



State Transportation Commission Adopted Policies

Compiled 4/19/2024


STATE TRANSPORTATION COMMISSION

ADOPTED POLICIES

COMPILED 4/19/2024

TABLE OF CONTENTS

Identifier	Subject	Effective Date
10001	Division of Authority (Items Requiring Commission Approval)	2/24/2000
10002	Transportation Safety	6/8/1994
10003	Commission Oversight	6/8/1994
10004	STC Open Meetings	7/27/2000
10005	Commission Policy Proposals, Input from Groups	6/8/1994
10006	Standard and Supplemental Transportation Construction Specifications	6/8/1994
10007	Rejection of All Bids	6/8/1994
10008	Directives System	6/8/1994
10009	Highway Travel Information Program	6/8/1994
10010	Selection of the Transp EDF Office Admin	6/8/1994
10011	Legislative Outreach	6/8/1994
11012	State Rail Freight Policy	3/29/2007
10013	Right-of-Way Acquisition, Management, Clearance and Sale	8/15/2022
10014	Utility Accommodation Policy	3/31/2011
10015	Consideration of Motorist Delay Cost During Project Scoping	9/25/1996
10080	Bonding	8/26/1999
10083	DBE Program Procedures	9/23/1999
10099	Aesthetics	9/28/2000
10100	Units of Measurement	9/28/2000
10135	Performance Warranties	4/25/2002
10136	Noise Abatement	10/17/2019
10214	Complete Streets	7/26/2012
10237	Border Crossing	10/28/2004
10238	Context Sensitive Solutions	5/26/2005
10239	Self-Insurance Mackinac Bridge	7/28/2005
10240	Tribal Affairs	1/25/2007

 COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
	10001	02-24-00
	SUPERCEDES	DATED
	CP 10001	08-26-99
RESPONSIBLE ORGANIZATION: Executive Bureau		
SUBJECT: Division of Authority (Items Requiring Commission Approval)		

The following items shall be brought to the Commission for review and approval:

Payments for extra work over \$250,000 or 10 percent cumulative of the total contract, and contract overruns which are 15 percent cumulative of the total contract. All extra work between \$100,000 and \$250,000 will be reported to the Commission monthly.

Local agency agreements where the local agency will take bids for the construction, or perform the construction, or where state dollars will be expended on nontrunkline routes.

Policy-related consulting contracts.

Grants (Department grantee) over \$500,000.

State lessee or lessor contracts over \$50,000.

Public transportation facility contracts over \$50,000.

Private carriers/intercity bus capital and operating contracts and agreements.

Public transportation contracts for local (state) match for approved federal funds over \$50,000, and other public transportation contracts except those that distribute a specified total amount of revenue to all eligible agencies and authorities by a statutory method of distribution, and vehicle rehabilitation contracts with less than \$50,000 of state funds.

Water and port facilities' capital contracts over \$50,000, and operating contracts and agreements.

Rail passenger and/or freight capital contracts over \$50,000, and operating contracts and agreements.

Railroad structure(s) contracts and agreements over \$50,000.

Bond issuances.

Establishment and abandonment of state highways, and additions to the interstate system.

Legislative recommendations that deal with policy-related issues, as determined by the Director and the Commission.

IDENTIFIER	EFFECTIVE DATE	SUPERCEDES	DATED:	PAGE OF
10001	02-24-00	CP 10001	06-08-94	2 3
RESPONSIBLE ORGANIZATION: Executive Bureau				
SUBJECT: Division of Authority (Items Requiring Commission Approval)				

Submission of the budget to the Governor and the Legislature.

Use of state rights-of-way for nontraditional transportation purposes (as determined by the Department), and leasing of air rights within the right-of-way. (Replaces CP 1100.10 and CP 1100.99.)

Submission of the Transportation Plan to the Legislature.

Other items that are particularly sensitive for political, social, environmental, or other reasons, as determined by the Chairman and the Director.

Special Provisions:

1. The Director may not promulgate any rules which would violate policy established by the Commission, and the Director must revise any existing rules when relevant policy is explicitly changed by the Commission.
2. If, in the opinion of the Director, the public interest requires that a certain contract be awarded or an agreement executed prior to approval by the Commission, the Director shall seek a waiver of the required approval from the Chairman of the Transportation Commission. If the request or the approval is verbal, the waiver shall be confirmed in writing within fourteen (14) business days.
3. Contracts dealing with specialized services and programs commonly referred to as 16(b)2 programs will continue to be reviewed by the Commission until such time as the Commission's and the Department's review of the program or programs is completed.

Advance Commission Approval:

The Department will present a five-year plan to the Commission. The five-year plan will consist of repairing and rebuilding roads, maintenance, new roads and bridges. Those areas that cannot be planned in five-year increments are enhancement and capital preventive maintenance. These areas have yearly plans that will be approved by the Commission at the beginning of the fiscal year.

IDENTIFIER	EFFECTIVE DATE	SUPERCEDES	DATED:	PAGE OF
10001	02-24-00	CP 10001	06-08-94	3 3
RESPONSIBLE ORGANIZATION: Executive Bureau				
SUBJECT: Division of Authority (Items Requiring Commission Approval)				

Prior to the start of each fiscal year the Commission will approve a one-year plan for enhancement, capital preventive maintenance, and one year of the five-year plan for projects. This approval will constitute approval to let and award the projects, subject to the following exceptions:


- A. Projects that are more than ten percent over the engineer's estimate and are over \$500,000 will come to the Commission for review and approval. Justification letters for those under \$500,000 will be prepared and retained in the project file.
- B. Projects that have less than two bidders and are over \$500,000 will come to the Commission for approval. The Department will report to the Commission, on a monthly basis, on all projects with less than two bidders and that are less than \$500,000.
- C. Projects with low bid rejections or other bid issues will come to the Commission for review and approval.
- D. Bureau of Aeronautic projects that are more than ten percent over the engineer's estimate and are over \$500,000 will come to the Commission for review and approval. Justification letters for those under \$500,000 will be prepared and retained in the project file.
- E. Bureau of Aeronautics projects that have less than two bidders and are over \$500,000 will come to the Commission for approval.
- F. Bureau of Aeronautics projects with low bid rejections or other bid issues will come to the Commission for review and approval.

