

*Act 51 Section 10k  
Non-Motorized Expenditures  
Reporting Process*

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## *Act Summary*

- Act 51 of 1951 as amended – details the funding distribution formula for the Michigan Transportation Funds (MTF) to 616 road agencies in Michigan
- MCL 247.660k also known as Section 10k – requires road agencies spend not less than 1% of their MTF on non-motorized transportation services or facilities
- Agencies need not meet the requirement annually but as an average over a period of 10 years

## *Reporting*

- Road agencies are required to report their MTF expenditures to the MDOT Finance Division annually. Including expenditures that meet the intent of Section 10k
- Road agencies complete a worksheet that tracks their 10 year spending on non-motorized services or facilities

# Section 10k Expenditure Worksheet

## ACTUAL QUALIFIED EXPENDITURES FOR NONMOTORIZED IMPROVEMENTS

Your Grand Total must equal or exceed 1% of your Fiscal Year MTF returns multiplied by 10.

\*Sum of lines 17a and 17b, Major and Local

\$\* \_\_\_\_\_ x .01 x 10 = \$ \_\_\_\_\_

Fiscal Year	2000	2001	2002	2003	2004	
Expenditures						
Fiscal Year	2005	2006	2007	2008	2009	GRAND TOTAL
Expenditures						\$

*Detailed records must be maintained for future reference or review.*

Distribute **Current Year** Expenditures to the following categories. See pages 19-21 for more information.

### Road Facilities

Bike Lanes \$ \_\_\_\_\_

Shoulders \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

### Non-Road Facilities

Shared Use Paths/Structures \$ \_\_\_\_\_

Sidewalks/Curb Ramps \$ \_\_\_\_\_

Pavement Markings/Signs \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

### Non-Motorized Services

Planning or Education \$ \_\_\_\_\_

[Need Instruction?](#) ►

# *Reporting*

- **The Michigan Department of Treasury only authorized MDOT to monitor expenditures – not specific projects**
- **Road agencies are required to maintain detailed records of their expenditures for future reference or review by MDOT or interested individuals**

## *Non-compliance with Section 10k*

- If a community is in non-compliance for not spending a minimum of 1% percent of their MTF on non-motorized services or facilities, they must:
  - 1) Develop a plan stating how they intend to spend the necessary funds to return to compliance within 3-years
  - 2) Present the plan to MDOT to verify that the proposed projects are eligible expenditures
  - 3) Adopt a resolution committing to those projects and expenditures

## *Eligible Projects*

- There are 3 broad categories of eligible non-motorized projects:
  - Non-road Facilities
  - Services
  - Road Facilities

## *Non-Road Facilities*

Accommodations that occur off the edge of the road

- Shared use path and structures to support the path
- Ramps and curb cuts where paths or sidewalks cross roadways
- Sidewalks in a city or village
- Bicycle parking facilities
- Signs, pavement markings and signals that support non-motorized travel

NOTE: Projects must meet AASHTO and ADA standards



# *Services*

- Cost associated with the development of:
  - Planning Documents
  - Educational materials
- Materials **MUST** promote the development, benefits and use of non-motorized transportation

# *Road Facilities*

Non-motorized accommodations built in a roadway

- Wide shoulders 4' or greater
- Bicycle lanes: stand alone or as a part of a “road diet”
  - (edge line, sign and bicycle pavement marking)
- Shared Lane marking “Sharrows”
- Portions of road (wide curb lane) or bridge construction, reconstruction, resurfacing or widening that support non-motorized travel

NOTE: Projects must meet AASHTO standards

# *Road Facilities - 2006 Amendment*

## Paving of gravel roads - INELIGIBLE

- MCL Section 247.660(k) also known as Section 10k (3) of P.A. 51 of 1951, as amended
- Eliminated changing gravel to hard surface roads, which included paving of gravel roads, as an eligible expenditures for non-motorized facilities

**Additional project eligibility guidance :** <http://bit.ly/8YUmoj>

# Tracking Act 51 Sec. 10k

How much does a community get in MTF payments?

The screenshot shows the MDOT website homepage. The left sidebar contains a vertical menu with the following items: roads & travel, rail & public transit, bridges, borders & ferries, news & information, projects & programs, maps & publications (circled in red), about MDOT, doing business, and aeronautics. The main content area features a 'Spotlight' section with news items, a 'Getting Around' section with links to road conditions and projects, and 'Favorite Links' and 'Commuting Alternatives' sections. The right sidebar includes a search bar, 'MI Business One Stop', 'Departments/Agencies', 'Online Services', 'Surveys', 'RSS Feeds', and a 'Quick Links' section with various utility links.

Go To:

[www.michigan.gov/MDOT](http://www.michigan.gov/MDOT)

Select:

Maps and Publications

# Tracking Act 51 Sec. 10k

How much does a community get in MTF payments?

