



Interurban Transit Partnership

Planning & Technology Committee Members

Mayor Rosalynn Bliss	Jack Hoffman	Andy Guy	Terry Schweitzer (Chair)	Paul Troost
	Citizen Members:	Ryan Anderson	Dave Bulkowski	

PLANNING & TECHNOLOGY COMMITTEE MEETING

Monday, March 11, 2024 – 8:30 a.m.

Rapid Central Station Conference Room (250 Cesar Chavez Avenue, SW)

AGENDA

	<u>PRESENTER</u>	<u>ACTION</u>
1. PUBLIC COMMENT		
2. MINUTES REVIEW – January 8, 2024	Terry Schweitzer	Review
3. DISCUSSION		
a. TMP Update	Nick Monoyios	Information
b. 131 – PEL Study Update	Nick Monoyios	Information
c. TDM Update	Nick Monoyios	Information
d. Amphitheater & Soccer Stadium Update	Nick Monoyios	Information
e. Feonix – Mobility Rising Update	Kevin Wisselink	Information
f. On-Demand Study Update	Jason Prescott	Information
g. Optibus Update	James Nguyen	Information
h. GRCC All-Access Pass Update	Adam Erber	Information
i. APTA Marketing/Communications Conference Recap	Cassi Cooper	Information
j. IT Strategic Plan Update	Andy Prokopy	Information
k. Update on VMT Fee Policy Proposal	Jack Hoffman	Information
4. ADJOURNMENT		

Next meeting: May 13, 2024



Future Planning & Technology Committee Members

Mayor Rosalynn Bliss

Jack Hoffman
Citizen Members:

Andy Guy
Ryan Anderson

Terry Schweitzer (Chair)
Dave Bulkowski

Paul Troost

PLANNING & TECHNOLOGY COMMITTEE MEETING MINUTES

Monday, January 8, 2024 – 8:30 a.m.

Rapid Central Station Conference Room (250 Cesar E Chavez Avenue, SW)

ATTENDANCE:

Committee Members Present:

Terry Schweitzer, Dave Bulkowski, Jack Hoffman, Mayor Bliss, Paul Troost, Andy Guy

Committee Members Absent:

Ryan Anderson

Staff Attendees:

Steve Clapp, Kris Heald, Deron Kippen, Linda Medina, Nick Monoyios, James Nguyen, Deb Prato, Jason Prescott, Andy Prokopy, Steve Schipper, Mike Wieringa, Kevin Wisselink

Other Attendees:

Adam Erber, Max Dillivan

Mr. Schweitzer called the meeting to order at 8:32 a.m.

1. PUBLIC COMMENT

No public comment

2. MINUTES November 6, 2023

Chairman Schweitzer asked if there were any changes or corrections to the minutes. There were none. The meeting minutes from November 6, 2023, were approved as submitted.

3. DISCUSSION

a. TMP Update – Mr. Monoyios

Mr. Monoyios gave a brief high-level update on the progress of the TMP and what is on deck. He referenced the timeline in the meeting packet.

Some items that are being finalized are Joint Development opportunities, Corridor Analysis Planning and Performance Guidelines, Admin and Staff Evaluations, and the big one, Financial and funding analysis. Mid-December ended the first round of public engagement. We received over 1100 online surveys completed.

Mr. Monoyios noted the team is working with Mr. Patrick Waterman and others from the original task force to finalize the implementation of West Michigan Express.

Mr. Schweitzer asked if there would be an interface with Line Haul service in Grandville.

Mr. Monoyios replied the eastbound alignment on 196 to 96 which gets off at College Ave, wraps around with Silver Line and Laker Line, and will terminate at Central Station.

Ms. Prato added commentary regarding funding from the Governor's office for West Michigan Express.

Mr. Monoyios elaborated that Mr. Tim Fischer, who is on the Steering Committee, reached out to Mr. Monoyios and asked how much the West Michigan Express is going to cost. The Rapid complied with all the information we had at that time and came up with a three (3) year pilot for \$10M.

Mr. Bulkowski asked if there would be a stop in Grandville for West Michigan Express.

Mr. Monoyios replied that pre-pandemic there was a stop planned, but after the pandemic, based on travel patterns, there was a stronger connection point at Rivertown. This was looked at in the feasibility study. If the demand continued to grow, we could connect it.

Mr. Troost stated he wasn't aware that the Grandville stop was dropped out. He would like to look at it more closely.

Mr. Monoyios will get more information for Mr. Troost at the next meeting.

b. 2024 Planning & Technology Calendar – Mr. Monoyios

Mr. Monoyios noted this calendar was in your packet for reference.

Mr. Schweitzer confirmed there is money in the operating budget available for board members to attend.

c. State of Transit – Mr. Monoyios

Mr. Monoyios reviewed a look at perceptions of financial strategy for the TMP.

Mr. Monoyios shared some results from the GVMC 2023 Survey:

- Increasing the gas tax slightly
- Increasing property taxes slightly
- Creating a voluntary fund for residents to submit donations.

The Rapid's 2023 Community Value Survey:

- Most respondents either do not ride or used to ride.
- Those who do not ride responded that funding should be higher.

Topmost requested improvements:

- Additional funding
- More frequency
- Weekend Routes
- Expanded Service Area

Research shows that young people prefer to rely on public transportation and not on motorized transportation. The legislature should authorize regional transit authorities with a mandate to develop integrated sustainable regional multimodal transportation to provide mobility for all of Michigan.

Mr. Hoffman added that the three (3) regions of the state that are growing are, the West Michigan Grand Region, the University Access, East Lansing and Ann Arbor, Southwest Michigan, and Troy, Michigan.

d. Growing Michigan Together Council Update – Mr. Hoffman

Mr. Hoffman referenced and read his report that was in the meeting packet.

The good news is Governor Whitmer has appointed a Chair for the Transportation Commission, and she also reappointed the two commissioners whose terms had expired.

Mayor Bliss' comments were the information Mr. Hoffman provided was very helpful. She felt the 3rd page was the most compelling and she is wondering if it can be put in a chart. She also liked the comparison with Illinois and wondered if Mr. Hoffman looked at other states in the Midwest.

Mr. Hoffman confirmed Illinois is the only state that does VMT.

4. ADJOURNMENT

This meeting was adjourned at 9:31 a.m.

The next meeting is scheduled for March 11, 2024

Respectfully submitted,



Kris Heald, Board Secretary



3a



THRIVING

Planning and Technology Committee Meeting

March 11, 2024

A framework for the future of connectivity.

Agenda

Project Overview

- Status Updates

Past Committee Meetings Recap

- Steering Committee Activities
- Planning and Technology Committee Goals

Needs and Opportunities Discussion

Next Steps

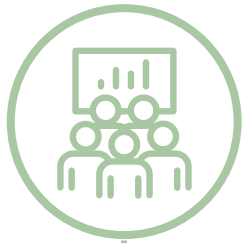


Project Status

IN PROGRESS

COMPLETE

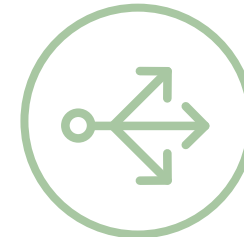
IN PROGRESS



Public Involvement
Building partnerships (throughout the process, public workshops targeted for Fall 2023 and Spring 2024)



Market Analysis
Transit demand, travel patterns, mobility need



Future Options and Scenarios Analysis
Who and where to serve? How?



Existing and Future Conditions Analysis
Strengths, weaknesses, opportunities, threats



Peer Review
Best practices from similar and aspirational mobility providers

COMPLETE

COMPLETE

Project Status

COMPLETE



West Michigan Express Planning

Reassess feasibility, develop implementation plan

IN PROGRESS



Planning Guidelines, Policies and Performance Measures

How to measure and ensure success?

IN PROGRESS



Administrative and Operational Staffing Evaluation

How to staff?



Corridor Analysis

Connections to places outside current service area



Fleet, Facilities and IT Strategy

How to support?

IN PROGRESS

ON DECK

Project Status

IN PROGRESS



Joint Development Opportunities

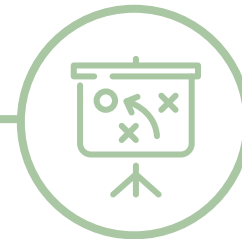
How to shape what happens next to transit?

(Dec 2023-March 2024)



Phased Implementation Strategy

(March-April 2024)



Final Transit Master Plan

(April-May 2024)



Financial and Funding Analysis

How to fund?

