

# HOUSE BILL No. 4015

January 25, 2001, Introduced by Rep. Gosselin and referred to the Committee on Transportation.

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,"

(MCL 247.851 to 247.861) by adding section 3a.

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

1        SEC. 3A. (1) IN A COUNTY WITH A POPULATION OVER 1,000,000,  
2 THE BOARD OF COUNTY ROAD COMMISSIONERS MAY REQUEST THAT THE GOV-  
3 ERNING BODY OF A CITY OR VILLAGE WITHIN THAT COUNTY TRANSFER  
4 JURISDICTION OF A ROAD THAT WAS ONCE UNDER THE JURISDICTION OF  
5 THE BOARD OF COUNTY ROAD COMMISSIONERS BACK TO THE BOARD OF  
6 COUNTY ROAD COMMISSIONERS IF THE BOARD OF COUNTY ROAD COMMISSION-  
7 ERS MAKES BOTH OF THE FOLLOWING FINDINGS:

8            (A) THE ROAD HAS BEEN BLOCKED FOR MORE THAN 6 MONTHS WITHOUT  
9 A LEGITIMATE REASON. THE FACT THAT A CITY OR VILLAGE HAS

1 JURISDICTION OVER THE ROAD AT THE TIME OF THE REQUEST OF THE  
2 BOARD OF COUNTY ROAD COMMISSIONERS IS NOT A LEGITIMATE REASON FOR  
3 BLOCKING THE ROAD.

4 (B) FOR PURPOSES OF HEALTH, SAFETY, AND WELFARE, THE ROAD  
5 SHOULD NOT BE BLOCKED.

6 (2) THE REQUEST OF THE BOARD OF COUNTY ROAD COMMISSIONERS  
7 FOR A TRANSFER OF JURISDICTION UNDER SUBSECTION (1) SHALL BE MADE  
8 IN WRITING AND ADDRESSED TO THE GOVERNING BODY OF THE CITY OR  
9 VILLAGE THAT HAS JURISDICTION OVER THE ROAD.

10 (3) IF WITHIN 90 DAYS AFTER A WRITTEN REQUEST IS RECEIVED BY  
11 A GOVERNING BODY OF THE CITY OR VILLAGE UNDER SUBSECTION (1) THE  
12 GOVERNING BODY OF A CITY OR VILLAGE DOES NOT CONSENT TO TRANSFER  
13 JURISDICTION OF THE ROAD OR DOES NOT ARTICULATE A LEGITIMATE  
14 REASON FOR BLOCKING THE ROAD, THE BOARD OF COUNTY ROAD COMMIS-  
15 SIONERS MAY INITIATE PROCEEDINGS TO TRANSFER JURISDICTION OF THE  
16 ROAD BACK TO THE COUNTY BOARD OF ROAD COMMISSIONERS UNDER THIS  
17 ACT.