Commission approval must be obtained before awarding a contract for a project which falls within one of these exceptions.

Projects that are proposed to be added to or deleted from the five-year or the one-year plan for enhancement and capital preventive maintenance will be brought to the Commission for approval.


If a project is moved from one fiscal year to another within the five-year plan, it does not need to be brought to the Commission for approval.

Adopted by the State Transportation Commission August 26, 1999; revised February 24, 2000.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10002	06-08-94
	SUPERCEDES	DATED
	CP 1000.02	06-08-94
RESPONSIBLE ORGANIZATION: Bureau of Highways		
SUBJECT: Transportation Safety		

Safety shall be a primary consideration for every project, program, and operation undertaken or sponsored by the Department. The Department shall prepare and submit to the Michigan State Transportation Commission an annual report on transportation safety programs and activities. This report shall include an evaluation of the effectiveness of traffic control practices and devices and shall include a discussion on the effect on safety of any changes in geometric standards on state trunkline highways. This report shall be distributed to the appropriate agencies and organizations, as determined by the Department.


Adopted by the State Transportation Commission June 8, 1994.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10003	06-08-94
	SUPERCEDES	DATED
	CP 1000.03	06-08-94
RESPONSIBLE ORGANIZATION: Executive Bureau		
SUBJECT: Commission Oversight		

The Commission will review major projects, programs, budgets and performance.

The Department will establish a system to report on performance, as related to the goals and objectives of the Commission and the Department, and will provide analyses and summaries of actions taken or to be taken to effect improvements in performance.

Adopted by the State Transportation Commission June 8, 1994.


 COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
	10004	07-27-00
	SUPERCEDES	DATED
	CP 10004	06-08-94
RESPONSIBLE ORGANIZATION: Executive Bureau		
SUBJECT: State Transportation Commission Open Meetings		

Meetings of the Michigan State Transportation Commission shall be held in accordance with the Open Meetings Act, the Americans with Disabilities Act, and all other acts, present and future, which are applicable to the Commission.

Pursuant to the Open Meetings Act, a person may:


1. Attend a meeting of the Commission that is open to the public and shall not be excluded except for a breach of the peace or order committed at the meeting.
2. Electronically record or broadcast the proceedings unless unreasonably disruptive to the order of the meeting.
3. Address the Commission subject to the following provisions:
 - A. For an accurate record in the meeting minutes, each person shall submit a completed Public Comment Card to the Commission Advisor or Commission Secretary prior to speaking.
 - B. The Chairman may limit the time a person may speak.

Adopted by the State Transportation Commission July 27, 2000.

	<p style="text-align: center;">COMMISSION POLICY</p>		IDENTIFIER	EFFECTIVE DATE
			10005	06-08-94
			SUPERCEDES	DATED
		CP 1000.05	06-08-94	
<p>RESPONSIBLE ORGANIZATION: Executive Bureau</p>				
<p>SUBJECT: Commission Policy Proposals - Input from Public/Interest Groups</p>				


Where time permits, the public and interest groups affected by policies proposed by the Department will be asked to comment on the draft policy before the Commission acts on the draft policy. However, the Commission may adopt a policy without regard to whether comments have been solicited. The failure to solicit comments shall neither delay nor invalidate any policy making action taken by the Commission pursuant to Const. 1963, ART. 5, SS 28.

Adopted by the State Transportation Commission June 8, 1994.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10006	06-08-94
	SUPERCEDES	DATED
	CP 1000.06	06-08-94
RESPONSIBLE ORGANIZATION: Bureau of Highways		
SUBJECT: Standard & Supplemental Transportation Construction Specifications		


The publication STANDARD SPECIFICATIONS FOR CONSTRUCTION shall be revised and republished by the Department, as needed, subject to the approval of the Commission. The Department may revise or supplement, in part, the published STANDARD SPECIFICATIONS FOR CONSTRUCTION without Commission approval if the changes present no significant departure from the overall policy of maintaining sound construction and bidding practices. However, the Commission may subsequently reject any revision or supplement to the published STANDARD SPECIFICATIONS FOR CONSTRUCTION if it finds the revision or supplement to be contrary to Commission policy.

Adopted by the State Transportation Commission June 8, 1994.

	<p style="text-align: center;">COMMISSION POLICY</p>		IDENTIFIER	EFFECTIVE DATE
			10007	06-08-94
			SUPERCEDES	DATED
			CP 1000.07	06-08-94
<p>RESPONSIBLE ORGANIZATION: Executive Bureau</p>				
<p>SUBJECT: Rejection of All Bids</p>				


If, prior to the awarding of a contract, the Department determines that the public interest is best served by the rejection of all bids, all bids shall be rejected. The final administrative decision to reject all bids shall be made by the Director or such other person(s) as may be duly designated by the Director to do so, in accordance with Commission Policy. If a contract award has been approved by the Commission prior to the rejection of all bids, the Department shall report to the Commission any determination to reject all bids. This report shall be for informational purposes only.

Adopted by the State Transportation Commission June 8, 1994.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10008	06-08-94
	SUPERCEDES	DATED
	CP 1000.08	06-08-94
RESPONSIBLE ORGANIZATION: Technological Services Division		
SUBJECT: Directives System		

The Department shall maintain a comprehensive management system for all major programs and processes. Such a system may include Commission Policies, Department Directives, Regulations, and Operating Instructions or other documentation as necessary to provide guidance to Department personnel for carrying out their responsibilities.

Adopted by the State Transportation Commission June 8, 1994.

 COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
	10009	06-08-94
	SUPERCEDES	DATED
	CP 1000.09	06-08-94
RESPONSIBLE ORGANIZATION: Bureau of Finance and Administration		
SUBJECT: Highway Travel Information Program		


The Department shall provide a comprehensive travel information program. The objectives of the program are to maximize Michigan tourism, provide rest areas for highway travelers, and information and services to the traveling public.