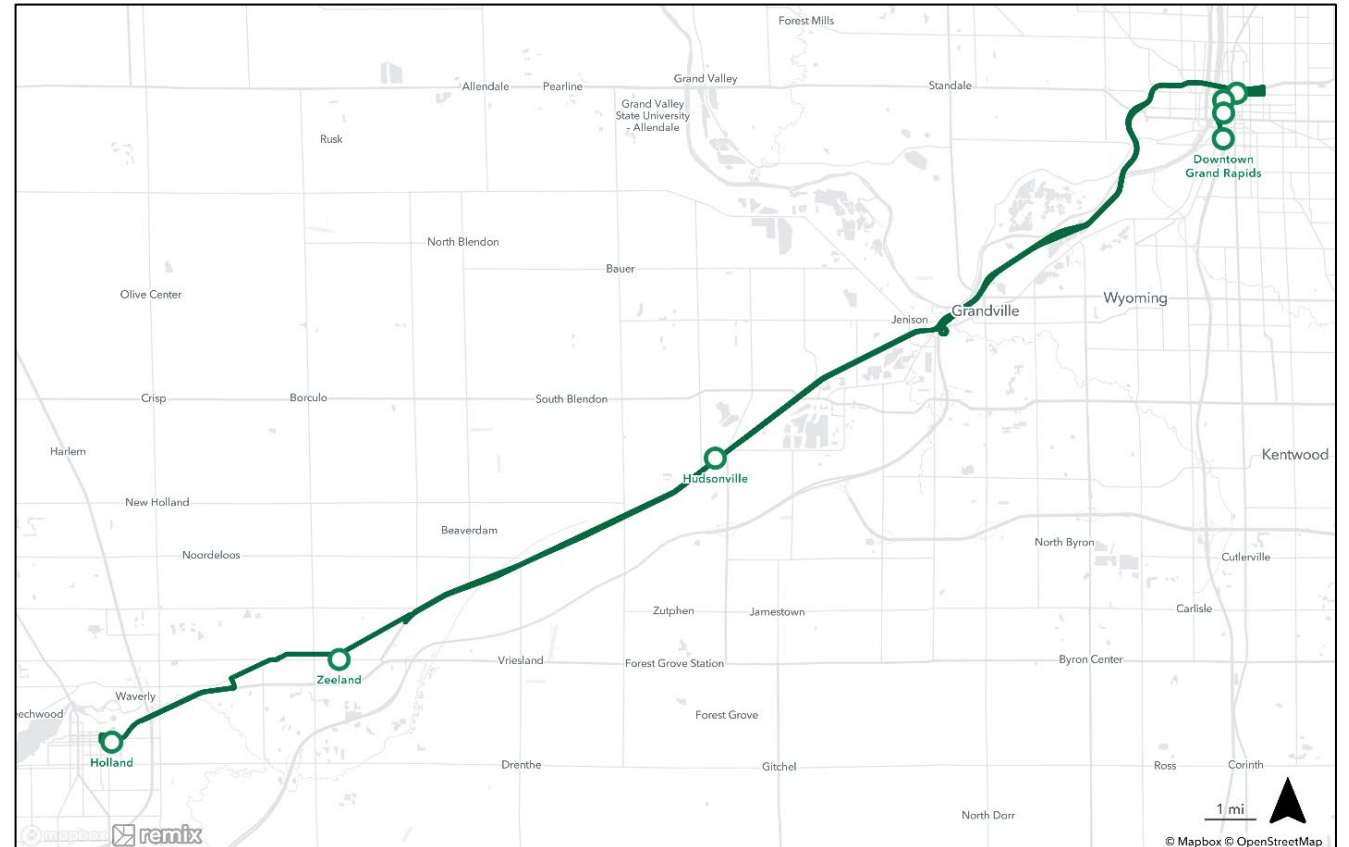
(Feb-April 2024)

ON DECK

Feb 12 WMX Task Force Meeting Recap

Reviewed

- ✓ Project History
- ✓ Feasibility Review Results
- ✓ Service Model Options
- ✓ Station Recommendations
- ✓ Cost Estimates
- ✓ Next Steps



Feb 12 Steering Committee Meeting Recap

Agenda

- Project Overview
- Past steering Committee Meetings Recap
- Technical Report Findings, Needs, and Opportunities
- TMP Areas of Focus Feedback & Discussion
- Next meeting – April 2024

Activities

“Yes, and…”

Areas of Focus Discussion

“Yes, And...” Activity Feedback

“How do we tell the ‘story’ of the benefits transit provides?”

Activity: Committee members wrote a value statement and passed their statement for another member to add a “yes, and..” statement.

Intention: showcase the interrelated nature of values – use as a ‘springboard’ for storytelling aspects of our Spring public outreach campaign

“Yes, And...” Activity Feedback

Value Statement	Yes, and...
More than meets the eye – public transit meets needs and builds community.	Yes, and... with multiple options – bus, bike, etc.
More options for transportation opens up more prosperity across the region, as dollars can be spent elsewhere.	Yes, and... we want to hear ideas and creative solutions to improve. Local connectivity to attract and retain people and businesses.
Growing and sustainable places have excellent connectivity between people, businesses and fun.	Yes, and... this vibrancy lifts up places where people want to live, work, and play.
Changing the culture and perception of public transit.	Yes, and... will need to explain why? Non-riders don't know why. Expand the “value” of transit for new audiences. How can riding the rapid to new downtown entertainment options become the easiest, most cost-effective method to get there. This could be non-current riders who gain support for why transit matters. Requires more frequency and seats available.

“Yes, And...” Activity Feedback

Value Statement	Yes, and...
Community transit system is one of the best ways to impact climate change while saving money and time for yourself.	Yes, and... efficient and effective transportation.
Transportation cost savings	Yes, and... “Need more time? Ride the Rapid!” - Building community connections, reducing the wealth gap, and increasing equity - “Auto insurance too high? Ride the Rapid!”
Tourism / Social Districts	Yes, and... Hotel/Motel tax as a potential revenue source? Make transit the easiest and fastest mode!
Interconnections within society	Yes, and... taking automobiles off the road is good for limiting urban sprawl, safety on the roads, and the environment.
Tell the stories that show how families benefit from efficient and accessible transit	Yes, and... focus on each age group’s perspective within the family.

“Yes, And...” Activity Feedback

Value Statement	Yes, and...
Best transit system for mass workforce and tertiary option	Yes, and... not either/or with the car – a great option for some of the time
Connectivity for Everyone to Everything across our community.	Yes, and... connecting people to other communities that without transit they would have limited access to.
Community, Careers, and choice	Yes and... The Rapid connects all of these with a transportation method of choice.
Normalize the experience so its clear transit is for all. Share experience of how people use transit for jobs, events, etc.	Yes, and... experiences showing how the Rapid can be a transportation mode of choice
Getting from here to there	Yes, and... community “influencers” taking the bus to events throughout the city/region

“Yes, And...” Activity Feedback

Value Statement	Yes, and...
Connected, reliable, affordable, and environmentally friendly	Yes, and... accessibility
Public transportation is for everyone	Yes, and... all socioeconomic classes, all ages, all neighborhoods
Public transportation is safe	Yes, and... the people riding the bus are my neighbors. The buses also reduce traffic accidents
Public transportation saves you money	Yes, and... in daily commutes and in long-term expenses, also in climate impacts
Many healthcare institutions are on the public transit map	Yes, and... ensure access to healthcare services to underserved communities and mobility challenged

“Yes, And...” Activity Feedback

Value Statement	Yes, and...
Public transportation is cool and convenient and makes financial sense	Yes, and... transit should be viewed as a better alternative to driving to community events/festivals in the Downtown Core, especially with parking hassle and expense.
Intentional engagement from key stakeholders from the aspects of community to drive the connectivity of the Grand Rapids Metro.	Yes, and... being purposeful to connect the most needy to economic opportunity.
Identify opportunity to get from here to there	Yes, and... work with social media influencers across the region

Past Planning & Technology Committee Meetings

May 2023

- Guiding Principles
- Goals Discussion

July 2023

- Technical Report Findings
- Existing and Future Conditions
- Market Assessment

September 2023

- Technical Report Findings:
- Peer Analysis
- Fall Public Engagement Planning and Focus Group Insights

November 2023

- Technical Report Findings:
- West Michigan Express
- Fall Public Engagement Insights

January 2024

- Rapid 'Roadshow' Public Engagement

Outcome of Previous Planning and Technology Goals Discussion






- Plan for a growing region outside the Rapid service area
 - Coordinate transit across the region
 - Regional leader for mobility solutions
 - Introduce a high-capacity service along 131
- Transit funding reform (e.g., \$3M in 20 years)
- Incorporate TOD and transit-supportive land use and development policies with transit
 - Affordable housing along corridors
 - Vibrant destinations/spaces near transit
 - Density
 - First-last mile connectivity

Review of Needs and Opportunities

- ✓ Existing and Future Conditions
- ✓ Market Assessment
- ✓ Focus Group Feedback
- ✓ Online Survey
- ✓ Fall Open House
- Intercounty Corridor Analysis (*in progress*)
- Benchmark Peers Analysis (*in progress*)

Guiding Principles

At The Rapid, we are the transportation provider of choice and convenience because...

-  **COMMUNITY | We reflect you and your needs.**
-  **GROWTH | We plan for action.**
-  **CONVENIENCE | We serve for user experience.**
-  **INTERNAL WORKFORCE | We value employee personal growth.**
(Engaged and prepared to meet our future challenges)
-  **ADAPTABILITY | We're future-flexible.**

Opportunities



Sustainable Funding



Joint Development/
Transit-Supportive Spaces



Service Expansion



Service Improvements



Regional Mobility Leadership and Partnerships



Internal Workforce Development



Innovation

Opportunity: Sustainable Funding

Goal: Develop a sustainable and dedicated funding source

Examples:

- Innovative funding sources
 - Tax Increment Financing (TIF)
 - Motor vehicle tax, rental car tax, vehicle registration fees
 - And many more...
- Sales tax (would require a change to MI legislation)
- Expand/Increase property tax millage



Task 2 Public Involvement
Task 5 Future Scenarios

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ **CONVENIENCE**
- ✓ **INTERNAL WORKFORCE**
- ✓ **ADAPTABILITY**

Opportunity: Joint Development/ Transit-Supportive Spaces

Examples:

- Identify Potential sites
- Develop Agreements
- Develop Policies
 - Transit-Oriented Development
 - Streetscape
 - Station Amenities
- Partnerships with municipalities



Task 11 Joint Development

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ CONVENIENCE
- ✓ INTERNAL WORKFORCE
- ✓ **ADAPTABILITY**

Opportunity: Joint Development/ Transit-Supportive Spaces

- Rapid's downtown properties
 - Transit Center
 - Bus Operations Facility
- Kentwood Transit Center
- Walker Park & Ride (Lake Michigan Dr. and Cummings)
- Other opportunities?



