



**Q** Does a township have any required responsibility for construction, improvement or maintenance of public roads in the township?

No. Years ago, township boards had responsibility over the construction, improvement and maintenance of township public roads. The McNitt Act of 1931 and Act 51 of 1951 altered this responsibility and are now the foundation of current public road obligations in a township. Under these acts, the county road commission was required to take over as county roads all public streets and alleys outside of the limits of incorporated cities and villages as either county primary or county local roads. (MCL 247.669) This ended any “township road system” and township responsibility for construction, improvement or maintenance of public roads.

**Q** Is the county road commission responsible for improvement and maintenance of public roads in the township?

Yes. State law requires that county road commissions keep roads, bridges and culverts under their jurisdiction in “reasonable repair,” so that the roads are “reasonably safe and convenient for public travel.” (MCL 224.21) County road commissions receive the bulk of their funding for improvement and maintenance through the Michigan Transportation Fund and by a formula for allocation established by Public Act 51 of 1951.

The road commission does however have some restrictions regarding the use of these funds with regard to road construction: “Money distributed from the Michigan transportation fund may be expended for construction purposes on county local roads only to the extent matched by money from other sources. However, Michigan transportation funds may be expended for the construction of bridges on the county local roads in an amount not to exceed 75 percent of the cost of the construction of local road bridges.” (MCL 247.662(15))

It should be noted that these contribution limitations only govern construction, not improvement or maintenance. Additionally, they do not require the township to be the other funding source for construction.

**Q** Can a county board levy a county-wide millage for road purposes?

Yes. MCL 224.20b allows for a county board of commissioners to submit “at any general or special election the question of a tax levy for highway, road and street purposes or for 1 or more specific highway, road or street purposes, including but not limited to bridges, as may be specified by the board.” If a county-wide voted millage passes, then some of the funds are allocated to cities and villages within the county and the remaining goes to the county road fund. The county road funds are then expended by the county road commission.

**Q** The township has been requested by the road commission to provide matching funds for the maintenance of certain local public roads within the township. Should the township provide the funds?

This is a policy question for your township board to decide. Although township board financial support is not mandatory, in practice, however, townships often partner with county road commissions to help pay for and prioritize improvement and maintenance of township local roads. Budgetary considerations of the township obviously play a large part in making this decision.

Across the state, there are a range of township participation levels in providing matching funds to county road commissions, from as little as zero to as much as 100 percent. Many townships have faced the reality of the current road funding situation by becoming a working partner with their county road commission. In establishing this partnership, townships may be able to gain greater input on the prioritization and scheduling of road work in their township, while at the same time maintaining the township’s roads to the extent practicable.

A county road commission will typically work with a township to develop a multi-year work program, which may be based on the township’s traffic volumes, road PASER (Pavement Surface Evaluation Rating System) ratings, service requests and available funding. A county road commission and township must then figure out how to pay for the multi-year work program. Without local funds, the county road commission always has the option to return a paved road to gravel.