

## How can legislators help to prevent harm in a community?

### Bridge Scenario



*In this scenario, students will read about a bridge collapse in a small Michigan town.*

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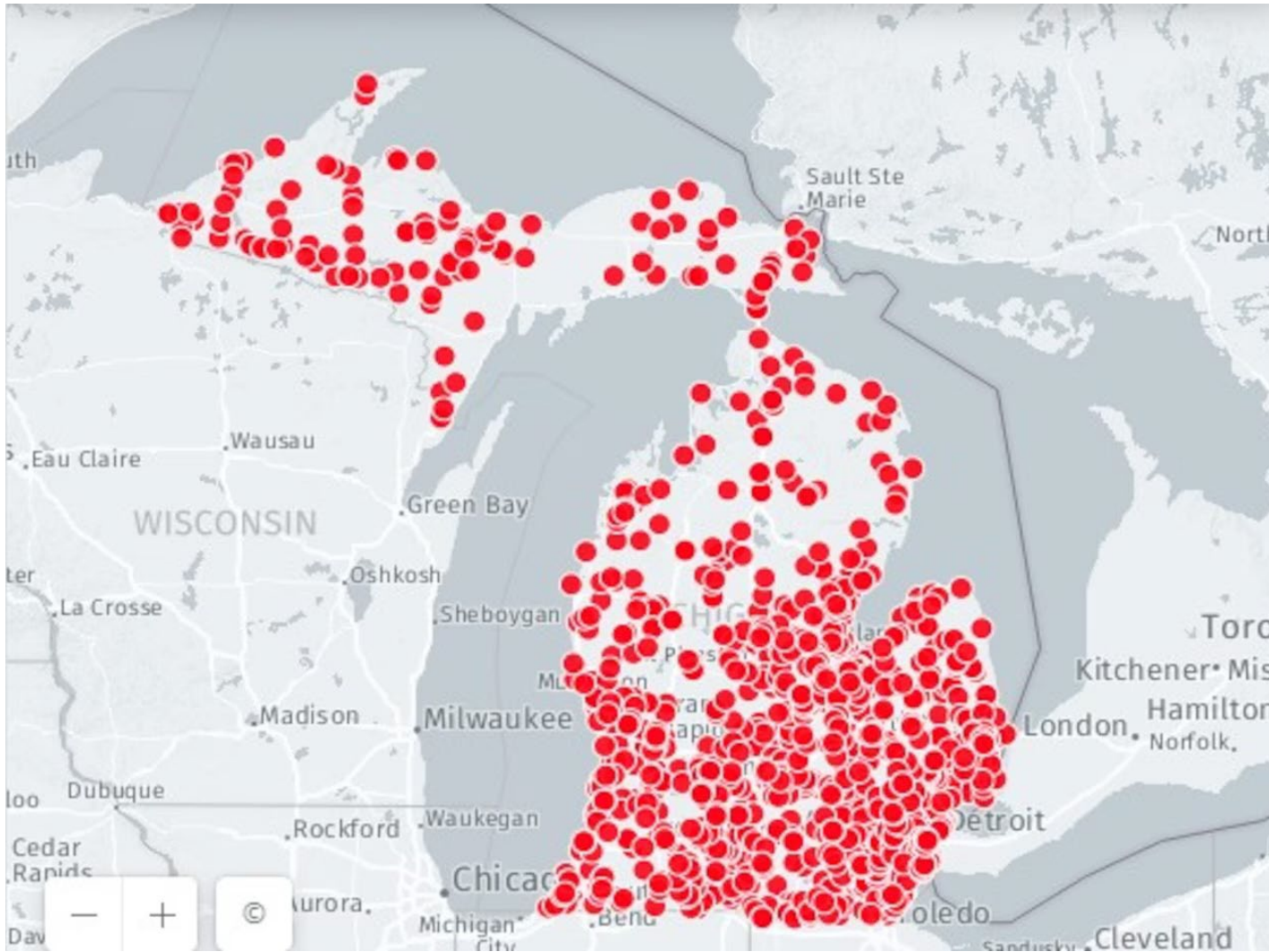
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#### QFT Rules

1. Ask as many questions as you can.
2. Do not stop to discuss, judge, or answer the questions.
3. Write down every question as it is stated.
4. Change any statement into a question.

Map identifying Michigan's bridges in poor condition, according to the latest inspections available via MDOT

<https://www.mlive.com/public-interest/2023/10/where-bridges-are-most-critically-in-need-of-repair-in-michigan.html>

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# THE DAILY SPECTACLE

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## Bridge Collapse in Michigan Town Raises Questions About Infrastructure Neglect

**Staff Writer-** The Daily Spectacle

*Published 12:49 p.m. ET Oct. 1, 2024 Updated 1:19 p.m. ET Dec. 4, 2024*

BRUCKEVILLE, Mich. — The collapse of a major bridge in this small Michigan town has left a community reeling, searching for answers, and grappling with a tragedy that many say was preventable.

Several months ago, the Maple Street Bridge, which spans the Maple River and connects the north and south sides of town, suddenly gave way. The disaster claimed three lives, injured several others, and has thrown the town into chaos.

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"We've been saying for years that this bridge needed work," said Pat Johnson, a longtime resident and Chairperson of the local Downtown Development Authority. "Now we're left wondering why nobody listened."

"We've been saying for years that this bridge needed work," said Pat Johnson, a longtime resident and Chairperson of the local Downtown Development Authority. "Now we're left wondering why nobody listened. As far as I'm concerned, this was something the city, the state, SOMEBODY, should have prioritized years ago."

According to a survey done by the Michigan Department of Transportation (MDOT) in 2023, 11,300 bridges in the state, including the Maple Street Bridge, are designated in “poor” condition. That’s just over one in every ten bridges. MDOT explained that repairing all those bridges would cost billions of dollars, and that the state legislature, working with the governor, decides how much funding to allocate to bridge repairs each year. MDOT said that it then consults with local governments and the public to decide which bridges are prioritized for repairs.

The Maple Street Bridge, which had been flagged as being in "poor condition" since 2020, failed catastrophically as a truck carrying construction equipment crossed. While the vehicle was within the stated weight tolerances, the National Transportation Safety Board (NTSB) has determined that its presence, coupled with the bridge's aging structure and metal fatigue in a key support beam, likely triggered the collapse. The NTSB inquiry into the bridge collapse is ongoing.



The human toll of the disaster is stark. A family of four was driving across the bridge when it failed; both parents perished, while their two young children were rescued with minor injuries. The truck driver also lost his life. Five other individuals crossing the bridge on foot, were hospitalized with injuries but are expected to recover. Questions are being raised about whether the state, the city of Bruckeville, or the trucking company will provide compensation for the lives lost and for health care and funeral expenses.

The collapse snarled traffic throughout Bruckeville and the larger region for two months, since Maple Street links to several regional and state highways. Emergency services reported difficulty accessing certain parts of town, and essential city services were severely disrupted.