Opportunity: Joint Development/ Transit-Supportive Spaces



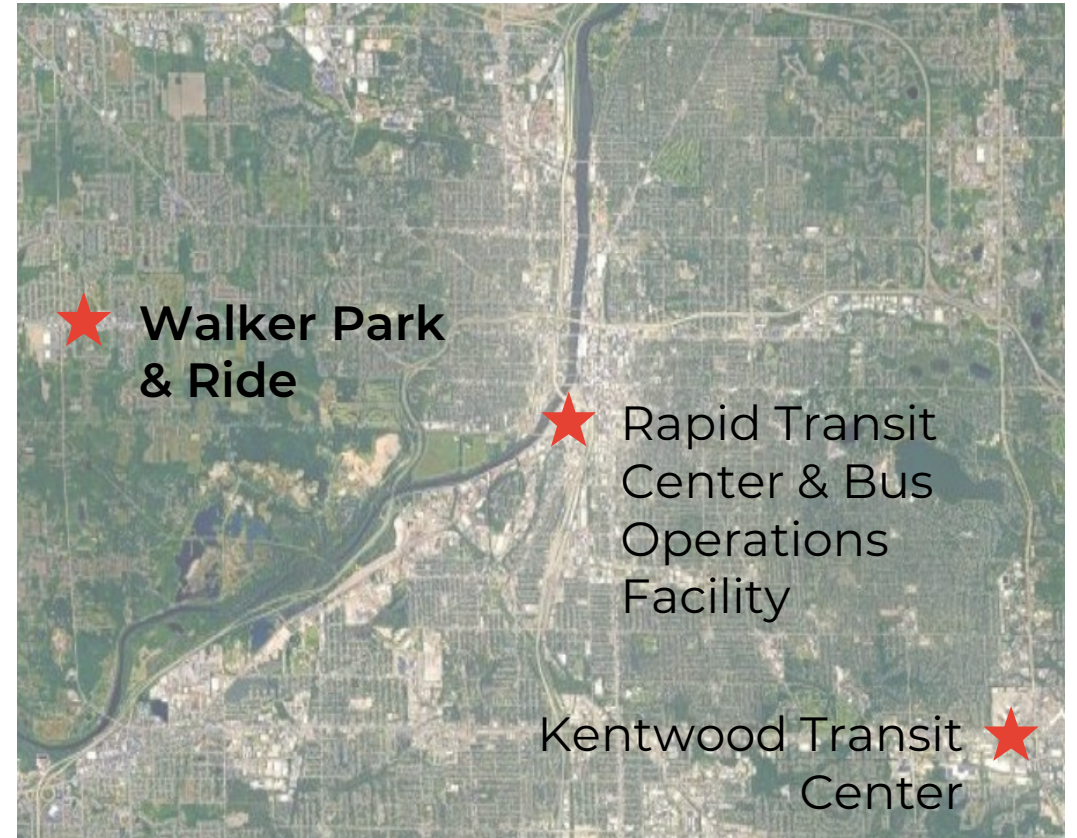
Kentwood Transit Center



Opportunity: Joint Development/ Transit-Supportive Spaces



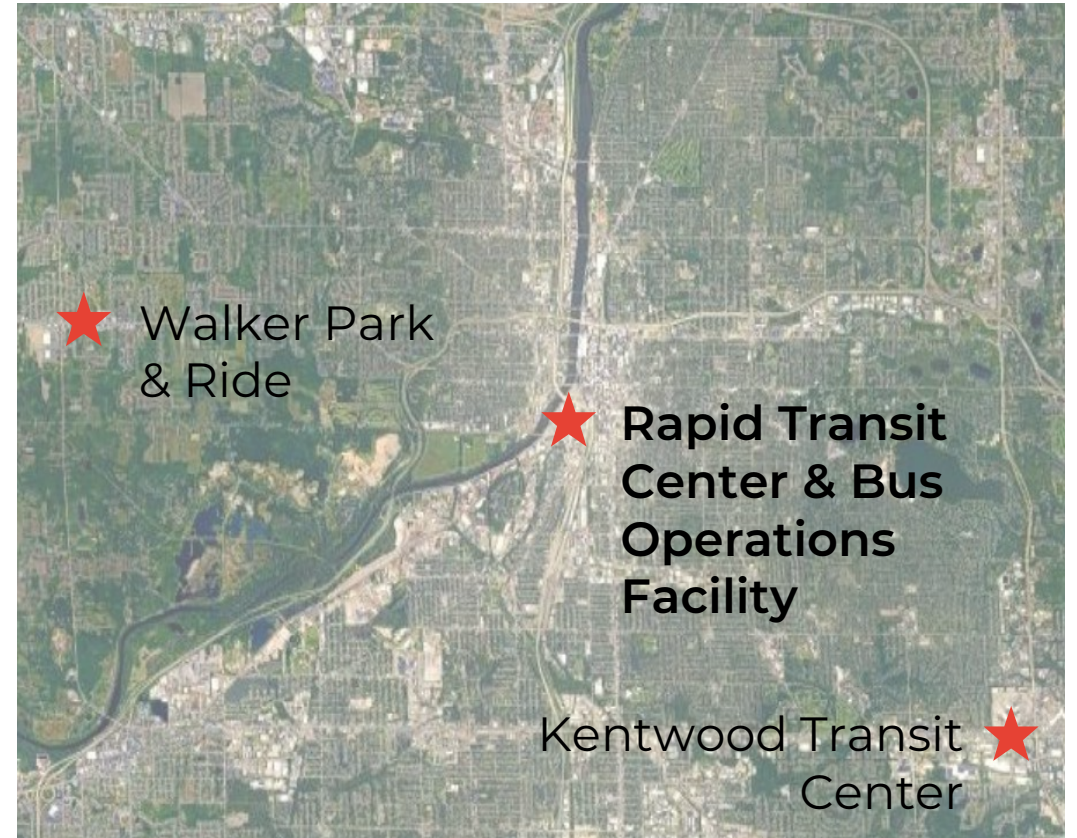
Walker Park & Ride



Opportunity: Joint Development/ Transit-Supportive Spaces



Rapid Transit Center & Bus Operations Facility



★ Walker Park & Ride

★ Rapid Transit Center & Bus Operations Facility

Kentwood Transit Center ★

Opportunity: Service Expansion

Goal: Build towards county-wide services to prepare for future growth outside the current service area

Examples :

- Develop options for regional mobility services
 - Express Bus Corridors
 - Micromobility
- Develop Regional Partnerships
 - Airport
 - Townships
- BRT Corridors



Task 2 Public Involvement
Task 3 Future Conditions
Task 4 Market Analysis
Task 6 Corridor Analysis
Task 7 WMX Express

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ **CONVENIENCE**
- ✓ **INTERNAL WORKFORCE**
- ✓ **ADAPTABILITY**

Opportunity: Service Improvements

Goal: Build towards a high-frequency core system (e.g. 15-minute)

Examples:

- Improve travel times
- Out-of-direction travel to downtown transfers
- Build density along existing bus corridors
- Mobility as a Service (MaaS)
 - Customer Service & Experience



Task 2 Public Involvement
Task 3 Future Conditions
Task 4 Market Analysis

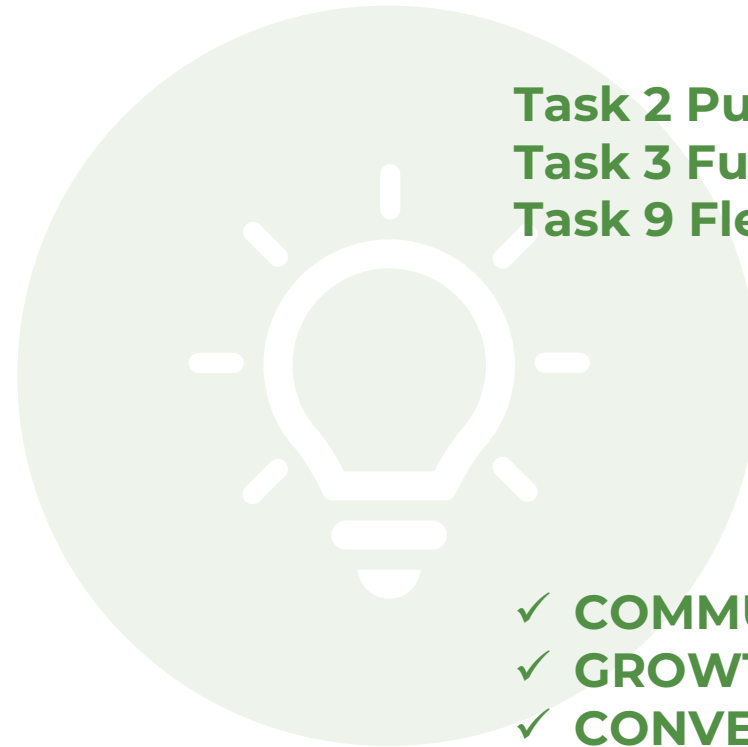
- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ **CONVENIENCE**
- ✓ INTERNAL WORKFORCE
- ✓ ADAPTABILITY

Opportunity: Innovation

Goal: Leverage technology to improve operational efficiency, sustainability, and customer experience.

Examples:

- Autonomous Vehicle and Electric Vehicle Readiness
- Mobility as a Service (MaaS)
- Real-Time Information at Station and Stops
- Mobile Apps



Task 2 Public Involvement
Task 3 Future Conditions
Task 9 Fleet, Facilities, & IT

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ **CONVENIENCE**
- ✓ INTERNAL WORKFORCE
- ✓ **ADAPTABILITY**

Opportunity: Regional Mobility Leadership and Partnerships

Examples:

- Partnerships with cities
- MaaS
- Modeshare split
- Transportation Demand Management (TDM) Strategies
- Proactive policy planning
 - Density
 - Zoning



Task 2 Public Involvement
Task 3 Future Conditions
Task 4 Market Analysis
Task 11 Joint Development

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ CONVENIENCE
- ✓ INTERNAL WORKFORCE
- ✓ **ADAPTABILITY**

Opportunity: Internal Workforce Development

Goal: Meet the needs of current and future services

Examples:

- Right size staff based on TMP recommendations



Task 3 Future Conditions
Task 10 Staffing Assessment

- ✓ **COMMUNITY**
- ✓ **GROWTH**
- ✓ **CONVENIENCE**
- ✓ **INTERNAL WORKFORCE**
- ✓ **ADAPTABILITY**

Opportunities



Sustainable Funding



Joint Development/
Transit-Supportive Spaces



Service Expansion



Service Improvements



Regional Mobility Leadership and Partnerships



Internal Workforce Development



Innovation

**What other opportunities should be included?
Which opportunities are important to you?**

Next Steps

Upcoming Completed Technical Reports

- WMX – Implementation Plan
- Peer Analysis
- Public Engagement Memo – Fall Outreach

Upcoming Transit Master Plan Events

- Spring Public Engagement

Next Planning and Technology Committee Meeting

- May 13



THRIVING

Thank You!

A framework for the future of connectivity.

