p>Executive: Not part of the Executive budget recommendation.</p> <p>House: Not included.</p> <p>Senate: Includes as Sec. 1007 in Senate Bill 178 to earmark \$104.0 million one-time GF/GP appropriation.</p> <p>Enacted: Includes as Sec. 1005 to earmark \$118.6 million one-time GF/GP appropriation for various legislative priority transportation projects as shown. Note that the headings describing the earmarked projects are provided by the House Fiscal Agency for this document and are not in the language of Sec. 1005 in the bill.</p>
<p>Local Disaster Relief Fund</p> <p>(a) \$5,000,000.00 is appropriated for a local disaster relief fund. The local disaster relief fund shall provide funding for a local disaster relief program. The local disaster relief program shall provide grants to local road agencies in response to natural disasters and other emergency events that affect transportation infrastructure or operations.</p>	<p>House had earmarked up to \$20.0 million in Sec. 1012 of House Bill 4309.</p>
<p>High Priority Rail Grade Separation Projects</p> <p>(b) \$10,000,000.00 to the department to be used for the highest-priority rail grade separation projects throughout this state.</p>	<p>Senate had earmarked \$15.0 million in Sec. 1007 (1)(d) of Senate Bill 178. http://legislature.mi.gov/doc.aspx?2023-SB-0125</p>
<p>Wayne County – Mack Avenue Corridor Improvements</p> <p>(c) \$1,000,000.00 to a county with a population in excess of 1,700,000 according to the latest federal decennial census, to be used for an avenue improvement program.</p>	<p>Senate had earmarked \$1.0 million for this project in Sec. 1007 (1)(h) of Senate Bill 178. https://www.mackaveplan.com/</p>



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation) FY 2023-24 One-Time Sections	Notes/Description
<p>Dock Rehabilitation, Sault Ste. Marie (d) \$5,000,000.00 to a city with a population between 13,330 and 13,340 according to the latest federal decennial census to be used for dock and port rehabilitation.</p>	<p>Senate had included \$100.00 placeholder in Sec. 1007 (1)(m) of Senate Bill 178. Related to the Carbide Dock Port Rehabilitation & Easterday Avenue Truck Route Construction project in Sault Ste Marie. https://www.sooeveningnews.com/story/news/local/2023/03/17/city-receives-2-187m-grant-for-the-carbide-dock-rehab-project/70012686007/</p>
<p>Soundwalls – City of Troy (e) \$10,000,000.00 for the department to design and build a sound wall in the city of Troy.</p>	<p>Senate had included \$100.00 placeholder in Sec. 1007 (1)(m) of Senate Bill 178.</p>
<p>Martin Luther King Bridge - Pontiac (f) \$10,000,000.00 to a city with a population between 61,000 and 62,000 according to the latest federal decennial census to be used for a bridge.</p>	<p>Senate had included \$100.00 placeholder in Sec. 1007 (1)(m) of Senate Bill 178.</p>
<p>Macomb Township Roadway Reconstruction/Rehabilitation (g) \$100,000.00 to a township with a population between 91,000 and 92,000 according to the latest federal decennial census to be used for the purpose of roadway reconstruction and rehabilitation.</p>	<p>Apparently related to road project in Chelsea Park subdivision. https://www.macombdaily.com/2022/05/21/macomb-township-oks-cost-sharing-with-county-for-chelsea-park-roads/</p>
<p>Miss Dig (h) \$1,000,000.00 to the department for grant funding to Miss Dig as follows: \$500,000.00 for the development of utility mapping including digitized records of utility facilities. (ii) \$500,000.00 for Miss Digg education and training activities.</p>	<p>House had earmarked \$1.0 million in Sec. 1003 of House Bill 4309.</p>
<p>County Road Association Software (i) \$1,000,000.00 to the County Road Association to update the new cloud-based management system.</p>	<p>House had earmarked \$1.0 million in Sec. 1002 of House Bill 4309. Senate had earmarked \$1.0 million in Sec. 1007(1)(c) of Senate Bill 178.</p>
<p>Canton Township Roads and Sidewalks (j) \$5,000,000.00 to a township with a population between 98,000 and 99,000 according to the latest federal decennial census to be used for reconstruction of roads and sidewalks affected by alkali silica reaction. [Canton Township]</p>	<p>https://www.hometownlife.com/story/news/local/canton/2021/02/15/canton-township-reveals-2021-road-project-targets/4387909001/</p>
<p>White Lake Road, Livingston County (k) \$1,440,000.00 to a county commission in a county with a population between 193,000 and 194,000 according to the latest federal decennial census, to be used for a road construction.</p>	



