

[No. 51.]

AN ACT to provide for the classification of public roads, streets and highway in the state of Michigan, and for the revision of such classification and for additions to and deletions from each classification; to set up and establish the motor vehicle highway fund and to provide for the deposit therein of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds therefrom and the use and administration thereof for highway purposes; to provide for appropriations and tax levies by counties and townships for county local roads and to authorize contributions by townships therefor; and to repeal certain acts and parts of acts.

The People of the State of Michigan enact:

247.651 State trunk line highway system; additions and deletions. [M.S.A. 9.1097(1)]

Sec. 1. The state trunk line highway system of this state shall consist of all roads, streets and highways, either located within or outside the limits of incorporated cities and villages now or hereafter constituted state trunk line highways pursuant to the provisions of the statutes of this state. The state highway commissioner may, from time to time, make and establish such subordinate classifications or groupings of state trunk line highways as he deems necessary or desirable for proper administration of the state trunk line highway system. Additions to and deletions from the state trunk line highway system may be made from time to time in the manner prescribed by law. All roads, streets and highways included in the state trunk line highway system, as constituted and defined in this section, shall hereafter be known officially, and may be referred to for all purposes, as state trunk line highways.

247.652 Tentative system of county primary roads: selection and certification, approval; official name. [M.S.A. 9.1097(2)]

Sec. 2. Within 6 months from the effective date of this act, a tentative system of county primary roads shall be selected by the board of county road commissioners in each county and certified to the state highway commissioner for his approval. Such tentative system of county primary roads shall be selected on the basis of greatest general importance to the county and shall include any such county roads then legally established and existing as such within the limits of incorporated cities and villages. Each such tentative system of county primary roads certified to the state highway commissioner shall be checked and reviewed under his direction. Within 6 months after receipt by him of each such certification, the state highway commissioner shall approve such part of that tentative system of county primary roads as complies with the uniform standards and specifications adopted and established hereinbefore provided, and shall reject and delete any part that does not so comply and shall certify to that board of county road commissioners the approved portion of the county primary roads of any county as is approved by the state highway commissioner shall constitute the county primary road system of that county for all purposes and shall be officially known as the county primary road system of that county.

247.653 Same ; roads included or deleted. [M.S.A. 9.1097(3)]

Sec. 3. Roads may, from time to time, be included in or deleted from the county primary road system of any county by selection of the county road commission and approval of the state highway commissioner in the same manner and by the same procedure as provided in section 2 hereof for the adoption of any county primary road system in the first instance.

247.654 Same ; roads under jurisdiction of county road commissioners; certification and review. [M.S.A. 9.1097(4)]

Sec. 4. All roads under the jurisdiction of the board of county road commissioners in each of the several counties of the state not included in the county primary system as finally approved shall be certified to and reviewed and approved or deleted by the state highway commissioner in the same manner as provided in

section 2 hereof for the county primary road system and when finally approved by the state highway commissioner shall constitute and be the county local road system of that county, which may thereafter be added to or deleted from in the same manner as provided in section 3 of this act for the county primary road system.

247.655 Same ; official name, establishment, certification and approval. [M.S.A. 9.1097(5)]

Sec. 5. All roads, streets and highways included in the county primary road system of any county shall be officially known as county primary roads, and all roads, streets and highways included in the county local road system of any county shall be officially known as county local roads. For a period of 2 years after the effective date of this act, the primary road system and the local road system in each county, and the mileage in each such system used for all purposes under the provisions of this act, shall be as determined by the state highway commissioner, and thereafter the local road system and the primary road system in each county, and the mileage in each such system used for all purposes on the provisions of this act, shall be as established by certification to and approved by the state highway commissioner pursuant to the provisions of this act.

247.656 Tentative system of streets; selection and certification; approval. [M.S.A. 9.1097 (6)]

Sec. 6. Within 6 months from the effective date of this act, a tentative system of major streets shall be selected in each incorporated city and village of the state and certified to the state highway commissioner for his approval. Such tentative system of major streets shall be selected in each incorporated city and village under the direction of the governing body thereof on the basis of the greatest general importance to such municipality and shall but include and of the trunk line highways or county roads within the limits of such municipality. Each such tentative system of major streets certified to the state highway commissioner shall be checked and reviewed under his direction. Within 6 months after receipt by him of each such certification the state highway commissioner shall approve such part of that tentative system of major streets as complies with the uniform standards and specifications adopted and established as hereinbefore provided and shall reject and delete any part that does not so comply and shall certify to that city or village the approved portion of the tentative system and any deletions therefrom. So much of the tentative system of major streets of any city or village as is approved by the state highway commissioner shall constitute the major street system of that municipality for all purposes, and shall be known officially as the major street system of that city or village as the case may be.