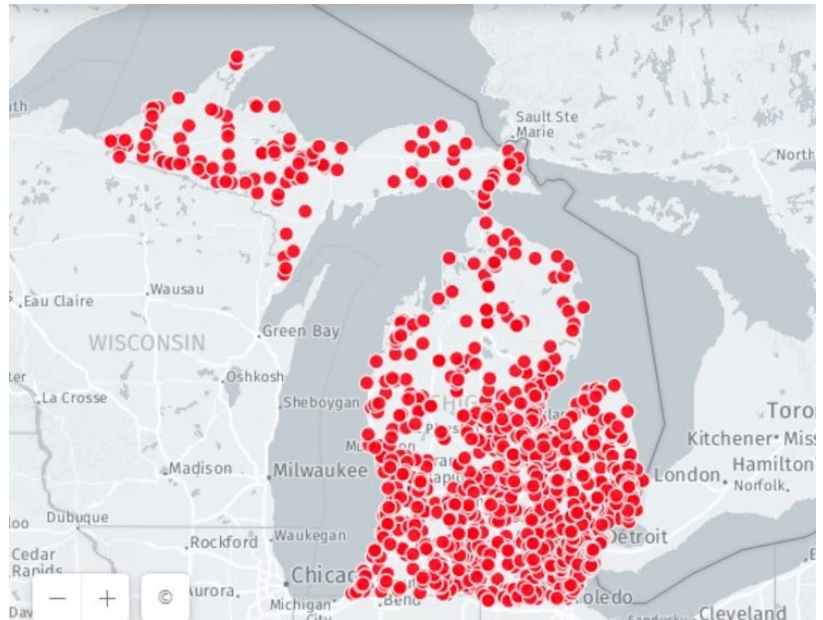
In the immediate aftermath, a local state of emergency was declared by the Governor. Rescue crews, including divers, worked for hours, searching the river and wreckage for survivors. The Governor authorized emergency funds to construct a temporary replacement bridge, which was finished in a record two months and has eased traffic. Work to clear the river of debris and construct a permanent span is projected to take a year.

"We shouldn't be paying for a new bridge," said Bruckeville City Manager Alex Ortiz. "Repairing the old bridge would have been half the cost.

This was a failure of state government oversight, pure and simple. MDOT and the Governor are responsible for setting repair priorities and funding those projects. That bridge was entirely under their jurisdiction."

The MDOT spokesperson disagreed. "Our records show that this bridge is not a trunk-line bridge and therefore funds for its upkeep are distributed through the Local Bridge Program. Bruckeville narrowly missed a deadline to submit its application for funding, and the documents if eventually submitted were incomplete. Given the problems with the town's application, we prioritized other bridges where the state had more of an ownership stake and the application was complete."

In addition to the human toll this tragedy has wrought, the bridge collapse has brought larger questions about how the state funds its roads and bridges, which currently rely heavily on funding from the state gas tax. Michiganders currently pay 30 cents per gallon to fund road repairs. This may seem steep, but despite that figure, Michigan has a shortfall of upwards of \$3.9 billion for planned repairs. With more fuel-efficient vehicles on the rise, and electric vehicles becoming more popular and affordable, some advocacy groups have grown concerned that the State's already inadequate budget for transportation infrastructure will only become more untenable unless changes are made to the funding structure. The state is currently investigating new funding sources and models, including a "pay-per-mile" system, but no decisions have been made.



*Map identifying Michigan's bridges in poor condition, according to the latest inspections available via MDOT <https://www.mlive.com/public-interest/2023/10/where-bridges-are-most-critically-in-need-of-repair-in-michigan.html>*

“Citizens are taxed enough already,” says Jo Edwards, a local elected official. “Our solution cannot be to add more taxes to remedy the government’s mistakes.”

“Imposing a new tax on electric vehicles will discourage families from buying them,” objected Chris Smith from the Michigan Environmental Council. “Taxing electric vehicles is a ploy by the oil companies to keep gas-powered cars on the road.”

Local resident, Avery Tuck, offered a different perspective, “No tax, no bridge repairs. Stop your bellyaching about collapsing bridges if you’re not willing to foot the repair bill. Our town refused to pay. This is the result.”

The head of the Michigan Chamber of Commerce, Harper Rogers, said, “Businesses need functioning roads and bridges. More money must be allocated for repairs.”

State lawmakers have established a special oversight committee, that will soon convene meetings in Lansing, to investigate the delay in funding the bridge repair; local funding contribution requirements; compensation issues related to loss of life and other costs; and how to increase available funds for future infrastructure projects.

A spokesperson for the Governor’s office summed it up, stating: “The focus needs to be on what can be done to avoid these kinds of calamities in the future, not only in Bruckeville, but throughout our great state.”

For now, the residents of this small Michigan town are left to mourn their losses, navigate a city bisected by tragedy, and demand answers to questions about who should pay.

## Witness Summaries for Students

### **Witness: Director of the Bureau of Bridges & Structures, MI Department of Transportation**

#### *What is the Michigan Department of Transportation?*

The Michigan Department of Transportation (MDOT) is responsible for Michigan's 9,669-mile state highway system, comprised of all M, I, and US routes. It is the backbone of Michigan's 120,000-mile highway, road and street network. The state owns over 4,700 highway, railroad, and pedestrian bridges, 665 miles of railroad track, roughly 2,700 miles of nonmotorized trails, and four airports. Additionally, MDOT administers state and federal transportation programs for aviation, intercity passenger services, rail freight, and local public transit. MDOT, with a staff of approximately 2,800, is led by a director who oversees seven regional offices responsible for the construction, maintenance, and programs within the designated geographic region.

#### *What is the Bureau of Bridges & Structures?*

The Bureau of Bridges & Structures is responsible for statewide policy and procedure development and execution to ensure all bridges and structures are designed, constructed, maintained, and operated to ensure the safety of the traveling public. The bureau is devoted to efficient and innovative design, construction, and active preservation of Michigan's transportation structural assets. This bureau oversees the evaluation and prioritization of bridge conditions across the state and manages the three international crossings in Detroit, Port Huron, and Sault Ste. Marie. The bureau is led by a director who manages a staff of about 200 people.

### **Witness: State Treasurer of Michigan**

#### *What is the job function of the State Treasurer of Michigan?*

The State Treasurer acts as principal advisor to the governor on tax and fiscal policy issues. The State Treasurer also serves as the chairperson of the Michigan Education Trust and the Michigan Finance Authority. The Michigan Department of Treasury is responsible for collecting, disbursing, and investing all state monies. The department collects and administers over \$20 billion a year in state taxes and safeguards the credit of the state. The department is also responsible for the fiscal health of Michigan's local governments and schools.

#### *What is the Office of the State Treasurer of Michigan?*

The Office of State Treasurer is provided for by Article V, Section 3, of the Michigan Constitution of 1963. The State Treasurer is appointed by the governor, with the advice and consent of the senate, and serves at the pleasure of the governor. Operational responsibilities of the department are handled by the Executive Office, which consists of the State Treasurer, the Chief Deputy Treasurer, Deputy Treasurers for Financial and Administrative Services, Investments, Local Government Services, State and Authority Finance, and Tax Administration.

### **Witness: Research Associate, Citizen's Research Council Representative**

#### *What is the Citizen's Research Council?*

The Citizen's Research Council (CRC) of Michigan is a privately funded, not-for-profit public affairs research organization that was founded in 1916. Since then, the objective of the Research Council has been to provide factual, unbiased, independent information on significant issues concerning state and local government organization and finance. The

Research Council believes that the use of this information by policymakers will lead to sound, rational public policy formation in Michigan.

The CRC of Michigan is noted for the accuracy and objectivity of its research. Over the years, the Research Council has made significant contributions to the ongoing debate over the appropriate role of government and has gained vast experience in virtually every facet of state and local government.

*What is the job function of the Citizen's Research Council infrastructure research associate?*

The role of the infrastructure research assistant is to be the expert on all research done by the CRC regarding infrastructure. This person guides the focus of infrastructure research, and handles research tasks requested by lawmakers, interest groups, etc.