Information dispensed to the traveling public through this program should include, but not be limited to, travel information, maps, information about Michigan, its points of interest, and available accommodations.

The Department shall cooperate with the appropriate state and local agencies, both public and private, in providing space for the purpose of distributing, without charge, agricultural products and information to the traveling public at roadside facilities, such as welcome centers and rest areas, under such terms and conditions and at such facilities as the Department determines are appropriate for this purpose.

The travel information program will be coordinated with the appropriate state and local agencies, both public and private.

Adopted by the State Transportation Commission June 8, 1994.

	<p style="text-align: center;">COMMISSION POLICY</p>		IDENTIFIER	EFFECTIVE DATE
			10010	06-08-94
			SUPERCEDES	DATED
		CP 1000.10	06-08-94	
<p>RESPONSIBLE ORGANIZATION: Executive Bureau</p>				
<p>SUBJECT: Selection of the Transportation Economic Development Fund Office Administrator</p>				

The Michigan State Transportation Commission and the Director of the Michigan Department of Transportation shall work in concert and agree to select the Office Administrator for the Transportation Economic Development Fund. This working relationship may be further detailed in any accompanying document or memorandum executed by the Chairman of the Michigan State Transportation Commission and the Director of the Michigan Department of Transportation.

Adopted by the State Transportation Commission June 8, 1994.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10011	06-08-94
	SUPERCEDES	DATED
	CP 1000.11	06-08-94
RESPONSIBLE ORGANIZATION: Office of Governmental Affairs		
SUBJECT: Legislative Outreach		


The Department shall prepare an annual Legislative Outreach Plan. This plan shall target freshmen legislators and members of those committees in the House and Senate that review transportation issues, and have a direct impact on the operation of the Department.

The plan shall be consistent with directives from the Governor's Office and include a strategy to involve the Transportation Commission in the Outreach program. The Executive for Governmental Affairs, in consultation with the Advisor to the Commission, shall prepare the annual plan for presentation to the Commission for comment and review.

The plan should include, but not be limited to, programs and procedures to introduce new legislators to transportation and the Department, to keep legislators informed of transportation issues, both statewide and local, and to assist the legislators in promoting transportation goals.

The Office of Governmental Affairs shall be responsible for implementing the Legislative Outreach Plan.

Adopted by the State Transportation Commission June 8, 1994.


MDOT 3903 (3/98)		PAGE	1	OF	1
	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE		
		10012	03-29-07		
		SUPERCEDES	DATED		
		10012	08-10-04		
RESPONSIBLE ORGANIZATION:		Bureau of Aeronautics and Freight Services – Freight Services and Safety Division			
SUBJECT:	State Rail Freight Policy				

In accordance with 1976 Public Act (PA) 295, as amended, the Department of Transportation shall divest itself of the segments of state-owned rail property described in Section 474.60(2) of the act. The Department shall not enter into any agreement or arrangement where the state has or will have the potential to own or control additional active freight rail lines, except where the facility in question is directly connected to an existing state-owned rail facility with active rail service, enhances the value and/or marketability of the existing state-owned rail system, and the agreement or arrangement is approved by the State Transportation Commission.

The Department shall maintain an ongoing effort to preserve, support and improve essential and viable rail service through a program of technical assistance, loans, and grants for rail infrastructure. For economic development projects or for the purchase of a rail facility, the Department may grant and/or loan up to 50 percent of the total project cost to transportation companies, other private companies, local units of government, or community-based economic development organizations. For infrastructure improvement projects, the Department may loan up to 90 percent of the total project cost to local governments, railroads, and users of freight railroad services. All loans/grants shall be approved by the State Transportation Commission.

Department-owned rail corridors that do not have existing operating contracts shall be preserved for future rail use or other transportation purposes, including interim use as trails, in accordance with P.A. 295, or disposed of according to state statutes, State Transportation Commission policies, and Department procedures.

Adopted by the State Transportation Commission on March 29, 2007.

	COMMISSION POLICY		IDENTIFIER	EFFECTIVE DATE	
			10013	7/28/22	
	SUPERSEDES				
	CP 1000.13	Dated 06/08/94			
RESPONSIBLE WORK AREA: Real Estate					
SUBJECT: Right-of-Way Acquisition, Management, Clearance, and Sale					

PURPOSE:

When performing real estate activities, the Department must develop and maintain well-designed control activities that require the Department to demonstratively act in the best interest of the State, adhere to federal and all other governmental requirements, and exercise due diligence in its activities, including, but not limited to:

A. Recordkeeping. The Department shall maintain current, complete, and accurate inventory records for all real property interests, including those real property interests that the Department considers to be excess real property, and all authorized right of way (ROW^a) use agreements.

B. Acquisition of all real property, or such rights therein, as may be needed for transportation purposes. The Department will implement well-designed control activities that ensure the Department employees enforce federal requirements over conflicts of interest.


C. Clearance of improvements and personal property acquired by the Department within the ROW.

D. Declaration of Real Property Interests. Real property interests shall be declared Excess real property when, in the opinion of the Department, they are no longer needed for transportation purposes.

E. Disposal of Real Property Interests. Excess real property interests no longer needed for transportation purposes may be disposed of by direct sale or public auction sale.

1. If the direct sale is to a governmental agency:
 - a) The instrument of conveyance shall be restricted to a specific public use for a period of at least 10 years.
 - b) The direct sale must include a suitable reversionary covenant.

^a For the purposes of this policy, all property acquired as part of the right-of-way acquisition process shall be treated as ROW property.

	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
		10013	7/28/22
		SUPERSEDES	
		CP 1000.13	Dated 06/08/94
RESPONSIBLE WORK AREA: Real Estate			
SUBJECT: Right-of-Way Acquisition, Management, Clearance, and Sale			

2. Disposal of Excess Real Property shall be reported to the Commission in the following cases:
 - a) Direct sales.
 - b) Public auction sales of less than appraised value.
 - c) Exchanges valued at \$250,000 or more.
 - d) Relinquishments of easements valued at \$250,000 or more.