MDOT - Reports - Microsoft Internet Explorer

Address: [http://www.michigan.gov/mdot/0,1607,7-151-9622\\_11045---,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9622_11045---,00.html)

maps & publications

- maps
- Reports**
- Annual Financial Report
- Construction & Technology Research Reports
- Legislative Reports

Forms

roads & travel

rail & public transit

bridges, borders & ferries

news & information

projects & programs

about MDOT

doing business

aeronautics

### Spotlight

[Economic Benefits of MDOT's 2009 - 2013 Highway Program](#) PDF

[Economic Benefits of MDOT's Updated 2009-2013 Highway Program \(Including ARRA funding\)](#) PDF

### MDOT Reports

- [First MDOT Report on Transportation System Condition](#)  
MDOT presents the first phase of a multi-phased effort to provide performance measurement data for the transportation system.
- [2009 Letting Statistics](#) PDF
- [2008 Metro Detroit ITS Annual Report](#)  
[Complete](#) / [Printer-Friendly Summary](#)
- [2008 Grand Region Communications Study](#)  
[Complete](#) / [Printer-Friendly Summary](#)
- [Five-Year Program](#)  
MDOT's most recent Five-Year Transportation Program
- [State Transportation Improvement Program \(STIP\)](#)  
Every two years the Michigan Department of Transportation prepares a summary of its federal aid program.
- [Economic Benefits of the Michigan Department of Transportation's 2007-2011 Highway Program](#) PDF  
University of Michigan research shows MDOT highway program brings jobs and economic benefits to the state.
- [Deicing Materials on Michigan Roads](#)  
The Selected Deicing Materials on Michigan Roads: Environmental and Economic Impacts

More Reports

MI Transportation Plan ...

More Reports

Act 51

More Reports

MI Transportation Fund ...

Select:  
Reports

Select:  
The specific year under the  
'More Reports' drop down  
window at the bottom of  
the page.

# Tracking Act 51 Sec. 10k

How much does a community get in MTF payments?

## Schedule B

Distribution to Counties for the fiscal year October 1, 2008 through September 30, 2009 under the provisions of Act 51 of the Public Acts of 1951, as amended.

County	Michigan Transportation Fund	Snow Removal Payments	Local Program Fund	Total
Alcona	2,212,024.20	21,084.92	84,328.23	2,317,437.35
Alger	1,662,794.64	281,132.21	63,300.82	2,007,227.67
Allegan	7,211,615.90	116,865.86	286,419.96	7,614,901.72
Alpena	2,873,525.56	26,053.42	109,664.09	3,009,243.07
Antrim	2,808,318.15	314,045.40	107,170.55	3,229,534.10
Arenac	2,198,640.53	0.00	83,823.61	2,282,464.14
Baraga	1,611,720.96	283,004.76	61,344.72	1,956,070.44
Barry	4,266,337.47	0.00	163,000.65	4,429,338.12
Bay	7,010,091.54	0.00	268,334.63	7,278,426.17
Benzie	2,188,409.04	149,423.27	83,427.84	2,421,260.15
Berrien	9,808,451.83	37,488.46	374,695.42	10,220,635.71
Branch	3,783,040.95	0.00	144,443.66	3,927,484.61
Calhoun	7,448,324.52	0.00	279,666.25	7,727,990.77
Cass	4,144,538.05	6,616.34	157,287.24	4,308,441.63
Charlevoix	2,692,451.29	133,369.27	102,731.76	2,928,552.32
Cheboygan	3,243,219.23	137,638.68	124,314.34	3,505,172.25
Chippewa	3,933,438.11	348,606.44	150,236.73	4,432,281.28
Clare	3,336,186.22	2,502.98	122,572.19	3,461,261.39
Clinton	5,486,311.28	0.00	209,817.41	5,696,128.69
Crawford	2,159,337.42	64,702.85	82,308.93	2,306,349.20
Delta	3,464,513.36	33,993.03	132,295.51	3,630,801.90
Dickinson	2,570,557.97	13,719.55	98,053.16	2,682,330.68

- Add the Michigan Transportation Fund to the Local Program Fund to determine to total amount upon which the 1% is determined for one year.

- Example:  

$$\$2,212,024.20 + \$84,328.23 = \$2,296,352.43$$

# Tracking Act 51 Sec. 10k

How do I determine what their 1% requirement is ?

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- Multiply total amount by 0.01 to determine the annual 1%

- Example:

$$\$2,296,352.43 \times 0.01 = \$22,963$$

- Note: Snow Payments ARE NOT figured into the formula because not all agencies get these payment.

- Remember: Agencies must meet the 1% requirement as an average amount spent over a period of 10 years.

# Tracking Act 51 Sec. 10k

How do I verify that it was spent?