The institutional standards of the Research Council are:

- *Accuracy* – Research Council staff strive to ensure that every fact and every statement in a Research Council report is accurate and reliable in every respect. It is recognized that one small error in an otherwise well-researched report can cast doubt on the entire report and that a succession of such errors can destroy the credibility of the organization.
- *Objectivity* – Although many of the analyses have political overtones, the Research Council analyses are noted for their balanced, unbiased approach to such issues. The Citizens Research Council attempts to analyze and reflect as many responsible points of view as possible in the conduct and presentation of its research results.
- *Independence* – The Citizens Research Council attempts to define and represent the broader public interest in any given issue. It was not established to represent any special interest or set of special interests. Its value derives in large measure from its independent stance on issues of public importance.

#### **Witness: Advocate, Americans for Tax Reform**

*What is the purpose of Americans for Tax Reform as an organization?*

Americans for Tax Reform believes in a system in which taxes are simpler, flatter, more visible, and lower than they are today. They believe that “the government’s power to control one’s life derives from its power to tax (and) that power should be minimized.” Their goal as an organization is to pressure government officials to adhere to this philosophy and create policy accordingly.

*What are the policy goals of the Americans for Tax Reform?*

As an organization, Americans for Tax Reform opposes all tax increases as a matter of principle. When it comes to this problem, ATR feels that MDOT is funding too many projects that should be left wholly to local governments or residents to fund through more local control means such as millages or bonds. Far from being inadequate, MDOT funding is likely too high, because it is trying to do too much. It should be restricted to providing funds only to wholly owned state roads (or federal roads provided money is given from the federal government for that purpose), and any local or county roads should be funded independently of statewide taxes.

#### **Witness: Policy Director, Zero Emission Transportation Association (ZETA)**

*What is the job function of the policy director?*

Policy directors are responsible for leading research about policy that would impact a company, organization, or institution. They coordinate communication between stakeholders, policymakers, media outlets, and funders to create strategic priorities. This person is also responsible for drafting and approving policy proposals or reports and delivering guidance to senior management about the impact of specific policies. They also might represent the company on policy issues in public forums or at events.

*What is the Zero Emission Transportation Association?*

The Zero Emission Transportation Association (ZETA) is a federal coalition focused on advocating for the advancement of the electric vehicle supply chain. ZETA is committed to enacting policies that drive EV adoption, create hundreds of thousands of jobs, and maintain American EV manufacturing dominance in global markets.

**Witness: Bruckeville City Manager**

*What is the job function of a city manager?*

The city manager is appointed by the city council to serve as the chief administrative officer of the city. It is the responsibility of the city manager to carry out policies formulated by the city council. The city manager is also responsible for the supervision and management of all the services of the city, including the enforcement of the city code of ordinances, charter, and applicable laws of the state. The city manager prepares the city's budget for consideration by the city council and is responsible for administering the budget as adopted. The city manager is also responsible for keeping the council informed as to the financial affairs of the city.

*What is a council-manager form of government?*

The council-manager form is the system of local government that combines the political leadership of elected officials in the form of a governing body, with the managerial experience of an appointed local government manager. The governing body, commonly known as the council, may also be referred to as the commission or the board. The council-manager form establishes a representative system where all power is concentrated in the elected council, and where the council hires a professionally trained manager to oversee the delivery of city services.

**Witness: Chairperson, Bruckeville Downtown Development Authority**

*What is the job function of the DDA Chairperson?*

The chairperson facilitates all DDA meetings and acts as the spokesperson and liaison for the DDA. This person works closely with the DDA Director, usually the city's manager, to advance the goals of the DDA, develop new projects, and adhere to the financial plan. The chairperson is typically an active citizen of the community, a local business owner, or someone with an invested interest in the success of the downtown businesses.

*What is a Downtown Development Authority?*

The Downtown Development Authority (DDA), Public Act 57 of 2018, is designed to be a catalyst in the development of a community's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district and the ability to levy a limited millage to address administrative expenses. Once established, the DDA may create a development plan to submit for approval to the local municipality. A development plan describes the costs, location, and resources for the implementation of the public improvements that are projected to take place in the DDA district. A tax increment



financing plan includes the development plan and details the tax increment procedure, the amount of bonded indebtedness to be incurred, and the duration of the program.

**Witness: Victim's Family Member**

*What is your connection to the collapse of the Maple Street Bridge?*

You are the parent of one of the people who lost their lives because of the collapse of the Maple Street Bridge, as well as the grandparent of the children who survived. Your child and their family were driving home to visit for the holidays when the bridge collapsed with their car on it. After agonizing hours of emergency divers searching the Maple River, their deceased body was found along with those of their spouse. According to the coroner they likely died from the impact with the river. Your grandchildren have minor injuries but have been left without their parents. Your family has not yet taken any legal action but does want answers about what went wrong and who is responsible for the ongoing associated costs of healthcare and recovery.

# Director

Bureau of Bridges and Structures

# Michigan State Treasurer

Department of Treasury

# Research Associate

Citizen's Research Council



# Advocate

Americans for Tax Reform

# Policy Director

Zero Emission Transportation  
Association (ZETA)

# Alex Ortiz

Bruckeville City Manager

# Pat Johnson

Chairperson, Bruckeville DDA



# Victim's Family Member

# **Your Role: Director, Bureau of Bridges and Structures, Michigan Department of Transportation**

## **Background Information**

### *What is the Michigan Department of Transportation?*

The Michigan Department of Transportation (MDOT) is responsible for Michigan's 9,669-mile state highway system, comprised of all M, I, and US routes. It is the backbone of Michigan's 120,000-mile highway, road and street network. The state owns over 4,700 highway, railroad, and pedestrian bridges, 665 miles of railroad track, roughly 2,700 miles of nonmotorized trails, and four airports. Additionally, MDOT administers state and federal transportation programs for aviation, intercity passenger services, rail freight, and local public transit. MDOT, with a staff of approximately 2,800, is led by a director who oversees seven regional offices responsible for the construction, maintenance, and programs within the designated geographic region.

### *What is the Bureau of Bridges and Structures?*

The Bureau of Bridges & Structures is responsible for statewide policy and procedure development and execution to ensure all bridges and structures are designed, constructed, maintained, and operated to ensure the safety of the traveling public. The bureau is devoted to efficient and innovative design, construction, and active preservation of Michigan's transportation structural assets.<sup>1</sup> This bureau oversees the evaluation and prioritization of bridge conditions across the state and manages the three international crossings in Detroit, Port Huron, and Sault Ste. Marie. The bureau is led by a director who manages a staff of about 200 people.

## **Goals for testimony**

You have two primary goals if you are called to testify:

- (1) Explain the process for evaluating and prioritizing infrastructure projects throughout the state.
- (2) Ask legislators to invest appropriate funding and staffing for infrastructure evaluation, repair and maintenance.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## **How does the state of Michigan fund, evaluate, and prioritize infrastructure projects?**

There are two main sources of funding: motor fuel taxes and vehicle registration taxes. State fuel tax and vehicle registration fee revenues are collected in a single "pot" known as the Michigan Transportation Fund. After money is taken off the top for several items including the Bridge Fund and Mass Transit, the remaining money is divided between the Michigan Department of Transportation, county road commissions, and cities and villages according to a formula established by the state legislature.

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<sup>1</sup> Michigan Department of Transportation. "Bridges & Structures," 2025. <https://www.michigan.gov/mdot/programs/bridges-and-structures>.

The formula calls for 39.1% of the money to go to MDOT (which has jurisdiction over 8% of Michigan's roads), 39.1% to go to county road commissions (which have jurisdiction over 75% of Michigan's roads) and 21.8% to go to cities and villages (which have jurisdiction over 17% of Michigan's roads).<sup>2</sup>

Federal funding, primarily from motor fuel taxes, also goes towards infrastructure programs. Federal funds cannot be used for routine or reactive maintenance, and they can only be used on federal-aid eligible roads and bridges.

