



State Transportation Commission Adopted Policies


Compiled 1/31/2025

**STATE TRANSPORTATION COMMISSION
ADOPTED POLICIES**

COMPILED 1/31/2025

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|  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.

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| 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.

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| 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.

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|  <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.

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|  COMMISSION POLICY | 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.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

Commission Policy 10004

State Transportation Commission Open Meetings

Identifier: 10004 **Effective Date:** 7-27-00
Supersedes: 10004, dated 7-27-00 **Last Reviewed:** 11-7-24


Meetings of the Michigan 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 electronically record or broadcast the proceedings unless unreasonably disruptive to the order of the meeting. Also, a person may address the Commission subject to the following provisions:

1. 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.
2. The Chairman may limit the time a person may speak.

Adopted by the State Transportation Commission.

Responsible Area: Executive Bureau

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|  COMMISSION POLICY | IDENTIFIER | EFFECTIVE DATE |
| | 10005 | 06-08-94 |
| | SUPERCEDES | DATED |
| | CP 1000.05 | 06-08-94 |
| RESPONSIBLE ORGANIZATION: Executive Bureau | | |
| SUBJECT: Commission Policy Proposals - Input from Public/Interest Groups | | |

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.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

Commission Policy 10006

Standard Specifications for Construction

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|--------------------|------------------------|------------------------|---------|
| Identifier: | 10006 | Effective Date: | 6-8-94 |
| Supersedes: | CP 10006, dated 6-8-94 | Last Reviewed: | 1-30-25 |

The publication STANDARD SPECIFICATIONS FOR CONSTRUCTION shall be revised and republished by the Department, as needed. The Department may revise or supplement, in part, the published STANDARD SPECIFICATIONS FOR CONSTRUCTION if the changes present no significant departure from the overall policy of maintaining sound construction and bidding practices.

Adopted by the State Transportation Commission.

Responsible Area: Bureau of Field Services, Construction Field Services Division



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

Commission Policy 10009 Highway Travel Information Program

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|--------------------|---------------------|------------------------|---------|
| Identifier: | 10009 | Effective Date: | 6-8-94 |
| Supersedes: | 10009, dated 6-8-94 | Last Reviewed: | 11-7-24 |

The Michigan Department of Transportation (MDOT) shall provide a comprehensive travel information program. The objectives of the program are to maximize tourism within the State of Michigan and provide information and services to the traveling public.

Information dispensed to the traveling public through this program should include, but not be limited to:

- Materials that promote tourism within the State of Michigan
- Destinations, attractions, activities, and events
- Points of interest and state landmarks
- State and local maps
- Available accommodations

MDOT reserves the right to determine which materials are deemed appropriate for fulfilling the needs of the traveling public.

MDOT shall cooperate with the appropriate state and local agencies, both public and private, for the purpose of distributing travel literature and information about the State of Michigan. Under these terms and conditions, MDOT will be responsible for determining the appropriate facilities and specific details about the literature program. This program will provide information to the traveling public, free of charge.

Adopted by the State Transportation Commission.

Responsible Area: Bureau of Finance and Administration.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

**Commission Policy 10011
Legislative Outreach**

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|--------------------|---------------------|------------------------|--------|
| Identifier: | 10011 | Effective Date: | 6-8-94 |
| Supersedes: | 10011, dated 6-8-94 | Last Reviewed: | 8-1-24 |


Consistent with directives from the Governor's Office, the Department shall communicate with incoming legislators and committees whose activities affect transportation issues or operations.

The Office of Governmental Affairs shall be responsible for such communications that should include, but not be limited to, programs and procedures to:

- introduce new legislators to the Department,
- keep legislators informed of transportation issues, both statewide and local, and
- assist the legislators in promoting transportation goals.

Adopted by the State Transportation Commission.

Responsible Area: Office of Governmental Affairs


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| 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.

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|  | 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.

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|  | 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.

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|  | 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.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

**Commission Policy 10014
Utility Accommodation**


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|--------------------|----------------------|------------------------|---------|
| Identifier: | 10014 | Effective Date: | 4-20-23 |
| Supersedes: | 10014, dated 3-31-11 | Last Reviewed: | 8-1-24 |

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 municipal utilities, private utilities, 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.

Responsible Area: Development Services Division

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|  <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.

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|  <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 |
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| 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.

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|  <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.