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation) FY 2023-24 One-Time Sections	Notes/Description
<p>City of Allen Park Road Construction Project (l) \$1,600,000.00 to a city with a population between 28,600 and 28,700 located in a county with a population greater than 1,750,000 according to the latest federal decennial census for a road construction project.</p>	
<p>Lincoln Park - Road Construction Project. (m) \$1,400,000.00 to a city with a population between 40,200 and 40,300 located in a county with a population greater than 1,750,000 according to the latest federal decennial census for a road construction project.</p>	
<p>Baraga County (n) \$3,000,000.00 to a county with a population between 8,100 and 8,200 according to the latest federal decennial census, for the construction of a transportation facility.</p>	
<p>City of Hamtramck (o) \$260,000.00 to a city with a population between 28,000 and 28,450 for sidewalk and alley repairs.</p>	
<p>Capitol Region Airport (Lansing) (p) \$9,400,000.00 to an airport in a county with a population between 79,000 and 80,000 according to the latest federal decennial census, partially in a city with a population above 30,000 according to the latest Federal decennial census, to be used for roadway improvements.</p>	<p>Senate had earmarked \$9.4 million for this project in Sec. 1007 (1)(a) of Senate Bill 178.</p>
<p>Trenton Rail Grade Separation Project (q) \$20,000,000.00 to the department for a rail grade separation in the city of Trenton on a state trunkline road near the intersection of Van Horn and M-85.</p>	<p>Senate had earmarked \$50.0 million STF for this project, defined in Sec. 1004 of Senate Bill 178.</p>
<p>Macomb Township/Macomb County (r) \$5,000,000.00 to a township for road construction in a county with a population between 800,000 and 900,000 according to the latest federal decennial census, in a township with a population between 90,000 and 95,000 according to the latest federal decennial census, to be used as a local match for a county road.</p>	<p>Senate had earmarked \$4.9 million for this project in Sec. 1007 (1)(e) of Senate Bill 178.</p>



DEPARTMENT OF TRANSPORTATION

<i>House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation) FY 2023-24 One-Time Sections</i>	<i>Notes/Description</i>
<p>Bay County Road Project (s) \$10,000,000.00 to a county with a population between 100,000 and 105,000 according to the latest federal decennial census, to be used for a road reconstruction project.</p>	<p>Senate had included \$10.0 million in Sec. 1007 (1)(q) of Senate Bill 178.</p>
<p>Clinton County Road Project (t) \$10,000,000.00 to a county with a population between 79,000 and 80,000 according to the latest federal decennial census, for road reconstruction.</p>	<p>Senate had earmarked \$14.0 million for a Clinton County road project in Sec. 1007 (1)(l) of Senate Bill 178.</p>
<p>US 131 Business Loop - Kalamazoo (u) \$20,000,000.00 to the department for the construction of the U.S. 131 business loop interchange.</p>	<p>Senate had earmarked \$15.0 million for this project in Sec. 1007 (1)(g) of Senate Bill 178.</p>
<p>Gross Ile Bridge/ Wayne County (v) \$20,000,000.00 to a county with a population above 1,700,000 according to the latest federal decennial census, for rehabilitation or reconstruction of a county owned movable bridge.</p>	<p>https://en.wikipedia.org/wiki/Wayne_County_Bridge</p>
<p>Denton Road Bridge - Belleville/Wayne County (w) \$10,000,000.00 to a county with a population above 1,700,000 according to the latest federal decennial census, in a township with a population between 30,000 and 30,500 according to the latest federal decennial census, for rehabilitation or reconstruction of a bridge.</p>	<p><u>REQUEST FOR PROPOSAL FOR DENTON ROAD ...</u> https://bellevilleareaindependent.com/wayne-county-officials-explain-denton-road-bridge-closing/</p>
<p>Battle Creek Unlimited (x) \$7,000,000.00 to a nonprofit economic development organization in a city with a population between 52,000 and 53,000 according to the latest federal decennial census, for drone park construction including radar visualization systems.</p>	<p>https://bcunlimited.org/</p>