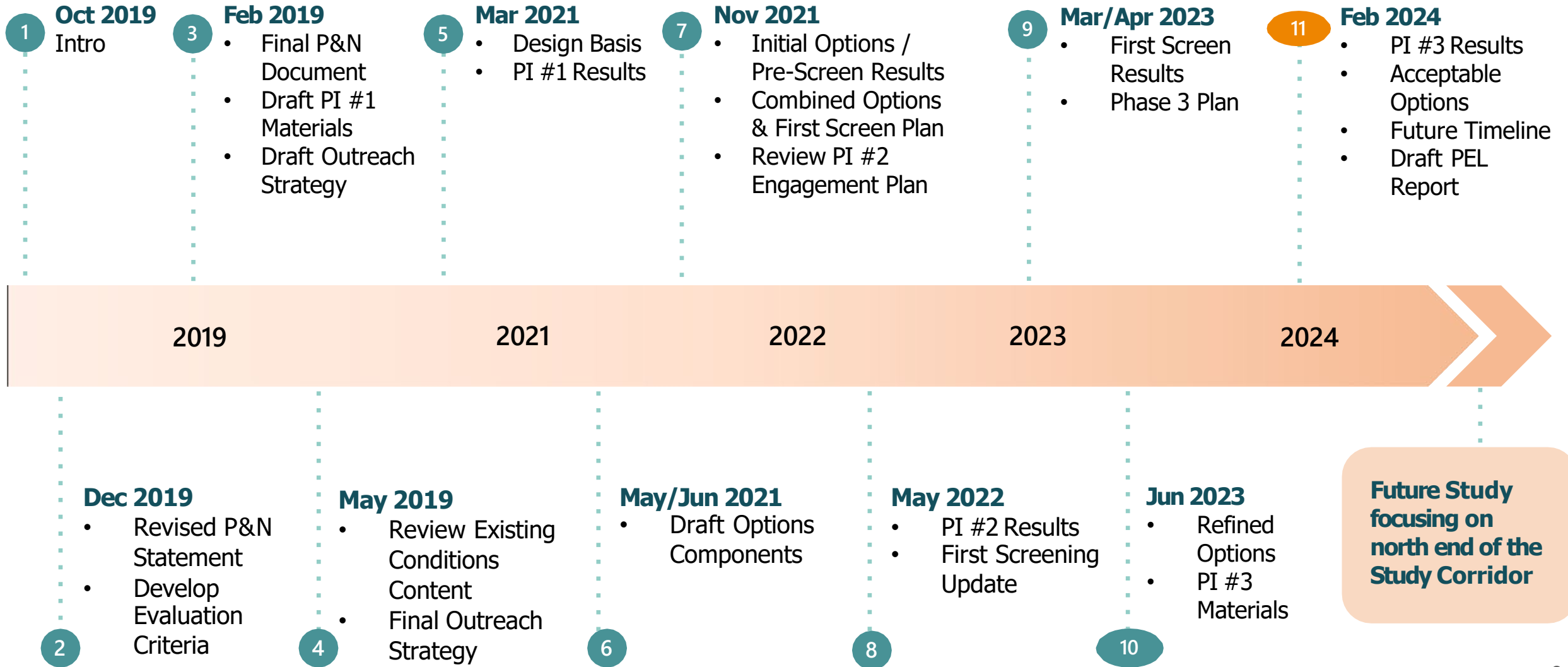
US-131 Planning and Environmental Linkages (PEL) Study

LAC Meeting #11
February 23, 2024



3b

PEL Schedule Local Advisory Committee (LAC) Meetings



Engagement Overview

Public Survey (Available online and at the public meeting)

- Phase 3 online survey opened from October 25, 2023 to December 31, 2023
- More than 2,500 individual survey responses received

Public Meeting

- November 8 at Kroc Center and November 9, 2023 at 201 Market Avenue; live interpreters
- Over 5,000 postcards with public meeting information were sent to the adjacent communities; Flyers were posted at multiple locations in multiple languages
- More than 40 attendees at each meeting

Targeted Stakeholder Outreach

- Ongoing since November 2023

Wealthy Street Interchange Design

Current Wealthy Street Underpass and Illustrated Wealthy Street Overpass



MDOT is considering an option interchange that would make it option to maintain Wealthy Street possibility). Is there a design the



Targeted Stakeholder Outreach

MDOT held meetings with the following groups:

❑ **Roosevelt Park Neighborhood – October 24, 2023**

- Support for new Graham connection
- Focus on truck traffic and circulation within neighborhood

❑ **Police and Fire Department - November 28, 2023**

- Find value in Graham connection across US-131 from MLK station
- Concerns about traffic operations around Wealthy and Market, particularly during special events

❑ **Seeds of Promise – December 7, 2023**

- Generally supportive on improving US-131
- Need for green space in neighborhood and around US-131

❑ **South Division-Grandville Corridor Improvement Authority - December 14, 2023**

- Interest in representing the history of the neighborhoods
- Tunnel and community connection opportunities
- City of Grand Rapid's role and commitments
- Potential for Freeman Avenue Bridge

Cont. Targeted Stakeholder Outreach

❑ **Heartside Downtown Neighborhood Association** - **December 14, 2023**

- Concerns on new design of Market Avenue, ability to accommodate special events, and impacts to other local roads and the freeway when newer, all-season venues are in operation.
- Some comments about preserving Wealthy overpass

❑ **Freight Logistics – February 9, 2024**

- Importance of improving access to facilities off Hynes Avenue
- Overall preference on improving US-131 interchanges for truck operations, with mixed thoughts on Wealthy Street design and closure of Martin Luther King Jr. Street access

MDOT also participated in the following events to gather input and network with community leaders:

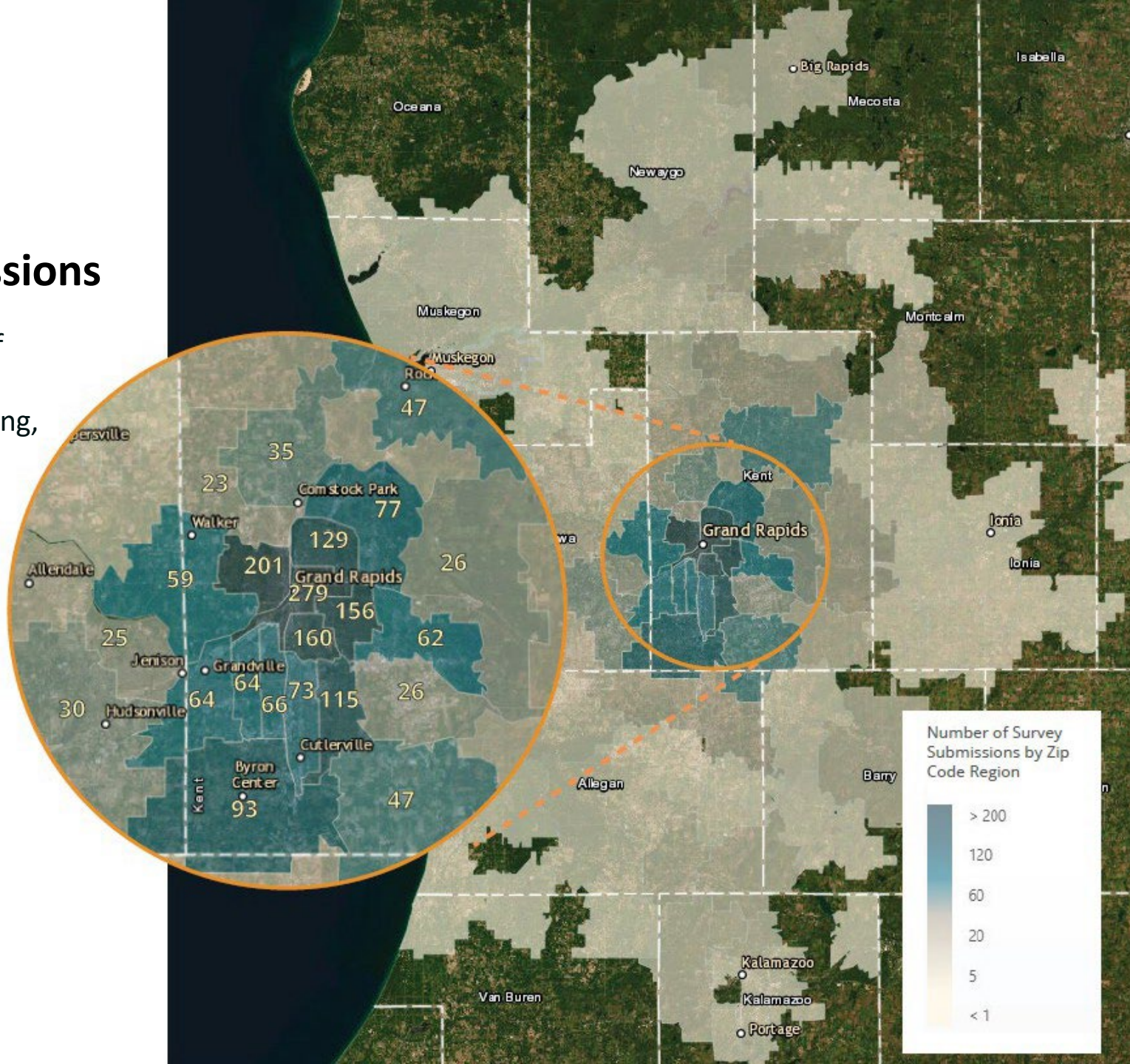
❑ **Garfield Park Neighborhood Association (City of Grand Rapids Community Master Plan Open House) – January 11, 2024**

❑ **Black Voices in the City (City of Grand Rapids Community Master Plan Event) - January 26, 2024**