F. ROW Agreements

1. Real Property interests may be made available under a License Agreement, Lease Agreement, Rental Agreement, or Maintenance Use Agreement.
2. Agreements shall be reported to the State Transportation Commission for property having appraised value of \$250,000 or more.

G. Purchase of Property, Improvements/Personal Property removed from the ROW or ROW Agreements, by Department Employees, State Employees, State Transportation Commissioners, and/or family members^b.

1. Department employees, other State employees, State Transportation Commissioners, and/or their respective family members may:
 - a) Purchase excess real property interests by public auction, or by direct sale at the appraised fair market value.
 - b) Purchase improvements/personal property to be removed from the right-of-way by public auction, or by direct sale at the appraised value only after a property has been offered at public auction.
 - c) Enter into ROW agreements.
 - d) Not use information not yet publicly known to facilitate any transaction regarding items a-c, regardless of who benefits from the information.

^b Family members (including adoptive relationships) include any child, stepchild, grandchild, parent, stepparent, grandparent, spouse, former spouse, sibling, niece, nephew, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, or first cousin.

	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
		10013	7/28/22
		SUPERSEDES	
		CP 1000.13	Dated 06/08/94
RESPONSIBLE WORK AREA: Real Estate			
SUBJECT: Right-of-Way Acquisition, Management, Clearance, and Sale			


2. Prior to finalization of the direct sale or ROW agreement, the Department is required to request and receive attestations from prospective purchasers/lessees as to whether the prospective purchaser/lessee is a Department employee, State employee, State Transportation Commissioner, or is a family member^b of any, thereof. The Department shall follow up on and assess the propriety of transactions when a prospective purchaser asserts that they are a Department employee, State employee or a family member^b of a Department or State employee.

3. For all direct sales and ROW agreements involving Department employees, other State employees, and/or their respective family members^b, the Department must obtain approval from the Director. The information presented to the Director must include the attestation from the prospective purchaser/lessee discussed in item G.2. Also, direct sales and ROW agreements cannot be finalized until five business days after the Department has reported the intended sale/agreement to the State Transportation Commission, including the attestation discussed in item G.2.

For transactions relating to auctions, the Department must report auction details to the State Transportation Commission.

4. For transactions relating to auctions, ROW agreements and/or direct sales involving Commissioners and/or their family members, the Department shall timely forward to the Commission the attestation discussed in item G.2., as applicable. The involved Commissioner must obtain approval from the State Transportation Commission at an STC meeting.


Adopted by the State Transportation Commission.

 COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
	10014	04-20-23
	SUPERSEDES	DATED
	10014	03-31-11
RESPONSIBLE WORK AREA: Bureau of Highways		
SUBJECT: Utility Accommodation		

To regulate the accommodation of municipal utilities, private utilities, lines, and facilities within state highway right-of-way, the Michigan Department of Transportation (MDOT) shall develop and follow publicly available guidance that outlines the basis for the evaluation and approval by MDOT for requests to construct, maintain, or operate such lines and facilities upon, over, across, or under state highways. The guidance must be in compliance with all relevant federal and state laws and regulations.


Federal and state laws acknowledge it is in the public interest for utility facilities to be accommodated on state highway right-of-way. See 23 CFR, Part 645, and MCL 247.183. MDOT has statutory authority to regulate utility accommodations within highway right-of-way through a permit process governed by state laws. Such use and occupancy shall not adversely affect highway traffic and safety or impair highway aesthetic quality, as determined by MDOT, and shall not conflict with federal, state, and local laws, or regulations.

Adopted by the State Transportation Commission.


	COMMISSION POLICY		IDENTIFIER	EFFECTIVE DATE
			10015	09-25-96
			SUPERCEDES	DATED
			CP 1000.16	09-25-96
RESPONSIBLE ORGANIZATION: Executive Bureau				
SUBJECT: Consideration of Motorist Delay Cost During Project Scoping				

During the project scoping process, the Department shall consider the impact on motorists, including motorist delay cost, when determining the type of project rehabilitation to be used. Determination of when the work should take place (i.e. days, nights, weekends, off-season) and use of incentives/disincentives shall be made prior to the start of design and calculated as part of the cost of the project.

Adopted by the State Transportation Commission September 25, 1996.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10080	08-26-99
	SUPERCEDES	DATED
	NEW	
RESPONSIBLE ORGANIZATION: Bureau of Finance & Administration		
SUBJECT: Bonding		

The Department shall develop bonding guidelines to standardize and rationalize the issuance of long-term debt for the purpose of building transportation facilities. The ability to issue such long-term debt is authorized under Act 51 of 1951 as amended, and Section 9 Article IX of the Michigan Constitution. Under Act 51 of 1951, the Transportation Commission must review for approval all proposals to issue long-term debt for capital financed transportation projects. The department shall establish general guidelines that, in addition to other information available, consider long-term revenue projections, projected inflation, and the economic needs of the State for the State Transportation Commission to use in planning and reviewing long-term debt proposals for approval.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10083	09-23-99
	SUPERCEDES	DATED
	NEW	
RESPONSIBLE ORGANIZATION: Office of Equal Opportunity		
SUBJECT: Disadvantaged Business Enterprise Program Procedures		

The Department shall establish a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (US DOT), Code of Federal Regulations, 49 CFR Part 26. In as much as the Department receives federal financial assistance from the US DOT, and has signed an assurance that it will comply with 49 CFR Part 26, the Department shall formulate this DBE program consistent with federal regulations and guidelines, soliciting input from transportation industry members and other impacted individuals and groups prior to adopting a program plan.