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation) FY 2023-24 One-Time Sections	Notes/Description
<p>Great Lakes Maritime Office (y) \$5,000,000.00 to create a Great Lakes Maritime Office within the department.</p>	<p>Senate earmarked \$9.4 million for this project in Sec. 1007 (1)(b) of Senate Bill 178.</p> <p>This earmark apparently provides funding for an office created under a 2022 bill package: http://legislature.mi.gov/doc.aspx?2021-SB-0744</p>
<p>U of M, Michigan Medicine (z) \$5,000,000.00 to an academic medical center in a city with a population between 120,000 and 130,000 according to the latest federal decennial census to help cover capital costs to replace a rotor craft air ambulance fleet.</p>	<p>https://www.med.umich.edu/survival_flight/about/index.html</p>
<p>Shiawassee County (aa) \$4,400,000.00 for the expansion of a multi-county non-motorized trail network that utilizes a former railroad corridor. Funds shall be used to provide connections and improvements to the portion of the trail network located in a county with a population between 68,000 and 69,000 according to the latest federal decennial census.</p>	<p>https://mitrails.org/library/magazine_pages_pdf/110%20-%20Fred%20Meijer%20Clinton%20Ionia%20Shiawassee%20Rail%20Trail%20-%20East.pdf</p>
<p>One-Time Rail Operations and Infrastructure</p> <p>Sec. 1006. From the funds appropriated in part 1, \$14,900,000.00 for one-time rail operations and infrastructure, the department shall support improvements to railroad operations and capital infrastructure in this state.</p>	<p>New in House Bill 4437 (H-1) CR-1</p>
<p>One-Time Local Bus Operating – ARP Funds</p> <p>Sec. 1007. From the funds appropriated in part 1, \$45,000,000.00 for ARP – one-time local bus operating, the department shall distribute funds to eligible authorities and eligible governmental agencies as defined in Section 10c of 1951 PA 51 in accordance with the provisions of Sec. 10e (4)(a) of 1951 PA 51.</p>	<p>New in House Bill 4437 (H-1) CR-1</p>



DEPARTMENT OF TRANSPORTATION

**House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections**

Notes/Description

Mobility Fund Platform – ARP Funds

Sec. 1008. From the funds appropriated in part 1 for **ARP – one-time mobility fund platform**, the department shall expend \$3,500,000.00 mobility public-private partnership and programming projects.

House: This had been included as a \$5.0 million GF/GP earmark of the New Technologies/Mobility appropriation in Sec. 1010 of House Bill 4309.

Senate: Not included

Enacted: Modifies to reference the \$3.5 million appropriation from federal ARP funds.

Michigan Mobility Challenge

Sec. 1009. From the funds appropriated in part 1 for **ARP – one-time mobility challenge**, the department shall expend \$3,500,000.00 for grants in support of projects related to enhanced transportation services for senior citizens, persons with disabilities, and veterans, and both of the following apply:

(a) By not later than March 1, 2024, the department shall submit a report to the state budget director, the chairs of the house and senate committees on appropriations, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the use of funds appropriated under subsection.

(b) In implementing the appropriations in this section the department shall work with Office of Future Mobility and Electrification. In awarding grants under this section, the department must give consideration to diversity and equity values.

House: House Bill 4309 included Sec. 1001 defining the \$10.0 million GF/GP Michigan Mobility Challenge appropriation.

Senate: Not included

Enacted: Modifies to reference the \$3.5 million appropriation from federal ARP funds.



DEPARTMENT OF TRANSPORTATION

House Bill 4437, Enacted as 2023 PA 119, Article 15 (Transportation)
FY 2023-24 One-Time Sections

Notes/Description

Airport Revitalization

Sec. 1010. From the funds appropriated in part 1 for **ARP – one-time air service revitalization**, the department shall expend \$7,000,000.00 as follows:

- (a) \$2,000,000.00 for aeronautics, for capital development assistance to general aviation airports for projects including obstruction removal.
- (b) \$5,000,000.00 for this state's air service development program.

House includes \$7.0 million GF/GP as a separate line item; defined in Sec. 1013 of House Bill 4309.

Senate had earmarked \$2.0 million GF/GP in Sec. 1007 (1)(f) of Senate Bill 178 and \$5.0 million GF/GP in Sec. 1007 (1)(p) of Senate Bill 178.

Enacted: Modifies to reference the \$7.0 million appropriation from federal ARP funds.