247.657 Same ; included or deleted streets. [M.S.A. 9.1097(7)]

Sec. 7. Streets may, from time to time, be included in or deleted from the major street system of any municipality by selection by the governing body thereof and approval of the state highway commissioner in the same manner and by the same procedure as provided in section 6 hereof for the adoption of any major street system in the first instance.

247.658 Same ; streets not included, certification and approval. [M.S.A. 9.1097(8)]

Sec. 8. All streets within the corporate limits and under the jurisdiction of each municipality of the state, exclusive of state trunk line highways and county roads, and not included in the major street system of such municipality as finally approved shall be certified to and reviewed and approved or deleted by the state highway commissioner in the same manner as provided in section 6 hereof for the major street system and when finally approved by the state highway commissioner shall constitute and be the local street system of that city or village, which may thereafter be added to or deleted from in the same manner as provided in section 7 of this act for city or village major street systems.

247.659 Same; official name; establishment and certification. [M.S.A. 9.1097(9)]

Sec. 9. All roads, streets and highways included in the major street system of any municipality shall be officially known a city or village major streets as the case may be, and all roads, streets and highways included in the local street system of any municipality shall be officially known as city or village local streets, as the

case may be. For a period of 2 years after the effective date of this act, the major street system and the local street system in each city and village, and the mileage in each such system used for all purposes under the provisions of this act, shall be as determined by the state highway commissioner, and thereafter the major street system and the local street system in each city and village, and the mileage in each such system used for all purposes under the provisions of this act, shall be as established by certification and approval by the state highway commissioner pursuant to the provisions of this act.

247.660 Motor vehicle highway fund; establishment, deposit, apportionment. [M.S.A. 9.1097(10)]

Sec. 10. A new fund to be known as the motor vehicle highway fund is hereby established and shall be set up and maintained in the state treasury as a separate fund. From and after the effective date of this act, all moneys received and collected under the provisions of Act No. 150 of the Public Acts of 1927, as amended, being sections 207.101 to 207.120, inclusive, of the Compiled Laws of 1948, and Act No. 319 of the Public Acts of 1947, as amended, being sections 207.201 to 207.214, inclusive, of the Compiled laws of 1948, except the license fees provided in said acts, and all taxes, fees, licenses and other moneys received and collected under the provisions of sections 801 through 810 of Act No. 300 of the Public Acts of 1949, being sections 257.801 to 257.810, inclusive, of the Compiled Laws of 1948, and all moneys received under the provisions of Act No. 254 of the Public Acts of 1933, as amended, being sections 475.1 to 479.20, inclusive, of the Compiled Laws of 1948, not appropriated and used for the administration and enforcement of said act pursuant to the provisions of section 6 of article 4 thereof, shall be deposited in the state treasury to the credit of the motor vehicle highway fund. After the payment of the amounts appropriated by the legislature for the necessary expenses incurred in administration and enforcement of Act No. 150 of the Public Acts of 1927, as amended, Act No. 319 of the Public Acts of 1947, as amended, and sections 801 through 810 of Act No. 300 of the Public Acts of 1949, all moneys in the motor vehicle highway fund are hereby apportioned and appropriated for the fiscal year beginning July 1, 1951 and each fiscal year thereafter as follows: (a) 44 per cent thereof to the state highway department, (b) 37 per cent thereof to the several county road commissions of the state, and (c) 19 per cent thereof to the incorporated cities and villages of the state, to be distributed and used for highway purposes as hereinafter provided in this act.