Phase 3 Engagement Results Online Survey

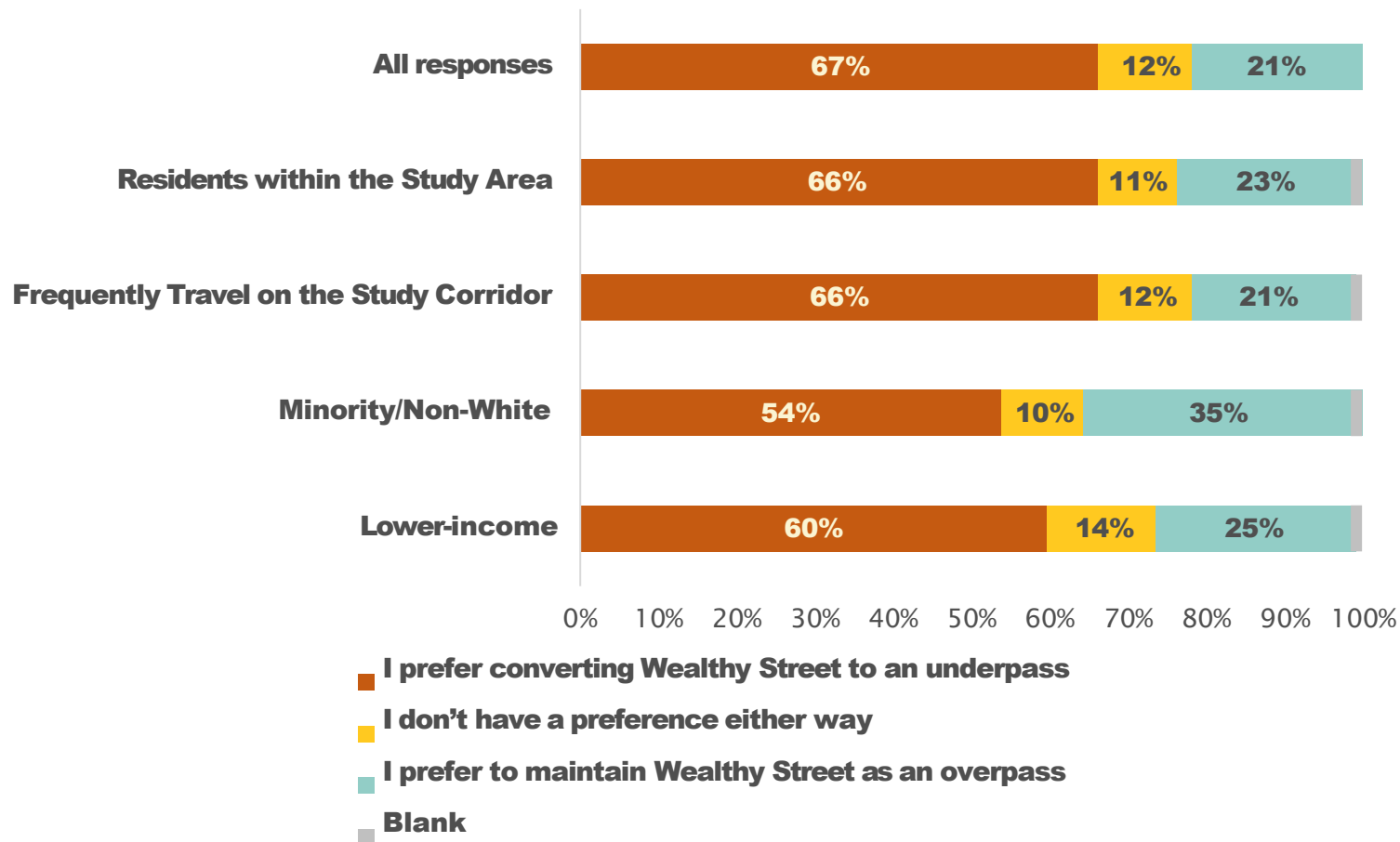
Participation: 2,613 Survey Submissions

- ❑ **Zip Code distribution:** Participation by zip code of residence was the highest in Grand Rapids and in the surrounding areas such as Grandville, Walker, Wyoming, and Kentwood.
- ❑ **Number of residents in the Study Area:** 860
- ❑ **Number of survey participants who travel frequently on the corridor:** 2,103
- ❑ **Number of survey participants who identify as minority / non-white:** 344
- ❑ **Number of survey participants with lower incomes:** 496



Phase 3 Engagement Results Online Survey

Wealthy Street Interchange Design



Comment Highlights

“Having an underpass would make the area better for walkers/bikers. We could add a bike path and have better access to The Rapid and Amtrak.”

“[The underpass] removes congestion at this pinch point, is less distracting for drivers and increases the connections at surface level for businesses in the area”

“This section runs through downtown, in an area of the city that relies heavily on non-car travel. This needs to be a focus.”

Common Comment Themes

- Pedestrian and Bicycle Infrastructure
- Support for underpass
- Traffic flow and design
- Community division and local streets
- Safety concerns
- General support for change
- Concerns about current infrastructure
- Wealthy street on/off ramp
- Opposition to highway expansion
- Community impact and engagement

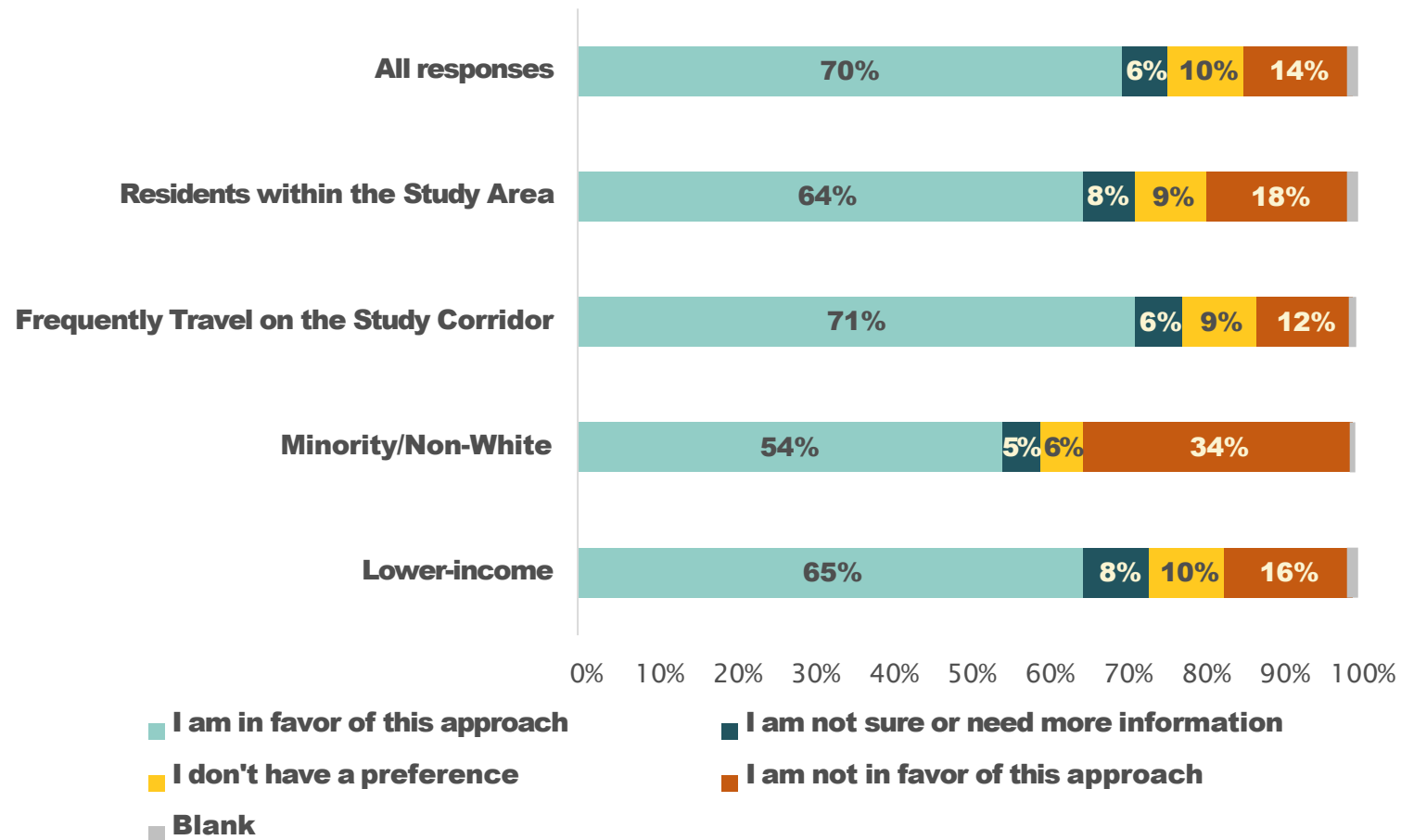


Wealthy St

Wealthy St

Phase 3 Engagement Results Online Survey

Closing Martin Luther King Jr. Street Interchange



Comment Highlights

“Removing access infrastructure at MLK, Jr. Street promotes development density and can allow traffic to be directed to better equipped access points.”

“Reducing the number of ramps in this area seems wise. The ramp from Franklin (MLK, Jr.) Street to northbound US-131 is not safe and slows traffic considerably.”