Local funds are also a source of revenue for the state transportation budget. Cities and villages are required to contribute to the costs of state trunkline highways within cities and villages.

Act 51 MCL § 247.660 apportions and appropriates funds in the Michigan transportation fund.<sup>2</sup>

Prioritizing bridges is done using MDOT's Bridge Management System (BMS). MDOT also uses the Bridge Condition Forecasting System (BCFS) which considers current bridge conditions, deterioration rates, costs, expected inflation, and fix strategies to estimate future conditions. Bridges are then rated from 0-9, the higher the rating the better the condition of the bridge. These ratings are recorded in the National Bridge Inventory.

The state of Michigan uses two types of inspections for NBI structures: routine inspection and Michigan element-level bridge inspection. Element-level bridge inspection data is extremely useful when determining a preservation plan for bridges. Local agencies are encouraged to incorporate element-level bridge inspection and reporting into their local bridge inspection program.

The state of Michigan has a prescriptive procedure that evaluates bridge condition using bridge inspection records and inventory data in MiBRIDGE. This information is made available to the Local Bridge Advisory Board, regional councils, and local agency bridge owners to be used to prioritize bridge replacement, rehabilitation, and preventive maintenance projects. Bridge owners are encouraged to use the concepts of asset management and MiBRIDGE tools to develop bridge preventive maintenance programs.

Dispersal of funds specifically for bridges that are not wholly state-owned occurs through the Local Bridge Advisory Board. The Local Bridge Advisory Board dedicates funds to each of the seven regional councils for replacement, rehabilitation, and preventive maintenance projects. Local agency bridge owners should estimate the resource requirements over time to preserve their bridges.<sup>3</sup>

The system as described represents the Local Agency Program Bridge Unit.<sup>4</sup>

### **What role does the Director of the Bureau of Bridges and Structures play in this issue and what are some possible solutions?**

The Director of the Bureau of Bridges and Structures is responsible for executing the policy (as written by the legislature) centered around the Local Bridge Fund and Local Bridge Advisory Board. They do not, however, have any discretion

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<sup>2</sup> Act 51 MCL § 247.660

<sup>3</sup> "Asset Management Guide for Local Agency Bridges in Michigan." *State of Michigan*. Michigan Transportation Asset Management Council, 2022. <https://www.michigan.gov/-/media/Project/Websites/MDOT/Business/Local-Government/Local-Agency-Program/Bridge-Program/Asset-Management/Local-Bridge-Asset-Management-Guide.pdf?rev=60bb47d85eb5472fb91f54873616faf9>.

<sup>4</sup> Michigan Department of Transportation. "Bridge Program," 2024. <https://www.michigan.gov/mdot/business/local-government/local-agency-program/bridge-program>.

regarding the overall amount of funding. That is provided for in state law and only the legislature has the power to change the amount.

### **Possible solutions**

Funding limitations and external factors like rising material costs due to inflation are widening the gap between available resources and investment needs. (See footnote 7) A feasibility analysis shows that:

- A statewide tolling program in Michigan could generate enough revenue to fully fund the life-cycle costs of the tolled roadways.”<sup>5</sup> This could be applied to bridges on those tollways.

Additionally, the Legislature should consider:

- Giving the Bureau of Bridges and Structures more discretion as to how funds are distributed
- Provide more emergency funding flexibility- (currently the law caps funding at “no less than 5% and no more than 15% of the money received in the local bridge fund [...] for critical repair of large bridges and emergencies as determined by the local bridge advisory board.”)<sup>6</sup>

### **Possible quotes to use in the hearing:**

“Without real funding changes, Michigan’s infrastructure is rapidly approaching a crisis point.”

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<sup>5</sup> *Michigan Statewide Tolling Study - home page*. (2023, February 22). MDOT Tolling Study. <https://www.mitollingstudy.com/>

<sup>6</sup> Act 51 MCL § 247.660



# Your Role: State Treasurer of Michigan

## Background Information

*What is the job function of the State Treasurer of Michigan?*

The State Treasurer acts as principal advisor to the governor on tax and fiscal policy issues. The State Treasurer also serves as the chairperson of the Michigan Education Trust and the Michigan Finance Authority.<sup>1</sup> The Michigan Department of Treasury is responsible for collecting, disbursing, and investing all state monies. The Department collects and administers over \$30 billion a year in state taxes and fees and safeguards the credit of the state. The Department is also responsible for overseeing the fiscal health of Michigan's local governments and schools.<sup>2</sup>

*What is the Office of the State Treasurer of Michigan?*

The Office of State Treasurer is provided for by Article V, Section 3, of the Michigan Constitution of 1963. The State Treasurer is appointed by the governor, with the advice and consent of the senate, and serves at the pleasure of the governor. Operational responsibilities of the department are handled by the Executive Office, which consists of the State Treasurer, the Chief Deputy Treasurer, Deputy Treasurers for Financial and Administrative Services, Investments, Local Government Services, State and Authority Finance, and Tax Administration.<sup>3</sup>

## Goals for testimony

You have two primary goals if you are called to testify:

- (1) Explain the role of the Department of Treasury in funding infrastructure projects.
- (2) Highlight the need to change Michigan's road funding structure to future-proof the system.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## What is the role of the Treasury department in administering funding for infrastructure projects?

The Michigan Department of Treasury is responsible for collecting, disbursing, and investing all state monies. Treasury advises the Governor on all tax and revenue policy, collects and administers more than \$30 billion a year in state taxes and fees, and safeguards the credit of the state.<sup>4</sup> Because road funding is at least in part a tax issue, the Treasury would advise the Governor on changes to the gas tax, or other such taxes. The Treasury could also provide recommendations for additional taxing strategies. This could include, but is not limited to, addressing the benefits and drawbacks of certain tax policies, helping the Governor create long-term financial plans, and assessing the needs of individual communities across the state. The Department of Treasury is a nonpartisan body and does not actively advocate or lobby for specific decisions. Their role is to provide context and guidance but not make financial decisions.

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<sup>1</sup> "Michigan Manual 2023 -2024." *Chapter IV – THE EXECUTIVE BRANCH*. Michigan, 2023. <https://www.legislature.mi.gov/documents/2023-2024/michiganmanual/2023-MM-P0499-p0504.pdf>.

<sup>2</sup> "Department of Treasury [LinkedIn page]." LinkedIn, 2024. <https://www.linkedin.com/company/michigan-department-of-treasury/>

<sup>3</sup> "Michigan Manual 2023-2024."

<sup>4</sup> Michigan Department of Treasury Local Audit and Finance Division. (2024). September 5 2024 Chart Chat Presentation.

### **What laws govern the issues raised by this hearing?**

Public Act 51 lays out the structure for the Michigan gas tax, and how that tax should be updated over time.

- Act 51 creates the Michigan Transportation Fund (MTF) to collect and distribute this revenue to other funds.
- Most of the money in the MTF comes from motor fuel taxes and vehicle registration taxes.
- Motor Fuel Tax Act<sup>5</sup> establishes specific tax on motor fuels
- Since January 1, 2022, and every January 1 after, tax is updated as follows<sup>6</sup>:
  - Department of treasury (or designee)<sup>7</sup> looks at the rate from the previous year, increases it by either 5% or the inflation rate (whatever is smaller), and rounds up the result to the nearest tenth of a cent.

Article V, Section 3<sup>8</sup>, of the Michigan Constitution of 1963 lays out the role of the Treasurer as a key government official.

