

HOUSE BILL No. 6041

September 15, 1998, Introduced by Rep. Profit and referred to the Committee on Appropriations.

A bill to amend 1969 PA 296, entitled

"An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts,"

by amending sections 1 and 2 (MCL 247.851 and 247.852).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Highway authority" means the state ~~highway~~
3 TRANSPORTATION commission, a board of county road commissioners,
4 or the governing body of a city, TOWNSHIP, CHARTER TOWNSHIP, or
5 village.

6 (b) "Highway" means a highway, road, or street.

7 (c) "Board" means the highway jurisdiction determination
8 board.

1 Sec. 2. The provisions of any law to the contrary
2 notwithstanding, a highway ~~may not~~ SHALL not ~~[sic]~~ be
3 transferred from the jurisdiction of the state to a county, city,
4 or village or from a county to a city, TOWNSHIP, CHARTER
5 TOWNSHIP, or village without the consent of both parties, except
6 as provided by this act. The consent shall be evidenced by a
7 written agreement entered into after approval by resolution of
8 each highway authority that is party to the agreement. The
9 agreement shall identify the effective date of the transfer of
10 jurisdiction, the limits and general description of the highway
11 involved, the extent of improvements, and other terms and condi-
12 tions mutually agreed to. The agreement may be amended,
13 superseded, or voided by consent of both parties. If the pro-
14 posed transfer of jurisdiction is dependent on the future opening
15 of a new, relocated highway and a definite effective date cannot
16 be ascertained and agreed to at the time the agreement is entered
17 into, the transfer shall be effective upon the opening of the new
18 highway unless otherwise provided in the agreement.

19 Enacting section 1. This amendatory act does not take
20 effect unless Senate Bill No. _____ or House Bill No. _____
21 (request no. 05964'98 a) of the 89th Legislature is enacted into
22 law.