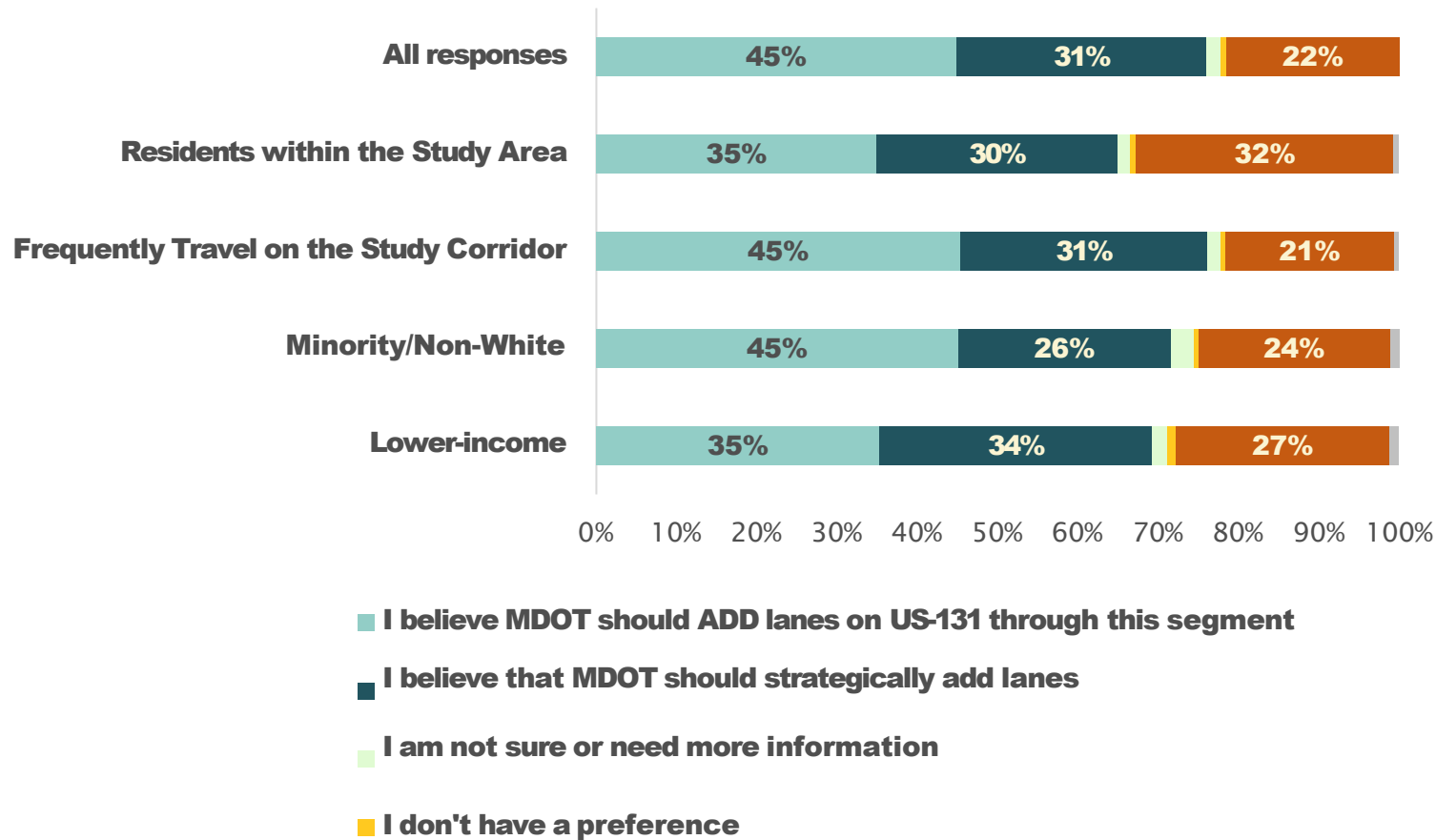
“The Franklin (MLK, Jr.) Street exit is vital for residents trying to get out of rush hour traffic being backed up due to the merging of US-131 and I-96.”

Common Comment Themes

- Access and exits
- Traffic flow
- Support for removing interchange
- Opposition to removing interchange
- Urban development and neighborhood connectivity
- Environmental considerations
- Specific interchange recommendations
- Infrastructure improvements

Phase 3 Engagement Results Online Survey

Adding Lanes



Comment Highlights

“Lanes need to be restructured to ensure better traffic flow and road safety while minimizing impacts on local communities.”

“Grand Rapids should seek alternative means of transportation such as light rail, bus, and bike infrastructure. Adding another lane has been the go-to “fix” for decades and in my opinion only incentivizes more traffic.”

Common Comment Themes

- Traffic flow and design
- Safety concerns
- Urban planning and community connectivity
- Support for pedestrian and bicycle infrastructure
- Opposition to adding a lane / project
- Noise pollution
- Community impact and engagement

Second Screening Overview Refined Options

- **No Build/Maintain Existing Freeway**
- **Build Options:** All include reduced number of ramps, improved design of freeway and ramps, enhanced non-motorized access, and new local street connections

Freeway Lane Options	Description
Option 1 – 3 Lanes and Full Shoulders	Keep current 3 travel lanes, add full shoulders in both directions
Option 2 – 3 Lanes and Weave/Merge	Add full shoulders, plus weave/merge lanes at and between interchanges
Option 3 – 4 Lanes	Add an additional travel lane in both directions throughout, providing 4 continuous lanes in each direction with full shoulders



Interchange Options	Description
Option A – Wealthy Street Underpass	<p>Wealthy Street: Convert to an underpass, remove left-sided ons/offrs</p> <p>MLK Jr. Street: Close all access except southbound on-ramp</p> <p>Burton Street: Remove the southbound off-ramp to Century Street and lengthen the southbound on-ramp from Burton Street to US-131</p>
Option B – Wealthy Street Overpass	<p>Wealthy Street: Keep as an overpass, remove left-sided ons/offrs</p> <p>MLK Jr. Street: Close all ramp access</p> <p>Burton Street: Remove the southbound off-ramp to Century Street and convert the Burton Street interchange to a diamond configuration</p>

Second Screening Overview Summary of Added Evaluation Criteria

The criteria below are updated or added to the previous criteria of the First Screening process

Criteria Category	Criteria	Results Summary
Safety	Crash Reduction (all crashes)	<ul style="list-style-type: none"> All build options reduce crashes compared to no-build; Option 3 has highest level of crash reduction
	Crash Reduction (fatal/serious injury crashes)	<ul style="list-style-type: none"> Not all options reduce fatal/injury crashes; Option 2 has the most reduction in fatal and serious injury crashes
Traffic and Infrastructure	Operations and Reliability (combined)	<ul style="list-style-type: none"> Operations and reliability (LOS) improve as shoulders/lanes are added; Option 3 preserves traffic
Public Input	Public/Stakeholder Engagement (Phase 3)	<ul style="list-style-type: none"> Clear preference on Wealthy Street underpass and acceptance of reducing interchange access; less clear on acceptance of adding or strategically adding lanes
Environmental	Right-of-Way Impacts (combined)	<ul style="list-style-type: none"> ROW impacts are similar across all build options, limited to parcels directly adjacent to current freeway
Implementation	Capital Cost	<ul style="list-style-type: none"> Option A with higher cost than Option B; cost increases as more lanes are added

Technical Analysis Results Safety

Related Criteria: Crash Reduction (all crashes, fatal and serious crashes)

- Option 3A/3B has the most reduction of all crashes
- Option 2A/2B has the most reduction of fatal or serious injury crashes

Build Options	Total Crashes
No Build (2045) Percent Increase from Existing (2023)	
No Build	+16.7%
Percent Decrease from No Build (2045)	
Option 1A+B - 3 Lanes and Full Shoulders	-12.0%
Option 2A - 3 Lanes and Weave/Merge Lane + Wealthy Underpass	-16.8%
Option 2B - 3 Lanes and Weave/Merge Lane + Wealthy Overpass	-17.0%
Option 3A – 4 Lanes and Wealthy Underpass	-26.6%
Option 3B – 4 Lanes and Wealthy Overpass	-26.0%

Second Screening Results

Key differentiators: Safety (fatal/serious Injury crash reduction), Traffic and Infrastructure, and Public Input.

Options	Safety	Traffic and Infrastructure	Multi-Modal	Community	Public Input	Environmental	Implementation	OVERALL RESULT
Maintain Existing Freeway								
Existing Freeway	○	○	●	●	○	●	●	○
Option 1 - Three Lanes with Added Inside Shoulders								
Option 1A - Wealthy Underpass	●	●	●	●	●	●	●	●
Option 1B - Wealthy Overpass	●	●	●	●	●	●	●	●
Option 2 - Three Lanes and Added Weave/Merge Lane								
Option 2A - Wealthy Underpass	●	●	●	●	●	●	●	●
Option 2B - Wealthy Overpass	●	●	●	●	●	●	●	●
Option 3 - Four Lanes including an Added Travel Lane								
Option 3A - Wealthy Underpass	●	●	●	●	●	●	●	●
Option 3B - Wealthy Overpass	●	●	●	●	●	●	●	●

Addresses project needs THE LEAST



Addresses project needs THE MOST

Second Screening Results - Summary

- Results indicate potential benefits and impacts of refined Options; all are potentially viable and offer additional benefits over No-Build
- Results show highest overall scoring for:
 - Converting Wealthy to underpass
 - Removing / reducing access at MLK, Jr (with Graham connection)
 - Adding lanes strategically to address safety / operational issues
 - Adding other local connections
- MDOT intends to further study (with City of Grand Rapids) all options

MDOT	Commission Policy	Identifier	effective date
		proposed, d7	
Responsible Work Area: Bureau of Finance and Administration			
Subject: VMT and weight based regulatory fees charged to operators for the privilege of operating commercial vehicles on Michigan’s transportation network, feasibility study and strategic implementation plan, written report.			
Purpose: To collect revenues sufficient to adequately operate, maintain and preserve the state’s transportation system.			

Policy 1

Findings and Determinations 2

Policy

(1) The department shall conduct a feasibility study and strategic implementation plan for charging a regulatory fee in the form of an appropriate VMT and weight fee to operators for the privilege of operating commercial vehicles on the state’s transportation network. The study shall include a review of the existing programs for collecting vmt and weight charges on operators of commercial vehicles in New York, Illinois, Oregon, Kentucky, and New Mexico.

(2) The feasibility study shall include a report on consultations with the governor, the attorney general, the secretary of state, the senate majority leader, the senate minority leader, the speaker of the house of representatives, the minority leader of the house of representatives, the chairpersons of the senate and house of representatives standing committees on transportation,

the senate and house of representatives appropriations subcommittees on transportation, and the FHWA as to the best manner and method of executing department policy on regulatory fees.

(3) A written report on the feasibility study and strategic implementation plan shall be delivered to the commission not later than January 16, 2025.

(4) It is the intent of the commission that in event the legislature fails to appropriate tax revenue to adequately operate, maintain and preserve the department's transportation system, then the department shall raise sufficient revenues through vmt and weight fees to operators for the privilege of operating commercial vehicles on the state's network of transportation facilities and programs.

Findings and Determinations

In support, the commission makes the following findings and determinations:

1. Under the American federal system, the individual states retain plenary police power, jurisdiction and authority to establish and execute transportation policy for the state's system of transportation facilities and programs.ⁱ
2. The plenary police power includes the authority to charge a reasonable regulatory fee for the privilege of commercial use of the transportation system.ⁱⁱ Such charges are not taxesⁱⁱⁱ or tolls^{iv} and are consistent with the interstate commerce's clause and the federal aid highway acts.^v
3. In 1978 the people of Michigan amended their constitution to establish the department of transportation. The amendment delegates to the department the power to establish and execute transportation policy for department transportation programs and facilities, as provided by law.^{vi} The amendment also establishes an appointed bipartisan commission to establish and a director to execute department policy. This is similar to the familiar governance model of corporation, board of directors, and chief executive officer.

4. Also in 1978 the legislature provided by law for the statutory framework for the constitutional mandate by passing Act 484 of 1978, MCL 247.801-816, which states in the preamble “an act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties.”

