

Governor asks court to use gas tax for transit

Thursday, December 2, 1976

(L9A) (P. 5B)

Four bills designed to allow the use of one-half cent of the state's gas tax for the sale of bonds for rapid transit have been signed by Gov. William Milliken.

The action was taken in order to request a supreme court advisory opinion on the constitutionality of using a portion of the gas tax to support railroad revitalization in Michigan. The constitution requires that the gas tax be devoted to the support of highway purposes as defined by the legislature.

But counsel have said they need a review by the supreme court before they will make any move on the bills.

The governor said he intended to send a letter to the supreme court requesting prompt action on the matter.

If Michigan is to have the flexibility to build a rapid transit system, we must also be able to build construction bonds to revitalize essential rail lines, Milliken said.

Similar bills in other states transpor-

tion acts were made to accommodate plans for funding by the Southeastern Michigan Transportation Authority (SEMTA).

Under the new provisions:

- All money borrowed from state trunk line funds must be repaid from the first proceeds of the state bonds sold for public transportation purposes.
- The state's share for matching local funding for rapid transit 66 per cent

share.

- Expenditure of any funds for a subway system in southeast Michigan is prohibited unless approved by a concurrent resolution of the legislature on a roll call vote.
- The law states that no new transit vehicles can be purchased until the legislature prescribes standards to insure that handicapped persons have access to the vehicles. Legislative leaders have made a

commitment to pass such legislation before the end of the year.

Another new provision in the bill requires any railroad company filing for abandonment to notify the Department of Highways and Transportation. The department will then have first option to buy the property if it determines that it has potential for future rail use, commuter rail use or use as a recreational trail.

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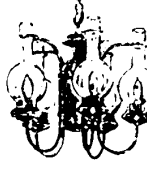


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