

Michigan Department of Transportation Report on Policy Changes in Response to Legislation

Reporting Requirement: Section 263 (1) of the current FY 2013 appropriations bill for the Michigan Department of Transportation requires an annual report on specific policy changes made to implement legislation. The exact language is the following:

“The department shall report no later than April 1, 2013 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the House and Senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the House and Senate fiscal agencies.” (Public Act No. 200 of 2012)

Overview: The Michigan Department of Transportation has developed policies in response to legislation on truck equipment standards, financial reporting and conditions for receipt of Michigan Transportation Fund distributions by local road agencies.

Specific Policies and Public Acts:

1. Public Act 80 of 2012 (SB 35) This act amended sections of the Michigan Vehicle Code regarding the length and dimensions of trailers. Specifically, provisions for “lowboy” trailers were amended to say trailers could not exceed 59 feet. Lowboy trailers exceeding 59 feet could not have more than four axles unless operating with an oversize load permit. MDOT has revised its permit process to reflect these new standards.
2. Public Act 108 (SB 528) This act revises sections of state law regarding the cleanup process for underground storage tanks. MDOT has worked with the Department of Environmental Quality on protocols which reflect the new act, and will hopefully allow more consistent requirements for the return of properties to active use. Those guidelines have been reviewed internally, but a final meeting with the affected industries is still necessary.
3. Public Act 200 (HB 5365) Section 381 requires MDOT to require contractors use the “E-verify” system of determining all persons hired are legally present and authorized to work in the United States. MDOT has added this requirement to its bid materials.
4. Public Act 262 (HB 4146) This act requires certain warning lights on commercial snow plowing equipment. MDOT reviewed the standards for its equipment, and concluded that no changes were needed.
5. Public Act 282 (SB 582) This act allows longer trailers to haul recreational boats from their point of manufacture. MDOT has amended its permit procedures to reflect no longer having to issue special use permits for such trips.
6. Public Act 298 (HB 5007) This act required MDOT to develop performance audit standards for county road agencies, and to report those standards to the legislature. Those standards were reported in an earlier communication to the legislature. The audit requirements mean that county road agencies could be required to undergo a performance audit as well as a financial audit.

7. Public Act 387 (SB 909) This act creates the Regional Transit Authority in southeast Michigan. MDOT has to develop new procedures for interactions with the RTA as the designated recipient of state funds for southeast Michigan. It will also need to develop an agreement for use of rolling rapid transit on state trunklines in the area if the RTA decides to pursue such services. The RTA board was only recently appointed, and those policies are still in the future.
8. Public Act 466 (HB 5301) Public Acts 506 and 507 address the same policy. Those were HB 5302 and HB 5313 respectively. These acts require local road agencies to adopt certain budget practices as a condition of receiving funds from the Michigan Transportation Fund starting September 30, 2014. MDOT needs to develop specific policies for withholding these funds.
9. Public Act 589 (SB 1121) This act redefines the definition of “implement of husbandry” to hopefully clarify the distinction between such vehicles and other vehicles that could have both an agricultural and a standard commercial purpose. MDOT has worked with the Michigan State Police to make the new distinctions clear to enforcing agencies.

Thank you for your attention to this report. Please direct subsequent questions to Kelly Bartlett of the MDOT Office of Governmental Affairs.