- Head of each principal department (secretary of state, state treasurer, and attorney general) are to be appointed by the governor with advice, consent of the senate.
- They are under the supervision of the governor.<sup>9</sup>

### **What are some possible solutions?**

You would advise the legislature to fund a study on toll roads for Michigan-owned roads and bridges to help offset the obvious funding gap brought about in part by the move to more fuel-efficient vehicles.

You would advise the legislature to revisit vehicle registration fees, potentially raising them for different vehicle classes, to offset budget shortfalls (for example, while right now electric vehicles pay more in registration fees than do combustion engine vehicles, it could be reversed to drive adoption of greener technologies and address the budget gap).

You would advise the legislature to increase the local funding requirements of municipalities, to put more of the local maintenance costs on the communities that most often use the roads and bridges.

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<sup>5</sup> MCL 207.1001 to 207.1170

<sup>6</sup> MCL 207.1008 (West)

<sup>7</sup> MCL 207.1002 (West)

<sup>8</sup> <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-Article-V-3> , Mich. Const. Art. V., §3.

<sup>9</sup> Mich. Const. 1963, Art. V, § 8, Eff. Jan. 1, 1964

# Your Role: Infrastructure Research Associate, Citizen's Research Council

## Background Information

### *What is the Citizen's Research Council?*

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The CRC of Michigan is noted for the accuracy and objectivity of its research. Over the years, the Research Council has made significant contributions to the ongoing debate over the appropriate role of government and has gained vast experience in virtually every facet of state and local government.<sup>1</sup>

### *What is the job function of the Citizen's Research Council infrastructure research associate?*

The role of the infrastructure research assistant is to be the expert on all research done by the CRC regarding infrastructure. This person guides the focus of infrastructure research, and handles research tasks requested by lawmakers, interest groups, etc.

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- *Independence* – The Citizens Research Council attempts to define and represent the broader public interest in any given issue. It was not established to represent any special interest or set of special interests. Its value derives in large measure from its independent stance on issues of public importance.<sup>2</sup>

## **Goals for testimony**

You have two primary goals if you are called to testify:

- (1) Explain the role of the Citizen's Research Council in public policy discussions.
- (2) Present research regarding infrastructure funding to the committee (including fact-based alternative funding structures and policy solutions).

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<sup>1</sup> *Who we are* - Citizens Research Council of Michigan. (2024, May 24). Citizens Research Council of Michigan.

<https://crcmich.org/about>

<sup>2</sup> *Frequently asked questions* - Citizens Research Council of Michigan. (2019, September 30). Citizens Research Council of Michigan.

<https://crcmich.org/faq>

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

### **What research is relevant to the issues raised by this hearing?**

The Citizen's Research Council does not make specific policy proposals but rather conducts research into the implications of various policy ideas that are in active discussion. In this case, the CRC has done research into several possible funding structures for bridge and road repair, including things like toll systems. The following are a few of the highlights:

In evaluating a tolling study (on the feasibility of tolls for Michigan revenue collection) the CRC concluded:

- The Michigan Tolling Study concludes that it is economically feasible to implement a statewide tolling program that could produce about a billion dollars in net revenue annually.
- An analysis of the study and relevant federal regulations suggests that the approach described may be prohibited by the Federal Highway Administration, calling the study's findings into question.
- The study is a missed opportunity to evaluate potentially beneficial and realistic implementations of tolling in Michigan.<sup>3</sup>

Another study conducted by the CRC explored the degree to which current funding sources are simply not being used to their maximum effect. The study found:

- Many states have been capable of achieving relatively good pavement conditions with relatively limited funding capacity.
- Available data suggests that states with more road funding are no more likely to achieve better pavement conditions than moderately funded states.
- Climate alone does not appear to be a controlling factor in states' ability to efficiently maintain roads.
- Road ownership in Michigan is distributed across 614 county and municipal road agencies.
- Different approaches to Transportation Asset Management may be a primary factor in explaining why states with more road funding do not necessarily achieve better pavement quality.<sup>4</sup>

### **What role does the Citizen's Research Council play in this issue and what are some possible solutions?**

The CRC plays the role of a reliable, fact-based research organization and resource. We conduct policy research on our own, based on our determination of the important policy conversations happening throughout the state, but we also do policy studies upon request. Based on our own research, we would strongly recommend that the legislature consider doing the following:

- Appropriate funding for research that evaluates the efficacy of the state's ability to utilize available funding to achieve a high-quality transportation system.

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<sup>3</sup> Dennis, E. P. (2024, March 6). *The Michigan Tolling study relies on questionable assumptions - Citizens Research Council of Michigan*. Citizens Research Council of Michigan. [https://crcmich.org/dennis\\_michigan\\_tolling\\_2023](https://crcmich.org/dennis_michigan_tolling_2023)

<sup>4</sup> P. Dennis, E. (2024, July 17). *Fixing Michigan's Roads may not Require Huge Funding Increases. Citizen's Research Council of Michigan*. Retrieved January 7, 2025, from <https://crcmich.org/dennis-fixing-roads-may-not-require-more-funding>



Specific issues that should be evaluated include the following:

- The effectiveness of the state road funding distribution formula, Act 51 of 1951, in matching funding allocations with system needs.
- The efficiency of vesting road responsibilities in 614 road agencies and the potential benefits of charging the state highway department with responsibility for larger shares of the road network
- Winter maintenance practices and the pavement damage costs associated with deicing chemicals
- The life-cycle costs and benefits associated with new pavement, new roads, and capacity expansion projects
- Costs associated with Michigan's unique truck weight laws
- Quality assurance and quality control practices such as material testing, construction inspection, and warranty enforcement
- Transportation Asset Management approaches in Michigan, including the ability for current metrics to accurately forecast pavement condition

A study that provides actionable advice to improve the efficiency of Michigan's road agency operations could pay back hundreds of millions of dollars annually. (See footnote 4)

# **Your Role: Advocate, Americans for Tax Reform**

## **Background Information**

*What is the purpose of Americans for Tax Reform as an organization?*

Americans for Tax Reform (ATR) believes in a system in which taxes are simpler, flatter, more visible, and lower than they are today. They believe that “the government’s power to control one’s life derives from its power to tax (and) that power should be minimized”.<sup>1</sup> Their goal as an organization is to pressure government officials to adhere to this philosophy and create policy accordingly.

A flat-tax is one where the tax percentage rate is the same for all tax-payers, regardless of income, or other circumstances (sales taxes are a great example of a flat tax). ATR believes that the current tax structure makes things overly complicated. Such complications make things more expensive, and harder for citizens to understand and therefore improve upon.

*What are the policy goals of the Americans for Tax Reform?*

As an organization, Americans for Tax Reform opposes all tax increases as a matter of principle. When it comes to this problem, ATR feels that MDOT is funding too many projects that should be left wholly to local governments or residents to fund through more local control means such as millages or bonds. Far from being inadequate, MDOT funding is likely too high, because it is trying to do too much. It should be restricted to providing funds only to wholly owned state roads (or federal roads provided money is given from the federal government for that purpose), and any local or county roads should be funded independently of statewide taxes.

## **Goals for testimony**

You have two primary goals if you are called to testify:

- (1) Advocate for reform that reduces the role of state government in local infrastructure funding and infrastructure decisions.
- (2) Argue against any need for additional road funding: “The problem isn’t how much money we have, it’s how it is spent.”

