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BILL ANALYSIS



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Senate Bill 210 (as introduced 3-2-17)
Sponsor: Senator Patrick J. Colbeck
Committee: Transportation

Date Completed: 5-25-18

CONTENT

The bill would amend Public Act 51 of 1951, the Michigan Transportation Fund law, to provide for the collection of information on road and bridge projects funded by State revenue; and require the data to be contained in a road construction data transparency file, which the Department of Transportation would have to maintain and make available to the public.

Specifically, the Department would be required, at a minimum, to provide all of the following information for each road or bridge project funded in whole or in part by State revenue:

- The name of the road or bridge.
- A description of the portion of the road or bridge that was the subject of the project.
- The cost of the project.
- The funding sources and amounts for the project.
- The number of lane miles applicable to the project.
- The number of miles applicable to the project.
- The load profile assumed for the required design life, including the number of trucks weighing less than 80,000 pounds per day, the number of trucks weighing 80,000 pounds or more per day, and the number of passenger vehicles per day.
- The required design life in years between reconstruction projects, subject to that load profile.
- The required interval between resurfacing projects, subject to that load profile.
- The method of design verification, including analysis, testing, or demonstration, that the design would achieve the specified design life under the specified load conditions.
- The name of the individual designated as the project manager.
- The organization to which the project manager belonged.
- The individual or organization responsible for the road or bridge design.
- The individual or organization responsible for design verification.
- The individual or organization responsible for road or bridge construction.
- The individual or organization responsible for certifying that the road or bridge was built in accordance with the design specifications.
- The individual or organization responsible for certifying that the construction materials used in the project satisfied design specifications.
- The date of completion of the road or bridge.
- The current condition of the road or bridge.

Each year, the Department would have to make the information available in the following manner:

- Make the information available in a tab-delimited or Microsoft Excel-based format.

- Contain all the data in a single road construction transparency data file featuring a unique column for each item of road or bridge project information and a single row for each project in order to facilitate data analysis.
- Add the data for each road project to the data file within 30 days after the final acceptance of the completed road or bridge project.
- Update the current status of the road or bridge condition column for each section of road or bridge at least once every two years.
- Post the database file online and make it available for download by the general public.

If the Department failed to comply with these requirements, the individual designated as the project manager would have to report to the Senate and House Transportation Appropriations Subcommittees at a hearing to be held within 60 days after final acceptance of the completed road or bridge project. If the Department posted the required information before the hearing, the chairpersons of the subcommittees could cancel the hearing.

Each county road commission, city, and village would have to provide the Department with the information listed above for each road or bridge project of the county road commission, city, or village funded in whole or in part by State revenue.

The bill would take effect 90 days after it was enacted.

Proposed MCL 247.661i

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on the State and local units of government.

The bill would require the Department, county road associations, and municipal governments to report on 19 different characteristics of every road or bridge project within the State funded in part or in whole with State revenue. The Department also would have to post the data online and make the data publicly available within 30 days after final acceptance of a new road or bridge project. Local units of government would have to report such data to the Department.

The Department's Five Year Plan is an annual report that lists road and bridge projects, among other projects, and includes some of the data that the bill would require, including the name of the road or bridge, the location of the work to be performed on the road or bridge, the length of the project in miles, the type of work being done, and an expected date of completion. Additionally, boilerplate Section 613 of Public Act 107 of 2017 (the fiscal year 2017-18 omnibus appropriations act) requires the Department to report on completed construction projects, including the route name, location, work description, estimated completion date, entity responsible for design work, and costs. It is not currently known whether the Department or local units of government have the additional information required by the bill for each road project organized or stored in an easily accessible way. The addition of the data required for these reports, and the posting of a complex online report, has the potential to add significant, unknown administrative costs to the Department, county road commissions, and municipalities.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.