**MDOT**  
Michigan Department of Transportation

**Instructions and Forms**  
**For Preparing the**  
**ACT 51**  
**STREET FINANCIAL REPORT**  
**FOR CITIES AND VILLAGES**

**LONG FORM**  
**2008**

In accordance with, Public Act 51 of 1951, as amended

STATE TRANSPORTATION COMMISSION

James R. Rosendall Jerrold M. Jung	Ted B. Wahby James S. Scallci	Maureen Miller Brosnan Linda Miller Atkinson
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DIRECTOR  
KIRK T. STEUDLE

- 1 -

- Each Act 51 Agency (City, Village, County) must complete and submit to MDOT Form 2030, annually, to report how they spent their MTF payments.
- These reports are public documents and available to the public for review.
- To find a blank copy of Form 2030 go to: [www.Michigan.gov/mdot](http://www.Michigan.gov/mdot) -> doing business -> forms



# Tracking Act 51 Sec. 10k

How do I verify that it was spent?

Michigan Department  
of Transportation  
2010 (05/00)

FOR OFFICE USE ONLY		
PLACE	COUNTY	YEAR

CITY OR VILLAGE OF \_\_\_\_\_

**Act 51**  
**STREET FINANCIAL REPORT**  
**FOR CITIES AND VILLAGES**

**FOR THE FISCAL YEAR ENDED**

\_\_\_\_\_ 2008  
MONTH DAY YEAR

<http://mdotwas1.mdot.state.mi.us/public/webforms/>

*This information is required in accordance with Act 51 of P.A. 1951, as amended. Failure to provide this information will cause funds to be withheld. This report is subject to review by Michigan Department of Transportation and correction by the submitting agency before final acceptance by Michigan Department of Transportation.*

The financial report accurately reflects the **REVENUES AND EXPENDITURES OF ALL STREET WORK** and funds by systems, and conforms to the requirements of P.A. 51 of 1951, as amended.

**ATTEST**

_____ Clerk or Chief Financial Officer Signature	_____ Street Administrator Signature
_____ Print Name	_____ Print Name
_____ Email address	_____ Email address
_____ Phone number	_____ Phone number
_____ Date	_____ Date

- Financial Reports must be signed by both the Street Administrator and Clerk/Chief Financial Officer
- Contact one of these individuals for the community in which you are seeking the information to see how they reported their spending.
- This may require you to file a Freedom of Information Act (FOIA) request.

# Additional Info on Project Eligibility

## PA 51 of 1951 as amended by PA 82 of 2006

The following table represents work items creditable against the Section 10(k) one percent expenditures. If your community identifies potential work items that do not appear on the list below please contact the MDOT Bicycle and Pedestrian Coordinator for eligibility verification.

DESCRIPTION OF WORK	WORK CREDITABLE AGAINST SECTION 10(k) ONE PERCENT REQUIREMENT	ELIGIBLE COST	
		Engineering	Construction
<b>NON – ROAD FACILITIES</b>			
Shared Use Path as a project	All Engineering/construction	100%	100%
Shared Use Path as part of a road project	1) All path related construction 2) Non-path work in the road project, necessitated by the path component (e.g. extra fill, culvert extension, etc) 3) Prorated engineering costs	Prorated*	100% of 1 and 2
Shared Use Structures	All engineering/construction	100%	100%
Bicycle Parking	Acquisition and Installation	100%	100%
Sidewalks, ramps and curb cuts	All engineering/construction	100%	100%
Curb Extensions and Median Refuge Islands	All engineering/construction	100%	100%
Signs, Pavement Markings, Pedestrian Signals	All work specifically associated with the non-motorized facility and its pedestrian/non-motorized users	100%	100%
<b>SERVICES</b>			
Non-motorized Planning and Education	Costs associated with the development of non-motorized planning documents or educational materials intended to promote the development, benefits and use of non-motorized transportation.	NA	NA
<b>ROAD FACILITIES</b>			
New Bike Lanes and associated, pavement, pavement markings, and signage	That portion of the engineering and construction that can be attributed to the bike lane	Prorated**	Prorated**
Shoulder Paving as a project	All Engineering/construction	100%	100%
Shoulder Paving as a part other road or bridge construction, reconstruction, resurfacing, or widening work	That portion of the engineering and construction that can be attributed to the paving shoulder portion of the work	Prorated**	Prorated**
Road or bridge Construction, Reconstruction, Resurfacing, or Widening	That portion of the outside lane width in excess of the minimum design width for motor vehicles	Prorated**	Prorated
* Proration: $E_{nm} = (C_{nm} / C_{tot}) \times E_{tot}$ , where E=Engineering \$'s, and C=Construction \$'s			
** Proration: $C_{nm} = (W_{nm} / W_{tot}) \times C_{tot}$ where W=Width of roadway, and C=Construction \$'s. Note only road/bridge project pay items which include the non-motorized width in the width proration.			
All work needs to be done to AASHTO and ADA standards.			

Find a partial list of eligible expenditures at:  
<http://bit.ly/8YUmoj>

*For more information*

- [www.michigan.gov/act51](http://www.michigan.gov/act51)
- Or Contact:  
Josh DeBruyn, AICP  
Bicycle and Pedestrian Coordinator  
Phone: (517) 335-2918  
Email: [debruynj@michigan.gov](mailto:debruynj@michigan.gov)