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|  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.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

Commission Policy 10136 Noise Abatement

Identifier: 10136 **Effective Date:** 10-17-19
Supersedes: 10136, dated 10-17-19 **Last Reviewed:** 1-30-25

Federal law (23 CFR 772.5) defines three types of federal or federal-aid highway projects concerning noise abatement:

- **Type I (Mandatory):** Involves noise abatement for new highway construction or significant physical alteration to an existing highway, such as changes in horizontal or vertical alignment, or an increase in through-traffic lanes.
- **Type II (Voluntary):** Involves noise abatement on an existing highway where there is no Type I project.
- **Type III:** Projects that do not fall under Type I or Type II and do not require a noise analysis.

MDOT shall establish and implement criteria for utilizing noise abatement measures in relation to Type II (Voluntary) projects.

MDOT shall submit an annual report to the Commission detailing all Type II (Voluntary) activities undertaken during the year. The report shall include, but is not limited to, the location, cost, and prioritization criteria.

Adopted by the State Transportation Commission.

Responsible Area: Environmental Services Section

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|  | 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

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| | | 10214 | 7/26/12 | | |
| | | SUPERCEDES | DATED | | |
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| 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.

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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.



STATE OF MICHIGAN

STATE TRANSPORTATION COMMISSION

Commission Policy 10237

Border Crossing Policy

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| Identifier: | 10237 | Effective Date: | 10-28-04 |
| Supersedes: | 10237, dated 10-28-04 | Last Reviewed: | 1-30-25 |

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 efficient, reliable, 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 multimodal transportation capacity at Michigan's border crossings to facilitate, advance, and provide for the efficient, reliable, safe, and secure 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 to provide an appropriate level of fluidity, redundancy, and resilience among crossings to mitigate supply chain disruptions and ensure continued economic competitiveness and prosperity of North America.
3. Study needs for improving and expanding the transportation structures and infrastructures across all modes and identify advancing technologies through persistent research and analysis in order to continue to strengthen transportation linkages and adapt to the demand of international supply chains.
4. Work to enhance cooperation, coordination, and communication with U.S. and Canadian border inspection and transportation agencies, local and regional governments, crossing 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 with federal, 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.

Adopted by the Michigan State Transportation Commission.

Responsible Area: Office of Rail



COMMISSION POLICY

IDENTIFIER

10238 (was 10138)

EFFECTIVE DATE

5-26-05

SUPERSEDES
DATED

NEW

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


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| | | 10240 (was 10140) | 7-23-20 |
| | | SUPERSEDES | DATED |
| | | NEW | |
| 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. In addition, on October 31, 2019, Governor Whitmer signed Executive Directive 2019-17 on State-Tribal Relations. This Michigan Department of Transportation (MDOT) policy ensures that MDOT operates in accordance with the Governor’s Executive Directives 2004-5, 2019-17 and federal law. These directives reaffirm 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 and extends commitments with Michigan’s federally-acknowledged Indian tribes to recognize their sovereignty and right of self-governance.

The following policy sections pertaining to the consultation process will adhere to the framework and requirements as set forth in Executive Directive 2019-17 yet remain flexible to meet the particular needs and circumstances of each consultation.

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. Additionally, the Tribal Affairs Coordinator will participate in the annual summit, the annual Tribal-State Forum, and monthly tribal-state conference calls.

2. MDOT shall prepare and shall update existing 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

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| | | SUPERSEDES | DATED |
| | | NEW | |
| RESPONSIBLE ORGANIZATION: MDOT | | | |
| SUBJECT: Tribal Affairs Policy | | | |

- Context Sensitive Solutions
- Tribal Affairs Annual Report
- Indian Reservation Roads Inventory

3. MDOT shall perform government-to-government consultation with federally-recognized tribes following the steps outlined in Executive Directive 2019-17:

- Step One – Identification:
 - MDOT will use the following mechanisms to identify activities appropriate for consultation:
 - i. State Initiated Identification
 - ii. Tribal Government Initiated Identification
 - iii. Other Resources
- Step Two – Notification
- Step Three – Input
- Step Four – Follow-up

Identification definitions and further details on consultation steps are outlined in the MDOT Tribal Affairs Program Procedures/Guidelines.

4. 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.

5. MDOT will provide annual training on Tribal-State relations for department employees with direct Tribal interaction or those working on matters that have direct implications for tribes, as further defined in the MDOT Tribal Affairs Program Procedures/Guidelines.

Adopted by the Michigan State Transportation Commission on July 23, 2020.

Commission Advisor: _____

Date: _____