Federal DBE Program Commitment

It is the policy of the Commission to pursue the US DOT objectives of the DBE program found in 49 CFR 26.1, which are:

- To ensure non discrimination in the award and administration of US DOT-assisted contracts in the Department’s highway, transit, and airport financial assistance programs;
- To create a level playing field on which DBEs can compete fairly for US DOT-assisted contracts;
- To ensure that the Department’s DBE program is narrowly tailored in accordance with the applicable law;
- To ensure that only firms that fully meet federal eligibility standards are permitted to participate as DBEs;
- To help remove barriers to participation of DBEs in US DOT-assisted contracts;
- To assist in the development of firms that can compete successfully in the marketplace outside the DBE program; and
- To provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs.

These policies shall be implemented by the Department as follows:

Department Responsibilities

The Director of the Department shall be responsible for implementation of the DBE program. The director shall designate a liaison officer to administer the program.

IDENTIFIER	EFFECTIVE DATE	SUPERCEDES	DATED:	PAGE OF
10083	09-23-99	NEW	09-23-99	2 2
RESPONSIBLE ORGANIZATION: Office of Equal Opportunity				
SUBJECT: Disadvantaged Business Enterprise Program Procedures				

Goals


The Department shall annually recommend DBE goals to the Commission. The Commission reserves the discretionary authority to review and change said goals prior to adoption of the goals by the Commission.

The Department shall use race neutral and race conscious means to meet the recommended overall goal(s). The Department shall set one combined goal for DBE where federal-aid funds are involved.

Contract goal(s) shall be set for specific US DOT-assisted construction, consulting, procurement, and service contracts or grants with subcontracting opportunities. Prospective recipients of Department contracts must assure the Department of their intent to meet the established goal(s) in order to be eligible for award.

The Department shall not use quotas in any way in the administration of the DBE program.

Adopted by the Michigan State Transportation Commission September 23, 1999.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10099	09-28-00
	SUPERCEDES	DATED
	NEW	
RESPONSIBLE ORGANIZATION: Bureau of Transportation Planning		
SUBJECT: Aesthetics		

The Michigan Department of Transportation (MDOT) (Department) shall protect, preserve and enhance its existing aesthetic resources wherever possible. This will include appropriate maintenance of trunkline roadsides, right-of-way, landscaping and aesthetic improvements, as well as protection of scenic areas and historic, cultural, architectural and environmental resources wherever possible.


As design, construction, improvement or repair of state trunkline roads, bridges and other facilities is undertaken, their aesthetic and visual quality, and that of the adjacent right-of-way, shall be routinely considered. Consideration of the aesthetic issues shall take into account relative factors such as the project context; existing cultural, topographic, architectural and vegetative features; how best to make a positive community contribution; safety; maintenance; and initial and long-term costs and benefits. The Department shall review the projects listed in the Five Year Road and Bridge Program for projects which provide opportunities to make aesthetic improvements.

A corridor approach to aesthetic treatments shall be undertaken where appropriate, working in conjunction with local authorities along the trunkline. Local participation in aesthetic work shall be required through public involvement, financial or in-kind participation and maintenance agreements.

The Department shall keep abreast of national efforts in aesthetic development relating to transportation facilities, in an effort to continue MDOT’s national leadership in this area, and shall provide training in “context-sensitive” design and aesthetic awareness for its personnel.


The Department shall develop guidelines for implementation of this policy.

Adopted by the Michigan State Transportation Commission on September 28, 2000.

 <p style="text-align: center;">COMMISSION POLICY</p>	IDENTIFIER	EFFECTIVE DATE
	10100	09-28-00
	SUPERCEDES	DATED
	NEW	
RESPONSIBLE ORGANIZATION: Executive Bureau		
SUBJECT: Units of Measurement		


The Michigan Department of Transportation (Department) shall utilize standard English units of measurement at each stage of design, construction, and maintenance for all projects commenced after the effective date of this policy. This policy shall not apply to projects the Department has designed, or substantially begun a design for, in metric prior to the effective date.

Adopted by the Michigan State Transportation Commission on September 28, 2000.

 COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE
	10135	04-25-02
	SUPERCEDES	DATED
	NEW	
RESPONSIBLE ORGANIZATION: Executive Bureau		
SUBJECT: Performance Warranties		

The Michigan Department of Transportation (Department) shall continue the development of highway warranties that encourage contractor innovation, as feasible, with an associated and appropriate level of contractor accountability for the performance of the highway. The enhanced opportunity for contractor input and control should be balanced by a greater assumption of warranty liability by the contractor. In general, contractor liability should be with regard to matters over which the contractors have an opportunity to exercise control, including circumstances in which contractors are given the opportunity to enhance a standard highway design to assure that it will meet the Department's desired performance standards.

Adopted by the Michigan State Transportation Commission on April 25, 2002.

MDOT 3903 (3/98)		PAGE	1	OF	2
	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE		
		10136	10-17-19		
		SUPERCEDES	DATED		
		10136	07-19-02		
RESPONSIBLE ORGANIZATION:		Executive Bureau			
SUBJECT:	Noise Abatement				

Federal environmental law defines two types of noise mitigation. Type I, or mandatory, noise abatement must be entered into in conjunction with “a proposed federal or federal-aid highway project for the construction of a highway on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes” (23 CFR 772.5(h)). The Michigan Department of Transportation (MDOT) follows all Federal laws, regulations, and guidelines for Type I noise abatement.


Type II, or voluntary, abatement is a proposed federal or federal-aid highway project for noise abatement on an existing highway. This typically occurs when people have somehow contributed to their own problem, usually by moving closer to the highway.

This policy addresses Type II noise abatement to limit the intrusion of highway noise into adjacent residential areas to reasonably achievable levels consistent with the U.S. Department of Transportation’s Code of Federal Regulations (CFR), and taking into consideration MDOT’s life-cycle cost analysis and safety requirements, as well as other technical and financial implications. To achieve this objective the Michigan State Transportation Commission (Commission) supports the following four approaches to alleviate traffic noise impacts:

1. ***Reduction of Noise at the Source.*** Reduction of traffic noise by design or treatment of the road surface is the most cost-effective noise control available to MDOT. Within the group of noise abatements that are reasonable and feasible under 23 CFR 772, and after MDOT’s life-cycle cost analysis has selected a pavement type and other technical and financial constraints, MDOT will use the quietest surface texture available when repaving/reconstructing a freeway in residential areas.
2. ***Noise Abatement.*** MDOT will attempt to locate, design, construct and operate state highways to minimize the intrusion of traffic noise into adjacent areas. When noise impacts occur, they may be attenuated by the most reasonable and prudent means.