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators’ questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## **What problems do Americans for Tax Reform see in the current administrative structure?**

The funding structure is too complicated. In the opinion of Americans for Tax Reform, this is one of the reasons that politicians feel that the Motor Vehicle Fuel taxes need to be raised. Americans for Tax Reform feel that there is enough money in the system to pay for infrastructure repair without raising taxes, provided the legislature is more flexible about reallocating funds from non-road-related sources.<sup>2</sup>

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<sup>1</sup> Americans for Tax Reform. (n.d.). *Americans for Tax Reform- About Us*. Retrieved January 7, 2025, from <https://atr.org/about/>

<sup>2</sup> McGain, B. (2024, December 13). Michigan Democrats Scramble to Rush Through an increased Fuel Tax. Americans for Tax Reform; Americans for Tax Reform. <https://atr.org/michigan-democrats-scramble-to-rush-through-a-fuel-tax/>

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It should be easier for citizens to figure out who is responsible for paying for their roads, and how much it costs. As it currently stands, road funding is a mess, with a mix of federal, state, and local monies all combining in a byzantine soup of bureaucratic obscurity. By reducing the role of federal and state taxes in paying for local infrastructure, power is transferred back to the local communities, where it belongs.

### **What laws govern the issues raised by this hearing?**

Act 403 MCL § 462.451, otherwise known as the Michigan Fuel Tax Act, lays out the taxes to be collected from the sale of Motor Fuel in Michigan, and the things which can be paid for with the proceeds of that tax. As it currently stands, the Motor Fuel tax is the primary means of funding road infrastructure repair in Michigan.<sup>3</sup>

Act 51 MCL § 247.660 is the law which creates the Michigan Transportation Fund and regulates what kind of money can be deposited into it. As it is currently written, no change is needed in law to allow the Legislature to use non-road related taxes to endow the fund. The Legislature would simply need to decide to do so.<sup>4</sup>

### **What position does Americans for Tax Reform take on this issue and what are some possible solutions?**

The legislature should consider ideas such as those already proposed in states like Michigan and reform road funding to use other existing funding sources (such as the corporate income tax) in addition to traditional gas tax and vehicle registration fees. Increasing the Motor Vehicle Fuel Tax would be the wrong move, as would raising registration fees or adding toll roads. The idea that road funding must come only from road-related taxes like the Fuel Tax is ridiculous, and a “a brazen attempt to enshrine more power to the bureaucracy...”<sup>5</sup>

The legislature should also consider loosening regulatory restrictions to make building or repairing roads and bridges less expensive.

The legislature should put more of the burden for local bridge and road repair back on local communities- repairing a local bridge should have less State involvement.

ATR would oppose any tax solution that creates different taxes and fees depending on the kind of vehicle using the roadways and would also oppose any tax that increases the role of state or federal government in local road and bridge maintenance and construction. The legislature has an opportunity here to the creeping encroachment of state government on individual liberties, and transfer power back to the local communities that are the lifeblood of our republic.

### **Possible quotes to use in the hearing:**

“There is nothing more permanent than a temporary tax”

“Americans for Tax Reform are calling on the [...] legislature to [...] cease attempts to punish motorists for going about their daily lives.” (see footnote 2)

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<sup>3</sup> Act 403 MCL § 462.451

<sup>4</sup> Act 51 MCL § 247.660

<sup>5</sup> McGain, B. (2024, December 13). Michigan Democrats Scramble to Rush Through an increased Fuel Tax. Americans for Tax Reform; Americans for Tax Reform. <https://atr.org/michigan-democrats-scramble-to-rush-through-a-fuel-tax/>

# **Your Role: Policy Director, Zero Emission Transportation Association**

## **Background Information**

*What is the job function of the policy director?*

Policy directors are responsible for leading research about policy that would impact a company, organization, or institution. They coordinate communication between stakeholders, policymakers, media outlets, and funders to create strategic priorities. This person is also responsible for drafting and approving policy proposals or reports and delivering guidance to senior management about the impact of specific policies. They also might represent the company on policy issues in public forums or at events.

*What is the Zero Emission Transportation Association?*

The Zero Emission Transportation Association (ZETA) is a federal coalition focused on advocating for the advancement of the electric vehicle supply chain. ZETA is committed to enacting policies that drive EV adoption, create hundreds of thousands of jobs, and maintain American EV manufacturing dominance in global markets.<sup>1</sup>

## **Goals for testimony**

You have three primary goals if you are called to testify:

- (1) Explain the advantages of electric (plug-in or hybrid) vehicles over conventional, internal combustion-engine vehicles.
- (2) Advocate for increased subsidies for EVs so that they are accessible and attainable.
- (3) Explain that a mileage-based system, additional fees on cars that use gas, or reform to vehicle weight laws would all contribute to additional infrastructure funding.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## **What makes electric vehicles (EVs) attractive to consumers and policymakers?**

The Zero Emission Transportation Association is a research and advocacy coalition that believes that creating policies that ease the adoption of electric and energy-efficient vehicles will result in thousands of well-paying jobs, a cleaner environment for all, and real savings for families by reducing both fuel and maintenance costs.

The environmental benefits of electric vehicles present some of the most compelling arguments for adoption. Electrification of private vehicles, public transportation, and the power grid will reduce respiratory illness and save lives.<sup>2</sup> In a 2015 study conducted by the Natural Resources Defense Council (NRDC)<sup>3</sup>, it was estimated that widespread vehicle electrification (of both personal vehicles as well as commercial vehicles and road equipment) could lead to the reduction of emissions by 430 million metric tons annually, equivalent to the emissions put off by 80 million current passenger

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<sup>1</sup> Zero Emission Transportation Association. "About ZETA," 2024. <https://www.zeta.org/about>.

<sup>2</sup> Zero Emission Transportation Association. "Policy Platform," 2024. <https://www.zeta.org/policy-platform>

<sup>3</sup> Tonachel, Luke. "Study: Electric Vehicles Can Dramatically Reduce Carbon Pollution from Transportation, and Improve Air Quality." NRDC, September 17, 2015. <https://www.nrdc.org/bio/luke-tonachel/study-electric-vehicles-can-dramatically-reduce-carbon-pollution-transportation>.

cars. A plug-in vehicle (PEV) has a 54 percent lower amount of lifetime carbon pollution than a conventional vehicle (CV) – and that number will only increase as technology improves. Low-income communities already face disproportionate health burdens, and we know that air pollution is only worsening in some of our most impacted communities – improving conditions in some geographic locations improves the air quality for all.

While there are many contributing factors to climate change and the effects of greenhouse gases, CO<sub>2</sub> emissions from vehicles with internal combustion engines accounted for 22.3% of global CO<sub>2</sub> emissions in 2020 and 15.5% of global energy consumption.<sup>4</sup>

In addition to these environmental arguments, there are serious economic advantages. Increased EV sales improve the financial performance of manufacturers, leading to an increased interest in research and development to enhance the product. There is also an expected ‘spillover effect’ for improved airplane, railway, and public transportation options to improve connectivity and efficiency (see footnote 4).

### **What laws govern the issues raised by this hearing?**

The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 parties, including the United States, at the UN Climate Change Conference in Paris, France on December 12<sup>th</sup>, 2015. Its overarching goal is to pursue efforts to “limit the temperature increase to 1.5°C above pre-industrial levels”<sup>5</sup> by the end of this century to avoid further catastrophic climate change impacts. The United States has announced its intention to withdraw from the treaty effective January 20<sup>th</sup>, 2026.

ZETA publicly supports several aspects of the Inflation Reduction Act of 2022<sup>6</sup> that demonstrate a strong connection between economic growth and improved sustainability efforts. These sections include the Clean Vehicle Tax Credit (30D), the Alternative Fuel Vehicle Refueling Tax Credit (30C), the Commercial EV Tax Credit (45W), and the Advanced Manufacturing Production Credit 45X).