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2023-24 One-Time Sections in House or Senate bills, not included in Enacted Budget	Notes/Description
<p><i>Speed Enforcement Pilot Project</i> NEW in House Bill 4309.</p> <p>House included Sec. 1005 to earmark funds for a speed enforcement pilot project; directs the department to establish an automated speed enforcement pilot project for the purpose of determining the effectiveness of automated speed enforcement technology; required the pilot project to include a study of at least one school zone and one work zone. Included a reporting requirement.</p>	<p>Not included in Senate bill or Enacted.</p>
<p><i>Marine Passenger Capital</i> NEW in House Bill 4309.</p> <p>House included Sec. 1006 to earmark \$15.0 million in one-time funding for a grant for the acquisition of a ferry to transport passengers and motor vehicles on the St. Mary's River in Chippewa County.</p>	<p>Not included in Senate bill or Enacted.</p>
<p><i>S. S. Badger Conversion</i> NEW in House Bill 4309.</p> <p>House includes Sec. 1007 to earmark \$5.0 million in one-time funding for to support conversion of the S. S. Badger from coal power to electric and diesel power.</p>	<p>Not included in Senate bill or Enacted.</p>
<p><i>Local Road Preservation/ Local Road Funding</i> NEW in House Bill 4309, Sec. 1008; NEW in Senate Bill 178, Sec. 1006.</p> <p>Both the House and Senate included sections providing for the distribution of one-time GF/GP appropriations to local road agencies. House provided for the distribution of \$400.0 million GF/GP. Senate provided for the distribution of \$150.0 million GF/GP. Both House and Senate used a population based formula.</p>	<p>Not included in Enacted budget. Effectively, the GF/GP distributed by formula in the House and Senate bills was used to fund Local Bridge Bundling and Critical Infrastructure in the Enacted.</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2023-24 One-Time Sections in House or Senate bills, not included in Enacted Budget	Notes/Description
<p><i>Rail Grade Separation Program</i> NEW in House Bill 4309, Sec. 1009.</p> <p>House included \$33.0 million GF/GP for a Rail Grade Separation Program and related boilerplate Sec. 1009.</p>	<p>The program is recognized as a \$10.0 million earmark of the one-time Critical Infrastructure line item in the Enacted budget, Subdivision b, Sec. 1005 (2).</p>
<p><i>Critical Rail Separation</i> NEW in Senate Bill 178, Sec. 1004.</p> <p>Senate included \$50.0 million STF for a specific rail grade separation project, in the city of Trenton on a state trunkline near the intersection of Van Horn and M85.</p>	<p>This project is effectively recognized as a \$20.0 million earmark of the one-time Critical Infrastructure line item in the Enacted budget, Subdivision q, Sec. 1005 (2).</p>
<p><i>Local Disaster Relief Fund</i> NEW in House Bill 4309, Sec. 1012.</p> <p>House had earmarked up to \$20.0 million from part 1 appropriations, without designating a fund source, for a local disaster relief fund to provide funding for a local disaster relieve program. The local disaster relieve program would provide grants to local road agencies in response to natural disasters and other emergency events that affect transportation infrastructure or operations. The section described legislature intent that appropriations be made in subsequent fiscal years to maintain a balance in the fund sufficient to respond to disasters and emergencies impacting local road agency infrastructure and operations.</p>	<p>Recognized as a \$5.0 million earmark of the one-time Critical Infrastructure line item in the Enacted budget, Subdivision a, Sec. 1005 (2).</p>
<p><i>Airport Revitalization</i> NEW in House Bill 4309; NEW in Senate Bill 178.</p> <p>House includes \$7.0 million GF/GP as a separate line item; defined in Sec. 1013 of House Bill 4309. Senate had earmarked \$2.0 million GF/GP for this project in Sec. 1007 (1)(f) of Senate Bill 178, and \$5.0 million GF/GP in Sec. 1007 (1)(p) of Senate Bill 178.</p>	<p>See Section 1010 of the Enacted budget, above</p>



DEPARTMENT OF TRANSPORTATION – BOILERPLATE

FY 2023-24 One-Time Sections in House or Senate bills, not included in Enacted Budget	Notes/Description
<p>High Speed Rail / Regional Transit NEW in Senate Bill 178, Sec. 1005.</p> <p>Senate had appropriated \$100.0 million GF/GP as a one-time part-1 appropriation, defined in Sec. 1005 for high-speed rail//regional transit. Directs funds to be deposited in a new fund to support transformational rail/transit projects. The section authorized MDOT to issue grants to local governments with matching requirements and take those steps necessary to match federal money available for these projects.</p>	<p>Not included in the transportation article of the omnibus, however, \$20.0 million for High Speed Rail Grants is included as a separate one-time item in the budget for the Department of Labor and Economic Opportunity and defined in boilerplate section 1011 of that budget.</p>
<p>Critical Infrastructure NEW in Senate Bill 178, Sec. 1007.</p> <p>Senate had appropriated \$104.0 million in one-time GF/GP for various projects defined in Sec. 1007. This section was revised and included as Sec. 1005 in the Enacted.</p>	<p>See Section 1005 of the Enacted budget, above</p>
<p>Trail Network NEW in Senate Bill 178, Sec. 1010.</p> <p>Senate had appropriated \$4.5 million one-time GF/GP for a "Trail network" project, related to the expansion of a multi-county non-motorized trail network into Shiawassee county.</p>	<p>Effectively recognized as a \$4.4 million earmark of the one-time Critical Infrastructure line item in the Enacted budget, Subdivision aa, Sec. 1005 (2).</p>