MDOT will construct Type II sound walls only in years when MDOT’s Road and Bridge Program, excluding maintenance, exceeds \$1.0 billion, adjusted to the Consumer Price Index (CPI) using 2002 as the base year **and MDOT met its STC approved Road and Bridge condition goals, along with established FHWA Road and Bridge Performance Measures, the previous 3 fiscal years.** MDOT will not spend more than one half of one percent of the budget on sound walls. MDOT will give priority to those communities where the freeway was constructed through an existing neighborhood and where 80 percent or more of the existing residential units were there prior to the construction of the freeway. Communities must make application to MDOT and provide a local match of 10 percent of the cost of the sound wall.

3. ***Encouraging Compatible Adjacent Land Use.*** Cities and counties have the power to control

MDOT 3903 (3/98)		PAGE	2	OF	2
	COMMISSION POLICY	IDENTIFIER		EFFECTIVE DATE	
		10136		10-17-19	
		SUPERCEDES		DATED	
		10136		07-19-02	
RESPONSIBLE ORGANIZATION:		Executive Bureau			
SUBJECT:	Noise Abatement				


development by adoption of land-use plans and zoning, and by subdivision, building or housing regulations. The Commission encourages those who plan and develop land, and local governments controlling development or planning land use near known freeway locations, to exercise their powers and responsibility to minimize the effect of highway vehicle noise through appropriate land-use control. Where such land-use regulations are not in place, cities, townships and counties will not be eligible for MDOT noise mitigation assistance.

4. **Noise Abatement by Others.** The Commission encourages developers and local governments to coordinate their efforts to mitigate highway noise. This effort must be done without encroachment of MDOT's property right-of-way unless it is determined to be necessary, and authority granted to permit others to construct a sound barrier in the state's right-of-way. The barrier's design must meet MDOT's geometric, structural, safety and maintenance standards. MDOT shall assume no review authority or responsibility of any kind for the structural integrity or the effectiveness of a sound barrier constructed by others.

MDOT will monitor noise mitigation best practices in other states and provide an activity report to the Commission annually.

The Department shall develop instructions for the implementation of this policy.

Adopted by the State Transportation Commission on October 17, 2019.

MDOT 3903 (3/98)		PAGE	1	OF	3
	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE		
		10214	7/26/12		
		SUPERCEDES	DATED		
		NEW	7/26/12		
RESPONSIBLE ORGANIZATION:		MDOT			
SUBJECT:	Complete Streets				

Background

Public Act 135 of 2010 requires the development of a complete streets policy to promote safe and efficient travel for all legal users of the transportation network under the jurisdiction of the Michigan Department of Transportation (MDOT). Public Act 135 defines complete streets as "...roadways planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle."

The Complete Streets Advisory Council (CSAC) also was created by Public Act 135 of 2010 to advise the State Transportation Commission (STC) as it developed this policy. CSAC members were appointed by the Governor and represent a broad cross-section of transportation system owners, users, and stakeholders, including MDOT and the STC.

The STC is authorized by the State Constitution to set policy for MDOT, and in that role has enacted this Complete Streets policy. MDOT is responsible for implementation of Commission policy for those portions of the transportation system that are under its jurisdiction – about 10,000 of the 110,000 miles of roads, bridges and highways in Michigan. In addition, MDOT, in its role of administering the local federal-aid program in Michigan, can help local jurisdictions understand the provisions of this policy and work with them to further the development of complete streets.

Vision

The STC supports the vision statement as adopted by the CSAC.


- A *transportation network* that is accessible, interconnected, and multimodal and that safely and efficiently moves goods and people of all ages and abilities throughout the State of Michigan.
- A *process* that empowers partnerships to routinely plan, fund, design, construct, maintain and operate complete streets that respect context and community values.
- *Outcomes* that will improve economic prosperity, equity, accessibility, safety, and environmental quality.

Purpose

This policy provides guidance to MDOT for the planning, design, and construction or reconstruction of roadways or other transportation facilities in a manner that promotes complete streets as defined by the law, and that is sensitive to the surrounding context.

MDOT will pursue a proactive and consistent approach to the development of complete streets, in keeping with its mission to provide the highest quality integrated transportation services for economic benefit and improved quality of life. A successful complete streets approach will require mutual commitment and collaboration on the part of transportation agencies, stakeholders and the public to identify appropriate opportunities to plan, develop, construct, operate and maintain infrastructure without undue costs or scheduling burdens.

MDOT will consider complete streets features for roadways and other transportation facility construction or reconstruction projects it undertakes, or permits other public or private entities to construct within the state trunk line right of way, working through its context sensitive solutions process. The department will use this process and work with customers, local residents, road users and stakeholders to analyze proposed projects for

MDOT 3903 (3/98)		PAGE	2	OF	3
	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE		
		10214	7/26/12		
		SUPERCEDES	DATED		
		NEW	7/26/12		
RESPONSIBLE ORGANIZATION:		MDOT			
SUBJECT:	Complete Streets				

the opportunity to design and construct facilities that contribute to complete streets. As part of that analysis, the department will consider:

- Local context and recognize that needs vary according to regional urban, suburban, and rural settings;
- The functional classification of the roadway, as defined by the Federal Highway Administration and agreed to by MDOT and local transportation agencies;
- The safety and varying mobility needs of all legal users of the roadway, of all ages and abilities, as well as public safety;
- The cost of incorporating complete streets facilities into the project and whether that cost is proportional to the overall project cost, as well as proportional to the current or future need or probable use of the complete streets facility;
- Whether adequate complete streets facilities already exist or are being developed in an adjacent corridor or in the area surrounding the project;
- Whether additional funding needed to incorporate the complete streets facility into the project is available to MDOT or as a contribution from other transportation or government agencies from federal, state, local or private sources.