As an organization, ZETA would be in favor of any state policy that promotes the individual ownership of EVs or makes the purchase and maintenance of an EV easier – this would include incentives from the state level, infrastructure policy that makes charging stations possible, and actions to decrease reliance on the revenue generated by traditional gasoline and diesel.

### **What role does ZETA advocacy play in this issue and what are some possible solutions?**

ZETA proudly represents companies, organizations, and advocacy groups all invested in making EV ownership more attainable for everyday Americans. As an organization, ZETA believes this will bring about healthy change and economic improvement for all. The Policy Director spends time strategizing, meeting with stakeholders, and lobbying decision-makers at the local, state, and federal levels for policies that would make EV ownership affordable. Before large-scale electrification can happen, the United States and individual states also need policies that would reduce emissions of current vehicles, incentivize manufacturers to adopt more sustainable practices, and help communities and states move toward developing reliable charging infrastructure.

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<sup>4</sup> Zhao, Xiaolei, Hui Hu, Hongjie Yuan, and Xin Chu. “How does adoption of electric vehicles reduce carbon emissions? Evidence from China.” *Heliyon* 9, no. 9 (September 2023). <https://doi.org/10.1016/e20296>.

<sup>5</sup> United Nations Climate Change. “The Paris Agreement,” n.d. <https://unfccc.int/process-and-meetings/the-paris-agreement>.

<sup>6</sup> H.R.5376 - 117th Congress (2021-2022): Inflation Reduction Act of 2022. (2022, August 16). <https://www.congress.gov/bill/117th-congress/house-bill/5376>

One concern raised during this hearing will be the reliance that states have on the gas tax to generate revenue for infrastructure. While ZETA acknowledges the need for and importance of maintaining infrastructure, this reason alone is not worth the environmental and economic consequences of not transitioning our vehicle culture. States should seek alternate funding or taxes to fill the gap that will be created by fewer gasoline vehicles. A few possible solutions could be:

- Increasing the number of toll roads throughout a state to account for wear on the highways.
- Creating a mileage-based system that taxes consumers based on the amount they drive or the specific infrastructure they use. This can and should have additional incentives or tax breaks for EV users as they are contributing lower to CO<sub>2</sub> emissions.
- Reform and/or strengthen laws in a state that restrict vehicle weight laws.
- Create incentives to help manufacturers and company owners produce and purchase commercial EVs.
- Impose a use tax on traditional combustion-engine vehicles or companies that refuse to create plans to electrify their fleet or strengthen existing laws, such as the Gas Guzzler Tax.<sup>7</sup>

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<sup>7</sup> United States Environmental Protection Agency. "Gas Guzzler Tax," October 16, 2024. <https://www.epa.gov/fueleconomy/gas-guzzler-tax>.

# **Your Role: Bruckeville City Manager**

## **Background Information**

*What is the job function of a city manager?*

The city manager is appointed by the city council to serve as the chief administrative officer of the city. It is the responsibility of the city manager to carry out policies formulated by the city council. The city manager is also responsible for the supervision and management of all the services of the city, including the enforcement of the city code of ordinances, charter, and applicable laws of the state. The city Manager prepares the city's budget for consideration by the city council and is responsible for administering the budget as adopted. The city manager is also responsible for keeping the council informed as to the financial affairs of the city.

*What is a council-manager form of government?*

The council-manager form is the system of local government that combines the strong political leadership of elected officials in the form of a governing body, with the strong managerial experience of an appointed local government manager.<sup>1</sup> The governing body, commonly known as the council, may also be referred to as the Commission or the Board. The council-manager form establishes a representative system where all power is concentrated in the elected council, and where the council hires a professionally trained manager to oversee the delivery of city services.

## **Goals for testimony**

You have two primary goals if you are called to testify:

- (1) Explain that the city of Bruckeville did what it could to work with the state on necessary infrastructure repairs.
- (2) Voice concern about a system that does not prioritize infrastructure repairs based on the rating – citizens of Bruckeville were put in danger because of a clerical error.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## **What is the relationship between the city, state, and federal departments or offices that address infrastructure concerns?**

The Framers of the US Constitution created a system called federalism, which refers to the division and sharing of powers between local, state, and federal governments. The Framers were concerned about a federal government that had too much control, like a monarchy, but also wanted a unified national government that worked together rather than completely autonomous states. Although most of these powers have evolved over time, there are two sections that outline these powers. The Supremacy Clause<sup>2</sup> established the US Constitution and Federal laws as the "supreme Law of the Land", meaning that individual states cannot make laws that override federal ones, like a treaty with another country. The Tenth Amendment<sup>3</sup> gives states their reserved powers, which means that anything not stated in the US

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<sup>1</sup> International City/County Management Association. "Council-Manager Form of Government," November 2019. <https://icma.org/documents/council-manager-form-government-what-it-how-it-works-and-benefits-your-community-brochure>.

<sup>2</sup> U.S. Const. art. VI, § cl. 2.

<sup>3</sup> U.S. Const. amend. X.



Constitution is allowed to be a power that state and local governments decide on. This allows states to become “laboratories of democracy” that can be more flexible and dynamic than the federal government.<sup>4</sup>

Issues of infrastructure span different categories when it comes to state and federal law. Most funding for infrastructure projects comes from a combination of federal funds or grants, state budgets, and local taxes, so it is sometimes difficult to discern who is responsible for different projects. When it comes to roadways, federal and state highways are under different jurisdictions and the maintenance for each is separate. When roadways, waterways, or bridges are shared in their use, the maintenance is usually also shared.

### **What laws or ordinances govern the issues raised by this hearing?**

In this specific instance, there is no dispute over a few facts. The Maple Street Bridge collapsed due to neglect and lack of maintenance. The state is responsible for evaluating bridge structures, creating a priority plan for funding the most necessary projects, and dispersing resources and personnel to deal with an issue. However, the city, village, or municipality that shares the property is responsible for submitting paperwork, sharing costs, and keeping the state up to date about any concerning changes to the status of the shared infrastructure. Bruckeville failed to submit the necessary paperwork to the state on time for consideration, even though the state knew the Maple Street Bridge had been deemed in “poor condition” for a significant amount of time.

Most states are underfunded when it comes to planned infrastructure projects and need to make difficult decisions about how to prioritize their work. Although investments have been made at the federal level, such as the \$2 trillion American Jobs Plan<sup>5</sup>, there are still many states and municipalities competing for a relatively small amount of money.

### **What role does the city manager play in this issue and what are some possible solutions?**

The city manager is most concerned about the long-term damage that this bridge collapse has on the health, safety, and economy of their city. Not only was this collapse dangerous and devastating for the victims, but it will have consequences to the downtown area that cannot be accessed easily. This will lead to businesses suffering, residents not being able to reach important resources, and additional wear and tear on alternate routes through town (which will in turn lead to additional infrastructure problems). There are also concerns about the Maple Street Bridge being an important artery between parts of Bruckeville, the local hospital, and emergency services like police and fire. If emergency response times increase, there will be ongoing damage to the community. The city manager would be in favor of the following solutions:

- Additional funding so that local municipalities have more control and flexibility to respond to needs.
- Less paperwork and red tape when requesting federal or state assistance. Employees of municipalities do not need additional hoops to jump through to use the resources they are entitled.
- Formal acknowledgment from the state that the Maple Street Bridge was not under the sole control of Bruckeville and that the responsibility should not be on the municipality.

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<sup>4</sup> Constitution Annotated. “Federalism and the Constitution,” 2020. [https://constitution.congress.gov/browse/essay/intro.7-3/ALDE\\_00000032/](https://constitution.congress.gov/browse/essay/intro.7-3/ALDE_00000032/).

