

# HOUSE BILL No. 5169

December 4, 2013, Introduced by Reps. Schmidt, Walsh, Driskell, Cavanagh, Rutledge, Zemke, Greimel, Schor and Townsend and referred to the Committee on Transportation and Infrastructure.

A bill to amend 2012 PA 387, entitled  
"Regional transit authority act,"  
by amending section 2 (MCL 124.542).

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

1       Sec. 2. As used in this act:

2       (a) "Authority" means a regional transit authority created  
3 under this act.

4       (b) "Board" means the governing body of an authority.

5       (c) "City" means a city incorporated under the home rule city  
6 act, 1909 PA 279, MCL 117.1 to 117.38.

7       (d) "Cost plus construction contract" means a contract under  
8 which the contractor is paid a negotiated amount, regardless of the

1 expenses incurred by the contractor.

2 (e) "County executive" means the county executive of a county  
3 or, if the county does not have an elected county executive, the  
4 chair of the county board of commissioners.

5 (f) "Department" means the state transportation department.

6 (g) "Fiscal year" means the time period between October 1 of a  
7 calendar year through September 30 of the following calendar year.

8 (h) "Governor's representative" means a resident of a public  
9 transit region who is appointed to the board by the governor under  
10 section 5(1)(a).

11 (i) "Local road agency" means that term as defined in section  
12 9a of 1951 PA 51, MCL 247.659a.

13 (j) "Member jurisdiction" means a city or county that appoints  
14 a member of a board under section 5.

15 (k) "Public transportation" means the movement of individuals  
16 and goods by publicly owned bus, rapid transit vehicle, or other  
17 conveyance that provides general or special service to the public,  
18 but not including school buses or charter or sightseeing service or  
19 transportation that is used exclusively for school purposes. Public  
20 transportation includes the movement of individuals and goods by  
21 privately owned bus, railroad car, **STREET RAILWAY VEHICLE**, rapid  
22 transit vehicle, or other conveyance that, under a contract with an  
23 authority, provides general or special service to the public, but  
24 not including school buses or charter or sightseeing service or  
25 transportation that is used exclusively for school purposes. Public  
26 transportation is a transportation purpose within the meaning of  
27 section 9 of article IX of the state constitution of 1963.

1           (l) "Public transportation facility" means all plants,  
2 equipment, work instrumentalities, and real and personal property  
3 and rights used or useful for public transportation.

4           (m) "Public transportation provider" means a public or private  
5 entity that provides public transportation services and includes a  
6 contractor providing services to a public transportation provider.  
7 Public transportation provider includes an authority or agency  
8 existing on or created after the effective date of this act. **PUBLIC**  
9 **TRANSPORTATION PROVIDER DOES NOT INCLUDE A STREET RAILWAY ORGANIZED**  
10 **UNDER THE NONPROFIT STREET RAILWAY ACT, 1867 PA 35, MCL 472.1 TO**  
11 **472.27.** Public transportation provider includes an authority formed  
12 under any of the following:

13           (i) 1963 PA 55, MCL 124.351 to 124.359.

14           (ii) The urban cooperation act of 1967, 1967 (Ex Sess) PA 7,  
15 MCL 124.501 to 124.512.

16           (iii) 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

17           (iv) 1951 PA 35, MCL 124.1 to 124.13.

18           (v) The public transportation authority act, 1986 PA 196, MCL  
19 124.451 to 124.479.

20           (vi) The revenue bond act of 1933, 1933 PA 94, MCL 141.101 to  
21 141.140.

22           (n) "Public transit region" means an area of this state  
23 consisting of a qualified region. Public transit region also  
24 includes a county added to a public transit region by an authority  
25 under section 4.

26           (o) "Public transportation system" means a system for  
27 providing public transportation in the form of light rail, rolling

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1 rapid transit, or other modes of public transportation and public  
2 transportation facilities to individuals.

3 (p) "Qualified county" means a county in this state with the  
4 largest population according to the most recent decennial census.

5 (q) "Qualified region" means a geographic area of this state  
6 that includes a qualified county and the 3 counties with the  
7 largest populations according to the most recent decennial census  
8 that are contiguous to the qualified county.

9 (r) "Rolling rapid transit system" means bus services that may  
10 combine the technology of intelligent transportation systems,  
11 traffic signal priority, cleaner and quieter vehicles, rapid and  
12 convenient fare collection, and integration with land use policy.  
13 Rolling rapid transit may include, but is not limited to, all of  
14 the following:

15 (i) Exclusive rights-of-way.

16 (ii) Rapid boarding and alighting.

17 (iii) Integration with other modes of transportation.

[Enacting section 1. This amendatory act takes effect 90 days after  
the date it is enacted into law.]