MDOT is encouraged to use low-cost solutions to increase safety and mobility where practical, but to recognize that more costly improvements may be needed on some facilities.


MDOT also is encouraged to take a network approach to the provision of multi-modal access, and recognize that improvements to a part of the road network outside MDOT’s jurisdiction might provide a more viable alternative and safer access for all users. MDOT will encourage local jurisdictions to develop local and regional transportation plans that ensure projects are consistent and appropriate to the context. MDOT will work with local road agencies and its grant and funding recipients to encourage network continuity. Responsibilities for operation and maintenance of facilities in MDOT right-of-way shall be determined and outlined prior to construction of such facilities, except where a pre-existing maintenance agreement is in place. Maintenance agreements will be required as a provision of the entire project. Local responsibility for complete streets facility maintenance, in particular for facilities outside the travel portion of a street, such as transit and non-motorized facilities, will be critical for many projects.

MDOT will recognize the long-term nature of transportation investment and anticipate not only current transportation demand, but also likely future uses as well, in considering and developing complete streets. Depending on the context and potential use, provisions may be needed to ensure safe and convenient access for all users.

Complete streets and their viability can be impacted by planning and permitting as well as infrastructure. MDOT will work with local governments as needed to encourage thoughtful planning and permitting that supports the goals and the vision of this complete streets policy.

Implementation

By December 31, 2013, MDOT will develop or revise procedures and guidelines needed to implement this policy. As part of that effort, MDOT shall establish a clear procedure for reviewing and approving exceptions to the policy, the conditions under which an exception may be granted, and who may approve such exceptions.

MDOT 3903 (3/98)		PAGE	3	OF	3
	COMMISSION POLICY	IDENTIFIER	EFFECTIVE DATE		
		10214	7/26/12		
		SUPERCEDES	DATED		
		NEW	7/26/12		
RESPONSIBLE ORGANIZATION:		MDOT			
SUBJECT:	Complete Streets				

Facilities will be designed and constructed in accordance with current applicable laws and regulations, approved engineering standards and accepted best practices while preserving continued eligibility for federal-aid.

MDOT will report back to the STC annually after the adoption of this policy to: 1) give a progress report on implementation, including any information/examples to gauge MDOT's performance, and 2) to report any exceptions granted and the reasons for those exceptions. This reporting will include the required Context Sensitive Solutions annual review as required by the STC Policy adopted May 26, 2005.

This policy will apply to all projects undertaken by MDOT, large and small, considerate of the level of the proposed project work. As part of MDOT's responsibility to FHWA to administer the local federal-aid program in Michigan, MDOT shall work with local road agencies that are undertaking road or bridge projects with federal funds, and encourage them to observe the provisions of this policy in order to help address the need for a network of complete streets throughout Michigan.

In addition, the STC encourages MDOT to continue its education support programs for staff and partner with others to provide training and information for all legal users and law enforcement regarding shared responsibilities.

This policy on complete streets is intended to supplement Commission Policy Number 10138 on Context Sensitive Solutions.

Adopted by the Michigan State Transportation Commission on July 26, 2012.



COMMISSION POLICY

IDENTIFIER

10237 (was 10137)

SUPERSEDES

NEW

EFFECTIVE DATE

10-28-04

DATED

RESPONSIBLE ORGANIZATION: Intermodal Policy Division

SUBJECT: Border Crossing Policy

The world's largest bilateral trade relationship exists between the United States and Canada, with Michigan positioned as a leader in international trade. Goods and people moving across Michigan's borders significantly impact the economies of Michigan and Ontario, and the economies of the United States, Canada, and other nations. Recognizing Michigan's vision and common goals with Ontario to establish and maintain a transportation border that facilitates and encourages the seamless, safe, and secure transport of goods, people, and services in a cost-efficient and timely manner, the Michigan Department of Transportation shall:

1. Work to assure adequate transportation capacity at Michigan's border crossings to facilitate, advance, and in part provide for the seamless movement of people and goods between Michigan and Ontario.
2. Provide for the protection of and upgrade the transportation facilities on our borders through collaborative initiatives with the private sector and other governmental agencies to provide an appropriate level of redundancy among crossings and to ensure continued access for international trade and commerce between the U.S. and Canada.
3. Study needs for improving and expanding the transportation structures and infrastructures, and identify advancing technologies through persistent research and analysis in order to continue to adapt to the demand of international trade and commerce.
4. Work to enhance cooperation, coordination, and communication with U.S. and Canadian border inspection and transportation agencies, local and regional governments, private operators, crossing users, neighborhoods, and other stakeholders affected by border crossings, in order to facilitate continued improvement to both the mobility and safety of border crossings.
5. Collaborate closely with state, local, provincial and private sector partners to proactively address topics of mutual interest that impact border crossings.
6. Work to increase federal funding for border transportation infrastructure capacity and safety improvements, and to use funding effectively to achieve the intent of this policy.
7. Work cooperatively with the other agencies responsible for improvements to border inspection processes, and encourage them to facilitate the movement of low-risk passengers and cargo, provide adequate inspection staffing levels, and implement the utilization of technological advancements that can reduce border transit times while enhancing security.

Adopted by the Michigan State Transportation Commission on October 28, 2004.



COMMISSION POLICY

IDENTIFIER

10238 (was 10138)

SUPERSEDES

NEW

EFFECTIVE DATE

5-26-05

DATED

RESPONSIBLE ORGANIZATION: Bureau of Highway Development

SUBJECT: Context Sensitive Solutions

The Governor's Executive Directive 2003-25 defines context sensitive design as "a collaborative, interdisciplinary approach involving stakeholders for the development of a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, cultural, and environmental resources, while maintaining safety and mobility."