Act 484 provides:

- (a) The transportation department has full charge, control and jurisdiction over state highways.^{vii}
- (b). The transportation commission is the policy making body of the department with the duty and power to establish transportation policy for the guidance and direction of the director in his administration of department transportation facilities and programs.^{viii} The act confirms the constitutional authority of the commission to do anything necessary and proper to carry out the duties imposed upon the commission by the constitution and the act.^{ix} A necessary and proper clause has acquired a peculiar and appropriate meaning in American constitutional law due to its use in the United States Constitution, Article 1, Section 8, clause 18. It means that the governmental authority in question may employ all appropriate means which are conducive or adopted to the end to be accomplished.^x
- (c). The director of transportation is the principal executive officer of the department with the responsibility, duty, and powers to execute the policy established by the commission through the administration of the department’s transportation programs and facilities.^{xi} The act confirms the constitutional authority of the director to do anything necessary and proper to carry out the duties imposed upon the director by the constitution, the act, and commission policy.^{xii}

6. The constitutional responsibilities, duties and powers of these authorities as established by the constitution may not be transferred by any other branch, department, office, or authority to any other branch, department, office, or authority.^{xiii} However another branch, department or office may have a say “as provided by law” about the manner and method in which commission policy is established and executed, so long as the constitutional authorities of the department, commission, and director are protected.

7. Prior to the creation of the department and its governance structure by the 1978 amendment to the constitution, both the people by constitutional referendum and the legislature by statute passed many enabling and delegating provisions in support of the powers of the prior authorities of state highway department, state highway commissioner, department of state highways, and state highway commission. These powers have been vested in the department by constitutional amendment, statute and executive reorganization order^{xiv}.

7. The department calculates in order to keep the state highway system adequately maintained and preserved the department needs to raise an additional 4 billion dollars per year.^{xv}

8. For the foreseeable future it is unlikely that the legislature will address the funding gap with new taxes. In any event, fuel taxes are not likely to be a long term solution due to the changing technology of motor vehicles and transportation and the effect of fossil fuels on climate.

9. With regard to toll facilities, the department has studied converting segments of limited access state trunkline to toll facilities within the meaning of the federal aid act. The cost of toll facility related built infrastructure for converting 550 miles of the state’s 1200 miles of interstate highways into toll facilities would be 8.5 billion.^{xvi} Furthermore, the conversion of an interstate into a toll road facility is a complex and uncertain administrative process. Since pilot programs for conversion were first allowed in 2018, none have been approved to date.^{xvii} The Michigan

department of transportation will have to look to sources other than converting interstates to toll road facilities in order to raise the financing necessary to adequately operate, maintain and preserve the state's transportation system.

10. A VMT program for operators of commercial vehicles is typically based on an on-board electronic logging device and an electronic VMT fee collection system and does not require for support such a significant investment in built infrastructure.^{xviii} Since electronic logging devices became mandatory for most commercial trucks at the end of 2017 five states — New York^{xix}, Kentucky^{xx}, New Mexico^{xxi}, Oregon^{xxii}, and Illinois^{xxiii} — are already charging a commercial truck VMT and weight fee consistent with the interstate commerce clause and federal aid guidelines.

11. The department has complete jurisdiction, authority, and control over department highway facilities.^{xxiv} A highway authority vested with control over a public highway system by the Michigan constitution has jurisdiction to charge commercial users of the system a privilege fee to cover costs of regulation, reasonable compensation for the privilege of use, and fair provision for operation, maintenance and repair of the system.^{xxv} Under commission policy #1100.97, the department charges a regulatory fee in the amount of an appropriate charge to a licensee in exchange for the privilege of using state highway right of way. The charge is required to be sufficient to offset all additional costs arising out of the use, to offset a proportional share of the capital and maintenance costs of the highway network, and to protect the needs of the transportation system in general. An appropriate charge may be based on marketplace information.^{xxvi}

14, Based on department data, commercial trucks cause damage to the transportation system on the order of ten billion per year and pay Michigan fuel and vehicle registration taxes in the amount of 600 million per year.^{xxvii}

16. The department has authority to establish and execute a policy that it is necessary to collect a regulatory fee in the form of an appropriate VMT and weight charge to operators for the privilege of operating commercial vehicles on the state transportation system in order to adequately operate, maintain, and preserve the system.^{xxviii}

17. Good governmental theory and relations, good planning, good manners and good sense all dictate the department should share its plans with other executive officers, the legislature and the FHWA and take into account their roles and responsibilities as to the manner and method by which commission policy is established and executed.

20. The state's transportation system cannot be adequately operated, maintained or preserved without the collection of a regulatory fee in the form of an appropriate VMT and weight charge to operators for the privilege of operating commercial vehicles on the state's transportation network.

ⁱ“A state may rightfully prescribe uniform regulations necessary for public safety and order in respect to the operation upon its highways of all motor vehicles those moving in interstate commerce as well as others—that a reasonable, graduated license fee imposed by a state on motor vehicles used in interstate commerce does not constitute a direct burden on interstate commerce, and that a state which, at its own expense, furnishes special facilities for the use of those engaged in intrastate and interstate commerce may exact compensation therefore, and if the charges are reasonable and uniform, they constitute no burden on interstate commerce.” *Michigan Public Utilities Commission v. Duke*, 266 U.S. 570, 45 S.Ct. 191, 69 L.Ed. 445, 36 A. L. R. 1105 (1925), affirming *Liberty Highway Co. v. Michigan Public Utilities Commission*, 294 F. 703, 707-708 (E.D. Mich. 1923).

ⁱⁱ 'The movement of motor vehicles over the highways is attended by constant and serious dangers to the public, and is also abnormally destructive to the ways themselves. Their success depends on good roads, the construction and maintenance of which are exceedingly expensive. A

state may rightfully prescribe uniform regulations necessary for public safety and order in respect to the operation upon its highways of all motor vehicles-- those moving in interstate commerce as well as others. This is but an exercise of the police power, uniformly recognized as belonging to the states, and essential to the health, safety and comfort of their citizens, and it does not constitute a direct and material burden on interstate commerce. The amount of the charges and the method of collection are primarily for determination by the state itself; and so long as they are reasonable and are fixed according to some uniform, fair, and practical standard, they constitute no burden on interstate commerce.' *Liberty Highway Co. v. Michigan Public Utilities Commission*, 294 F. 703, 707-708 (E.D. Mich. 1923), affirmed *MPUC v Duke*, *supra*.

ⁱⁱⁱ Under Michigan law, a fee to raise revenue for the regulated purpose is a regulatory fee, not a tax. For example, a privilege fee charged to commercial passenger vehicles for the privilege of using of highway facilities at an airport is not a tax so long as the proceeds are used to support the airport's purpose. *A&E Parking v Detroit Metro Wayne County Airport Auth*, 271 Mich App 641, 723 NW2d 223 (2006) See also *Westlake Transportation, Inc v Public Service Commission*, 255 Mich App 589, 613, 662 NW2d 784 (2003): "Taxes are designed to raise revenue for the general public, while a fee 'confers benefits only upon the particular people who pay the fee, not the general public or even a portion of the public who do not pay the fee,' *Graham v Kochville Twp*, 236 Mich App 141, 151; 599 NW2d 793 (1999). In this case, in exchange for the fees, a motor carrier receives the right to operate its trucks in Michigan, and the fees are used to enforce the provisions of the act that carry out the above-listed purposes. Thus, there is a direct benefit to the one who pays the fees. We recognize that promoting and regulating safe use of the highways benefits the general public as well. However, a regulatory fee can have dual purposes and still maintain its regulatory characterization. As long as the primary purpose of a fee is regulatory in nature, the fee can also raise money provided that it is in support of the underlying regulatory purpose, and thus benefit the general public." The Michigan constitution at Article IX Finance and Taxation, Section 9, expressly exempts regulatory fees from the restrictions placed on the use of proceeds of fuel and registration taxes.

^{iv} A VMT fee is not a toll. "VMT fees are distance-based fees levied on a vehicle user for use of a roadway system. These fees are also known as mileage-based user fees or road usage charges. These fees differ from tolls because they are based on the distance driven on a defined network while tolls are facility specific and not necessarily levied on a per-mile basis." FHWA, Center for Innovation Finance Support, Tolling and Pricing home, Tolling and Pricing Defined, VMT fees. "In general, tolling involves the imposition of a per-use fee on motorists for a given highway facility." *Id.*, under Tolls. "Toll - A fee charged by a toll facility operator in an amount set by the operator for the privilege of traveling on said toll facility. Toll Collection System (TCS) - The combination of elements and components that constitute the means to collect a fee for use of a tolled facility." *Id.*, under Glossary.

^v "The commerce clause of the federal Constitution does not, however, deprive the states of the right to reasonably regulate under their police power the use of their public highways, and to that end to require a license and impose a reasonable charge therefore, for the privilege of such use, even if thereby interstate commerce is incidentally affected, provided that such regulation, license, and charge bear a reasonable relation to the safe and proper maintenance and protection of such highways, do not obstruct or burden interstate commerce, and are not in conflict with federal legislation on the same subject enacted within constitutional limitations." *Liberty*

Highway Co, supra, 294 F at 708. See also, FHWA discussion of VMT fees on federal aid highway at end note iv above.

^{vi} Art V, Executive Branch, Section 28, Transportation Commission: “There is hereby established a state transportation commission, which shall establish policy for the state transportation department transportation programs and facilities, and such other public works of the state, as provided by law.

The state transportation commission shall consist of six members, not more than three of whom shall be members of the same political party. They shall be appointed by the governor by and with the advice and consent of the senate for three-year terms, no three of which shall expire in the same year, as provided by law.

The director of the state transportation department shall be appointed as provided by law and shall be the principal executive officer of the state transportation department and shall be responsible for executing the policy of the state transportation commission.”

^{vii} MCL 225.26: “The state highway commissioner is hereby invested with full charge and control over roads heretofore or hereafter built or maintained by the state.” Const 1963, Art 5, §28, as passed effective 1/1/64: “There is hereby established a state highway commission, which shall administer the state highway department and have jurisdiction and control over all state trunkline highways and appurtenant facilities, and such other public works of the state, as provided by law.” Also in 1964 the powers vested in the state highway commissioner and the state department of highways were transferred to and vested in state highway commission and department of state highways. State highway commission act, act 286 of 1964, eff 6/12/64. Section 2 also provided, “Administrative control over the department and jurisdiction and control over all state trunklines highways and appurtenant facilities is vested in the commission.” See also executive reorganization act, act 380 of 1965, §§ 350-353. Finally the powers vested in the state highway commission and department of state highways were transferred to and vested in the state transportation department, commission and director by the 1978 amendments codified at MCL 247.802 and 803 and the amendments to the executive reorganization act codified at MCL 16.451-455.

