



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

JOANNA I. JOHNSON
CHAIR



Michigan
Transportation Asset
Management Council

November 12, 2020

Denise Donohue, Executive Director
County Road Association of Michigan
101 S. Washington Square, Ste. 200
Lansing, MI 48933

**RE: County Road Association (CRA) of Michigan Requests TAMC to consider extension for
2020 Asset Management Plan Submittals**

Dear Denise,

This letter is in response to the request you submitted to the Transportation Asset Management Council (TAMC) on August 28th, 2020 in which you outlined challenges and circumstances facing road agencies across Michigan and the formal request for TAMC to consider an 8-month extension of the Transportation Asset Management Plan (TAMP) due date from October 1st, 2020 to June 1st, 2021.

On September 16th, 2020 TAMC voted on two actions that are in direct response to this request from the CRA:

1. TAMC declined the request for extension of the TAMP due date citing that Act 51 does not appear to allow changes once TAMC established the TAMP schedule.
2. TAMC motion postponed the request from CRA pending legal review and interpretation of the legislation by the Michigan Attorney General's Office through a request from the Michigan Department of Transportation (MDOT).

On November 4th, 2020, the Michigan Attorney General's Office provided a response to MDOT's questions related to the schedule of due dates, timing, penalties, and associated concerns of non-compliance of TAMP requirements. This response was discussed at the November 4th, 2020 TAMC meeting.

MDOT has developed the following conclusions citing the direction of the Michigan Attorney General's Office:

1. The TAMC is not given the authority to modify the schedule or template once established. The TAMC only has the authority to take actions specifically written in the legislation.

Joanna Johnson, Chair – William McEntee, Vice Chair – Derek Bradshaw – Christopher Bolt – Gary Mekjian
Bob Slattery – Jonathan Start – Rob Surber – Jennifer Tubbs – Todd White – Brad Wiefelich

2. Any TAMP submitted after the deadlines established by the TAMC is considered out of compliance but there is no penalty.
3. There is no penalty for any local agency until after October 1st 2024. At this time, the schedule for review and revisions begins as stated in the legislation. TAMC, MDOT, and the local agency begin the process of correcting any issues of non-compliance. The local agency has 120 days to resubmit a compliant plan.
4. At the time of this review there were no Executive Orders that impact the actions resulting from Public Act 325.

At this time, the TAMP schedule for review begins as stated in the legislation. TAMC has begun the process of working with our local agencies to address any issues of non-compliance.

The TAMC remains committed to the success of our local agencies in meeting the TAMP requirements. If I can be of assistance for this matter or any other TAMC related issue, please don't hesitate to contact me or any member of the TAMC.

Sincerely,

A handwritten signature in cursive script that reads "Joanna I. Johnson". The signature is written in black ink and is positioned below the word "Sincerely,".

Joanna I. Johnson, Chair
CC: TAMC Members