The Michigan Department of Transportation (MDOT) will pursue a proactive, consistent, and Context Sensitive Solutions (CSS) process in keeping with its mission to provide the highest quality integrated transportation services for economic benefit and improved quality of life. A successful CSS program will require mutual commitment on the part of both transportation agencies and stakeholders to identify appropriate opportunities to plan, develop, construct, operate, and maintain infrastructure in accordance with CSS principles without undue costs or scheduling burdens.

The Department will incorporate an appropriate level of CSS into its Transportation Program consistent with CSS principles which include:

- Early and Continuous Public Involvement
- Effective Decision Making
- Reflecting Community Values
- Achieving Environmental Sensitivity and Stewardship
- Ensuring Safe and Feasible Integrated Solutions
- Protecting Scenic Resources and Achieving Aesthetically Pleasing Solutions

MDOT will develop or revise procedures and guidelines to expand the use of CSS for state transportation projects. The procedures and guidelines will:

- Promote partnerships with local governments, state agencies, business, community groups, and transportation system users and providers to better coordinate resources.
- Use flexibility within state and federal design standards, and develop alternate state standards where appropriate, without compromising safety and mobility.
- Encourage early and continuous dialog with stakeholders on defining the transportation problems and solutions during project planning and development.
- Use integrated transportation solutions to enhance access to jobs, support economic development activities with local government and other state agencies, and preserve the environment.



COMMISSION POLICY

IDENTIFIER

10238 (was 10138)

SUPERSEDES

NEW

EFFECTIVE DATE

5-26-05

DATED

RESPONSIBLE ORGANIZATION: Bureau of Highway Development

SUBJECT: Context Sensitive Solutions

- Consider the need for integrated transportation options in the early planning and development process for transportation improvements, especially for state highway, bridge, and safety projects which construct, reconstruct, or relocate a roadway, bridge, or intersection.
- Promote the use of CSS principals with local land use and transportation agencies.

The Department will report back to the Commission six months after adoption of this policy, to give a progress report on implementation. After the initial report to the Commission, the Department will present an annual review of implementation progress to the Commission.

Adopted by the Michigan State Transportation Commission on May 26, 2005.

Commission Advisor: Frank E. Kelley

Date: May 26, 2005



COMMISSION POLICY

IDENTIFIER

10239 (was 10139)

SUPERSEDES

NEW

EFFECTIVE DATE

7-28-05

DATED

RESPONSIBLE ORGANIZATION: Bureau of Finance and Administration

SUBJECT: Self-Insurance Program for Mackinac Bridge

A self-insurance program for risk exposures at the Mackinac Bridge may be maintained where such a program will result in long-term cost savings for the State of Michigan. The Department may enter into agreements with the Department of Management and Budget or other parties to structure such programs. To satisfy claims arising out of the maintenance and operation of the Mackinac Bridge, the Department may expend available revenue from the State Transportation Fund that may be used for that purpose augmenting, as may be necessary, a reserve account, the funding of which is worked out with the Mackinac Bridge Authority.

In the event that the Department begins such a self-insurance program and then decides to return to purchasing traditional insurance, it is the intent of the Commission that the Department shall provide notice of the change to the Mackinac Bridge Authority allowing a period of six months, if possible, to take any measures necessary to make the change.

Adopted by the Michigan State Transportation Commission on July 28, 2005.

Commission Advisor: Frank E. Kelley

Date: July 28, 2005



COMMISSION POLICY

IDENTIFIER

10240 (was 10140)

SUPERSEDES

NEW

EFFECTIVE DATE

1-25-07

DATED

RESPONSIBLE ORGANIZATION: MDOT

SUBJECT: Tribal Affairs Policy

On May 12, 2004, Governor Granholm signed Executive Directive 2004-5 to carry out commitments from the 2002 Government-to-Government Accord with Michigan's federally-acknowledged Indian tribes. This Michigan Department of Transportation (MDOT) policy ensures that MDOT operates in accordance with the Governor's Executive Directive 2004-5 and federal law. This directive reaffirms the recognition of and fully supports the government-to-government relationship that exists between the State of Michigan and federally-acknowledged Michigan Indian tribes. It aligns with MDOT's mission to provide the highest quality integrated transportation services for economic benefit and improved quality of life. Through this policy, MDOT will pursue a proactive and consistent process in tribal affairs.

1. MDOT shall appoint an individual (Tribal Affairs Coordinator) to be responsible for department-wide coordination of the Tribal Affairs Program, operating under the guidance of the Director and the Chief Administrative Officer. The Tribal Affairs Coordinator shall annually report departmental interaction with the governments of the federally-acknowledged Indian tribes to the Governor's Advisor on Tribal-State Affairs.
2. MDOT shall prepare Tribal Affairs Program procedures/guidelines consistent with directives from the Governor's office, which shall identify the roles and responsibilities of the department and coordinator in the function and administration of these government-to-government relationships. In accordance with federal and state laws, regulations, and policies, the department will incorporate early and continuous government-to-government consultations with federally-recognized tribes into the development of processes and products on any issue that may impact tribal interests including, but not limited to, the following:
 - State Long-Range Transportation Plans
 - Pending and/or Proposed Policies, Rules, Legislation, and/or Regulations
 - Five-Year Transportation Program
 - State Transportation Improvement Program
 - Memorandums of Agreement/Understanding
 - Project Accord Agreements
 - Asset Management
 - Access Management
 - Context Sensitive Solutions
 - Tribal Affairs Annual Report
 - Indian Reservation Roads Inventory



COMMISSION POLICY

IDENTIFIER

10240 (was 10140)

SUPERSEDES

NEW

EFFECTIVE DATE

1-25-07

DATED

RESPONSIBLE ORGANIZATION: MDOT

SUBJECT: Tribal Affairs Policy

3. The Tribal Affairs Coordinator will be responsible for facilitating the implementation of the Tribal Affairs Program Procedures/Guidelines. The department shall provide the State Transportation Commission with an annual review and report, including an outreach plan.

Adopted by the Michigan State Transportation Commission on January 25, 2007.

Commission Advisor: Frank E. Kelley

Date: January 25, 2007