^{viii} “There is hereby established a state transportation commission, which shall establish policy for the state transportation department transportation programs and facilities.” Constitution 1963, Art V. §28. “The policy making body of the department of transportation is the state transportation commission.” MCL 16.451. “The commission's powers and duties shall include the establishment of transportation policies for the guidance and direction of the director.” MCL 247.807 (1) (d). “The commission may do the following: (c) Do anything necessary and proper to carry out the duties imposed upon it by the constitution and such other duties as may be imposed by law.” MCL 247.807 (2) (c).

^{ix} MCL 247.807 (2) (c).

^x *Julliard v Greenman*, 110 US 421, 440, 4 Sup Ct 122, 28 L. Ed. 204 (1884). Under Michigan law a phrase in a statute which has acquired a peculiar and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning. MCL 8.3a.

^{xi} “The director of the state transportation department shall be the principal executive officer of the state transportation department and shall be responsible for executing the policy of the state transportation commission.” Const 1963, Art 5, §28. “The director may do anything necessary and proper to comply fully with the provisions of present or future federal aid acts and to carry

out the duties imposed upon the department by the constitution and other duties as may be imposed by law.” MCL 247.806a (g) and (h)

^{xii} MCL 247.806a (i).

^{xiii} OAG 4713, January 20, 1971, p 4 “The scheme is so plain as to leave no doubt that the legislature is limited in its power with respect to the commission as established. The legislature could not without rendering section 28 completely nugatory transfer those functions to the supervisory control of another agency or department.”

^{xiv} See Executive reorganization acts at MCL 16.451 to 454 and State Transportation Commission Act, MCL 247.802 and 803. With regard to the 1963 and 1978 amendments adding Article 5, §28 to the state constitution, “the language of a constitutional amendment should be read in connection with the known condition of affairs out of which the occasion for its adoption may have arisen.” *Civil Serv. Comm'n of Mich v Auditor Gen*, 302 Mich. 673, 5 N.W.2d 536, 539 (Mich. 1942). The amendments replaced an elected partisan state highway commissioner with sole control over state highway department policy and administration with a transportation department governed by an appointed bi-partisan commission and executive director. The effect of the amendments were 1. To remove department governance from the electoral partisan political sphere and place it in the executive agency sphere with the commission having jurisdiction over department policy and the director jurisdiction over execution of policy. 2. To expand the mandate of the department from highways to transportation. To limit department revenues to only such highway taxes as are voted by the politically elected partisan legislative branch is contrary to the known condition of affairs which the amendment sought to remedy.

^{xv} Michigan Mobility 2045, pp 29-31. “Michigan’s transportation system will face a needs gap of \$4 billion annually through 2045.” Citizens Research Council report to Growing Michigan Together Council, Michigan’s Path to a Prosperous Future, p 15.

^{xvi} Michigan Statewide Tolling Study, p 1.

^{xvii} FHWA, Center for Innovation Finance Support, Toll Pilot Programs.

^{xviii} See end note iv above.

^{xix} Consolidated Laws of New York, Chapter 60 tax, Article 21 Highway Use Tax, Sec 501-5515. “There is hereby levied and imposed a highway use tax for the privilege of operating any vehicular unit upon the public highways of this state and for the purpose of recompensing the state for the public expenditures incurred by reason of the operations of such vehicular units on the public highways of this state. Such tax shall be based upon the gross weight of each motor vehicle and the number of miles it is operated on the public highways in this state.”

^{xx} Ky. Rev. Stat. § 138.660, weight distance tax. . (3) Every motor carrier shall pay for every motor vehicle operated upon the public highways of this state with a combined licensed weight in excess of fifty-nine thousand nine hundred and ninety-nine (59,999) pounds a weight distance tax computed at the rate of two and eighty-five hundredths cents (\$0.0285) per mile.”

^{xxi} 2021 New Mexico Statutes, Chapter 7 – Taxation, Article 15A - Weight Distance Tax, Section 7-15A-3 - Imposition of weight distance tax. “A tax is imposed upon the registrants, owners and operators for the use of the highways of this state by all motor vehicles having a declared gross weight or gross vehicle weight in excess of twenty-six thousand pounds and registered in this state, registered under proportional registration or qualified under the provisions of Sections 65-1-32 and 65-1-33 NMSA 1978. This tax shall be known as the ‘weight distance tax’”.

^{xxii} ORS 825.474 (1) There shall be assessed against and collected from every carrier a tax for the use of the highways, to apply to the cost of administration of this chapter and for the maintenance, operation, construction and reconstruction of public highways. (2) The tax rate which shall apply to each motor vehicle shall be based upon the declared combined weight of the motor vehicle. (4) The tax for each motor vehicle shall be computed by multiplying the extreme mileage of travel in Oregon by the appropriate weight group tax rate as it appears in the table.”

^{xxiii} (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818), Sec. 3-818. Mileage weight tax option “Any owner of a vehicle of the second division may elect to pay a mileage weight tax for such vehicle in lieu of the flat weight tax set out in Section 3-815. Such election shall be binding to the end of the registration year.”

^{xxiv} See end note 1. See also: “The commission may acquire, own, and hold real and personal property in the name of the state or the commission and sell, lease or otherwise dispose of, or encumber, the same in connection with, and in furtherance of, its duties and the purposes of this act.” MCL 247.807 (2) (b). “To dispose of” means “to deal with.” Oxford English Dictionary. “The commission may do anything necessary and proper to carry out the duties imposed upon it by the constitution and such other duties as may be imposed by law.” MCL 247.808 (2) (2). Financing of highways is a transportation purpose. Const 1963, Art 9, § 9.

^{xxv} *Fostini v. City of Grand Rapids*, 348 Mich. 36, 81 N.W.2d 393 (Mich. 1957). “The right so to use the streets is a privilege.” “The amount of the privilege tax for the use of the highways may include reasonable compensation for the use of the highways and fair provision for anticipated repairs and improvements thereon.”

^{xxvi} MDOT Commission Policy, longitudinal use of limited access highways by utilities, #1100.97. 11/18/92. II. REQUIREMENTS A. In addition to requirements generally applicable to occupancy of the right-of-way by utilities, any use of that designated limited access right-of-way will be in compliance with such special requirements as the department may determine, including, but not limited to: 1. A land use agreement which includes an appropriate charge to offset a portion of the capital and maintenance expense of the limited access highway and otherwise protect the needs of the transportation system. To avoid loss of restricted transportation funds, the charge shall be sufficient to offset the costs which would not have been incurred but for the utility being allowed to occupy limited access right-of-way as well as to make a positive contribution toward the capital and maintenance expenses of those limited access highways, provided that the department may base such charges on marketplace information, if satisfied that the resulting charge would reasonably fulfill those purposes. 2. Use will be limited to only continuous type facilities which will not intermittently extend service outside the limited access right-of-way. 3. Facilities allowed longitudinally within limited access right of way shall be underground.

^{xxvii} “One 80,000 lb truck causes road damage equal to 9,600 cars.” MDOT Design Manual, Road Design, Chapter 6 (2023). Total disbursements for all units of government for all Michigan highways in 2020 was 6.5 billion. FHWA, Table HF-2. The funding gap needed to adequately maintain the highway system requires an additional 4 billion per year. See end note vi above. For commercial trucks share of Michigan fuel and registration tax paid, see Michigan Secretary of State, summary of fees collected, and Michigan Transportation Fund,, summary of receipts and distributions.

^{xxviii} Article 5, Section 28 delegates to the department the regulatory duty and power to establish and execute policy for the department’s transportation programs and facilities, “as provided by

law.” The legislature has provided by law for the powers of the department in this respect and confirmed the delegation to the department of the powers to do anything necessary and proper to carry out the duties imposed upon the department by the constitution. MCL 247.806a (j) and 807 (2) (c). On any view the constitution has delegated to the department broad constitutional powers to establish and execute transportation policy over department transportation programs and facilities. It is not necessary to decide at this time whether the legislature could prohibit the department from establishing and executing a policy that operators be charged a VMT and weight based fee for the privilege of operating commercial vehicles on the state’s transportation system. At this time the legislature has not attempted to so limit the powers of the department. To the contrary, for the time being the legislature has provided by law for full delegation to the department of regulatory power over the administration of the state’s transportation system

Good Morning Kathleen: My name is Jack Hoffman and I have appeared at public comment at the last couple of transportation commission meetings. You and I have common acquaintances in commissioner Schulz and communications director Cranson. I have been a board member of the Rapid since 2007. However I do not represent the Rapid, nor anyone but myself, in my dealings with the Commission. I have no financial interest in this matter other than the interest of any citizen in seeing a well-ordered transportation system. For more information on these subjects see my application to become a transportation commissioner, resume, and attachments filed on September 27, 2023. I will try to make sure to introduce myself at the next transportation commission meeting.

I do have clear ideas on the extent of the department's and commission's authority and what good transportation policy would be. As a starting point for discussion I offer the attached proposed commission policy supporting a feasibility study of regulatory fee in the form of a VMT and weight fee charged to operators for the privilege of operating commercial vehicles on the state's transportation system. In my judgment the department has authority to establish and execute the policy in this draft. Legal and transportation data authorities are cited in the end notes.

I totally concur that the governor, the other executive officers, and the legislature have a say in the manner and method by which commission policy is executed. I also concur that successful execution of any policy will require consultation and co-operation of the commission with both branches. Nevertheless, current legislation supports delegation of full constitutional authority over the state's transportation system to the department, commission, and director.

I am interested in you and your client's thoughts on whether the commission does have authority to establish such a policy, if it should choose to do so, under existing law. To me this is

analogous to bond authority. Under current law, the governor and the legislature can advise, but final authority lies with the commission. To me the situation with a vmt program is similar, under existing law.

Anyway, looking forward to a long and fruitful collegial relationship. I'd appreciate hearing your thoughts on the above.