<sup>5</sup> National Association of Counties. “What’s in the American Jobs Plan?,” April 13, 2021. <https://www.naco.org/articles/whats-american-jobs-plan>.



# **Your Role: Pat Johnson, Bruckeville Downtown Development Authority Chairperson**

## **Background Information**

*What is the job function of the Downtown Development Authority Chairperson?*

The Chairperson facilitates all Downtown Development Authority (DDA) meetings and acts as the spokesperson and liaison for the DDA. This person works closely with the DDA Director, usually the city's manager, to advance the goals of the DDA, develop new projects, and adhere to the financial plan. The Chairperson is typically an active citizen of the community, a local business owner, or someone with a vested interest in the success of the downtown businesses.

*What is a Downtown Development Authority?*

The Downtown Development Authority (DDA) Act, Public Act 57 of 2018<sup>1</sup>, is designed to be a catalyst in the development of a community's downtown district. The DDA provides for a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements in the downtown district and the ability to levy a limited millage to address administrative expenses. Once established, the DDA may create a development plan to submit for approval to the local municipality. A development plan describes the costs, location, and resources for the implementation of the public improvements that are projected to take place in the DDA district. A tax increment financing plan includes the development plan and details the tax increment procedure, the amount of bonded indebtedness to be incurred, and the duration of the program.<sup>2</sup>

## **Goals for testimony**

You have three primary goals if you are called to testify:

- (1) Explain how important the Maple Street Bridge is for local commerce and overall downtown vibrancy.
- (2) Stress that this was an entirely avoidable accident, years in the making.
- (3) Express concern for the long-term financial and cultural health of the community if issues such as the bridge repair continue to go unaddressed.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

## **What are the demographics of Bruckeville and why is the Maple Street Bridge significant to the town?**

Bruckeville is a small community of about 4,200 residents. It is an upper-middle-income community with some racial and economic diversity. The demographic breakdown is 75% white, 10% Latine, 5% Southeast Asian, 3% African American, and 2% Indigenous.

You can explain that you have been a lifelong resident of Bruckeville, with a history of pride in your community, and a desire to see the town thrive. In recent years, you've seen worrisome signs that despite good schools and a picturesque

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<sup>1</sup> Recodified Tax Increment Financing Act, 125.4101 - 125.4915. 99<sup>th</sup> Leg., Session § 2. (MI 2018).  
<https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-ACT-57-OF-2018>.

<sup>2</sup> Michigan Economic Development Corporation. "Downtown Development Authority (DDA)," March 2023.  
<https://www.michiganbusiness.org/49478e/globalassets/documents/reports/fact-sheets/downtowndevelopmentauthority.pdf>.

environment, the downtown area has been losing foot traffic and businesses. In your mind, a large part of that has been due to the poor repair of major transportation corridors which makes stopping over in Bruckeville increasingly unappealing. When the report was issued several years ago about the poor condition of the bridge, you were one of the people who raised the alarm about getting funds to repair it.

**What concerns do you have about the Maple Street Bridge affair?**

You're worried that your community is going to become known as the place where "bridges collapse and kill people," and that the already struggling downtown will be further hollowed out. While a temporary bridge has been built, the news has already begun to hurt the town's reputation and people are unsure of its safety. In addition, the closure of the bridge led to many people needing to alter their commute or travel routes for both work and business.

To further complicate matters, the Bruckeville DDA has been fortunate to receive several different grants and opportunities to encourage the growth of minority-owned businesses in the downtown area. If the downtown sees a decrease in foot traffic, there is a strong concern that these new businesses will be the first to go under. Bruckeville is a community dedicated to promoting diversity and opportunity, but if it's not financially viable for the city to invest in these new experiments, there will not be an incentive in the future to pursue them. The longer the downtown suffers from this bridge collapse, the fewer opportunities and risks the DDA can take.

**What are some potential solutions to the issues raised by this hearing?**

You want to see a funding structure that ensures small towns like yours won't need to worry about their aging infrastructure. You feel that the process surrounding bridge funding is too opaque, and that there needs to be more transparency around what bridges are being selected for renewal each year and why.

You would be skeptical, but ultimately supportive, of a modest local tax increase to help deal with infrastructure maintenance and upkeep – for you it is a matter of community pride, and based on rumblings you've heard within the local business community, that is something they would be willing to accept in exchange for the increases in business that more reliable infrastructure would provide.

**Possible quotes to use in the hearing:**

"How are we supposed to have a vibrant, attractive community when people are living in fear that their vital infrastructure might crumble around them at any moment?"

## **Your Role: Victim's Family Member**

### **Background Information**

*What is your connection to the collapse of the Maple Street Bridge?*

You are the parent of one of the people who lost their lives because of the collapse of the Maple Street Bridge, as well as the grandparent of the children who survived. Your child and their family were driving home to visit for the holidays when the bridge collapsed with their car on it. After agonizing hours of emergency divers searching the Maple River, their deceased body was found along with that of their spouse. According to the coroner they likely died from the impact with the river. Your grandchildren have minor injuries but have been left without their parents. Your family has not yet taken any legal action but does want answers about what went wrong and who is responsible for the ongoing associated costs of healthcare and recovery.

### **Goals for testimony**

You have two primary goals if you are called to testify:

- (1) Emphasize the emotional toll that this incident has taken on your family and demand some form of restitution.
- (2) Express the need for legislative action to avoid this happening to anyone else in the future.

Below you will find information to help you achieve these goals. Legislators may or may not ask about some of this information. Remember that it is okay to not know the answer to legislators' questions. If this happens, simply tell the legislators that you will look into the issue and follow up with them.

### **Who do you feel is responsible for making your family whole after this tragedy?**

I think it is ultimately the State that SHOULD be doing it. They could have fixed this problem, and they didn't. They knew about it! But I've been told the State has immunity from lawsuits in this. So, I think the city should pay. They could have roped off the bridge or otherwise ordered it closed if they knew it was dangerous, and they didn't.

### **How has this tragedy impacted you, your family, and your relationship to the community and state institutions?**

This has been devastating. My spouse and I have started going to therapy. We find it hard not to blame ourselves for our child's death, regardless of how irrational it may seem, because we had convinced them to come home a couple of days early to help with holiday preparations. On top of that, we are now raising our grandchildren. We love them, and are grateful to have them, but at our age that is something that is more difficult for us than in years past. We live in a retirement community and are on a fixed income. To make matters worse for the children, they have been uprooted from their own community an hour away to live here.

Our faith in government and the basic underpinnings of daily life have been shaken. Every time I walk down a road, I worry that it is just going to crumble beneath my feet. I've lived in this town all my life, and I feel betrayed by the government, both here and at the state level in ways I can't even express. To top it all off, I've been told that the government has "no liability" for what happened. How is that possible? What do I pay taxes for? SOMEONE is responsible for letting an unsafe bridge remain open and unrepaired, and I demand to know who. No one should have to know the kind of pain I feel.

### What do you want the legislature to do about this?

I want the legislature to tell me who is responsible for this! This can't be allowed to happen to somebody else. Someone should be asking questions and getting the answers! I want to know:

- Who identifies bridges and roads that need repair? Can a community do that on their own? If not, they should be able to.
- Who pays for those repairs – can we make it simpler to understand, and easier to fund?
- Who is held accountable if a piece of public infrastructure kills citizens because of neglect or decay? I've been told the State is immune, according to an immunity law from 1964. Who pays the bill for things like this?<sup>1</sup>
- I want the legislature to change the laws regarding State immunity – if the state fails in its obligations to its citizens, it should be liable. (see footnote 1)

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<sup>1</sup> Mich. Comp. Laws § 691.1401 (1964).