

Legislative Analysis



FEASIBILITY STUDY AND IMPLEMENTATION PLAN FOR TOLLING HIGHWAYS IN MICHIGAN

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Senate Bill 871 as reported from House committee
Sponsor: Sen. Wayne Schmidt
House Committee: Transportation
Senate Committee: Transportation and Infrastructure
Complete to 4-26-22

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 73 of 2022)

SUMMARY:

Senate Bill 871 would amend 1951 PA 51 (“Act 51”) to extend the date by which a written report must be delivered on a feasibility study and strategic implementation plan on tolling Michigan highways. Under the bill, the report would be due on January 31, 2023, instead of July 8, 2022.

Specifically, the bill would amend section 10r, which was added to Act 51 by 2020 PA 140 (Senate Bill 517 of the 2019-20 legislative session).¹

2020 PA 140 required the Michigan Department of Transportation (MDOT) to engage an outside consulting firm to conduct a feasibility study and strategic implementation plan on tolling Michigan highways.

2020 PA 140 also required a written report on the feasibility study and strategic implementation plan to be delivered to specified legislative and executive branch recipients² no later than 24 months after the effective date of that amendatory act.

2020 PA 140 took effect July 8, 2020. As a result, the statutory due date for the report is currently July 8, 2022.

Senate Bill 871 would change the statutory report due date from July 8, 2022, to January 31, 2023.

MCL 247.661r

FISCAL IMPACT:

As noted above, 2020 PA 140 required MDOT to engage an outside consulting firm to conduct a feasibility study and strategic implementation plan on tolling Michigan highways. In the fall of 2020, MDOT selected HNTB, a national engineering-consulting firm, as the consultant to

¹ 2020 PA 140 (SB 517): <http://legislature.mi.gov/doc.aspx?2019-SB-0517>

² The specified report recipients are the governor, the majority and minority leaders of the Senate, the speaker and minority leader of the House of Representatives, the Senate and House appropriations subcommittees on transportation, and the chairs of the Senate and House standing committees on transportation.

perform the study.³ Representatives of MDOT and HNTB indicate that the study has been delayed because of changes in commuting habits due to the COVID-19 pandemic.

The contract between MDOT and HNTB is a cost-plus fixed fee contract with an estimated cost or value of \$3.3 million. The contract cost is supported 80% with federal-aid highway funds from the State Planning and Research (SPR) program and 20% with matching funds from the State Trunkline Fund. MDOT indicates that the contract will need to be amended by September 30, 2022, to extend the contract end date into FY 2022-23 but that the time extension will not increase contract cost.

There would be no direct cost to local units of government.

POSITIONS:

A representative of HNTB Corporation testified in support of the bill. (3-15-22)

The following entities indicated support for the bill:

- Michigan Department of Transportation (3-15-22)
- Operating Engineers 324 (3-22-22)

Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

³ See also: <https://www.mitollingstudy.com/>