247.661 Same ; transfer of portion to state trunk line fund; purposes for which used. [M.S.A. 9.1097(11)]

Sec. 11. The 44 per cent allocated to the state highway department shall be transferred to the state trunk line fund in the state treasury and use for the following highway purpose in the following order of priority:

(a) For the total operating expenses of the state highway department for each fiscal year as appropriated by the legislature;

(b) For the maintenance of state trunk line highways and bridges, such amount as may be determined by the state highway commissioner as appropriated by the legislature;

(c) For the opening, widening and improving of state trunk line highways and bridges, all sums in said state trunk line fund not otherwise appropriated, determined or set aside by law; Provided, That not less than 40 per cent of any amount available under this subsection shall be used for the opening, widening, construction, improvement and betterment of trunk line highways within the limits of incorporated cities and villages.

247.662 Same ; sum returned to counties; uses; agreements with cities or villages. [M.S.A. 9.1097(12)]

Sec. 12. The 37 per cent allocated to the several county road commissions of the state, shall be returned to the county treasurers of the several counties in the manner, for the purposes and under the terms and conditions hereinafter specified.

(a) The sum of \$5,000.00 per annum shall be returned to each county in which the county road commission employs a full time registered professional engineer for the major portion of the year. From and after 5 years after the effective date of this act, said sum to be returned only to county road commissions certified

by the state highway commissioner as complying with the provisions of this paragraph regarding the employment of an engineer; Provided, That for a period of 5 years from and after the effective date of this act the said sum of \$5,000.00 per annum shall be returned to each county of the state and shall not be withheld from any county during said period of 5 years from and after the effective date hereof because of the failure of the county road commission of that county to employ a full time registered professional engineer as required by this paragraph.

(b) Seventy-five per cent of the remainder of the total amount to be returned to the counties shall be used by the several county road commissions for the maintenance, improvement, construction, acquisition and extension of the county primary road systems as defined by this act, and the roadside parks and motor parkways appurtenant thereto, and shall be returned to the several counties as follows:

(1) Three-fourths thereof in proportion to the amounts received within the respective counties as specific taxes upon registered motor vehicles under the provisions of Act No. 300 of the Public Acts of 1949, being section 257.1 to 257.923, of the Compiled Laws of 1948;

(2) One-tenth thereof in the same proportion that the total mileage in the county primary road system of each county bears to the total mileage in all of the county primary road systems of the state;

(3) One eighty-third of the remaining 15 per cent thereof to each county.

(c) The remainder of the total amount returned to the counties shall be used by the several county road commissions for the maintenance, improvement, construction, acquisition and extension of the county local road systems as defined by this act, and the roadside parks and motor parkways appurtenant thereto, and shall be returned to the several counties as follows:

(1) Sixty-five per cent thereof in the same proportion that the total mileage in the county local road system of each county bears to the total mileage in all of the county local road systems of the state;

(2) Thirty-five per cent thereof in the same proportion that the total population outside of incorporated municipalities in each county bears to the total population outside of incorporated municipalities in all of the counties of the state, according to the most recent statewide federal census preceding said distribution.

(d) For a period of 5 years from and after the effective date of this act, but not thereafter, the board of supervisors in any county may, by a 3/5 vote, order the application of not to exceed 20 per cent of the total amount returned in any year to the county road commission of that county by this act to the payment or reduction pro rata of assessments, liens or taxes spread pursuant to the provisions of Act No. 59 of the Public Acts of 1915, as amended, known as the Covert act, for the improvement of any road within that county. Any such application of funds shall be made in the same manner and accordance with the same procedure in all respects as is provided in subsection (1) of section 805 of Act No. 300 of the Public Acts of 1949, being section 257.805 of the Compiled Laws of 1948. Any amount used for the purposes authorized by this paragraph shall be taken from the funds returned for the county primary road system and funds returned for the county local road system in such proportion as is determined by the board of county road commissioners.

(e) Not to exceed 25 per cent per annum of the amount returned to any county hereby for use on the county primary road system may, in case of an emergency or with the approval of the state highway commissioner, be used, with or without matching, on the county local road system of that county, and not to exceed 25 per cent per annum of the amount returned to any county hereby, for use on the county local road system, may, in case of an emergency or with the approval of the state highway commissioner, be used on the county primary road system of that county. Any amount returned to a county for and on account of county local roads, under this section, in excess of the total amount paid into the county treasury each year by all of the townships of that county for and on account of the county local roads pursuant to subsection (h) of section 14 of this act, may be transferred to and used on the county primary road system of that county.

(f) Not more than 5 per cent per annum of the funds returned to any county by this section for the county primary road system and the county local road system, shall be used for the maintenance, improvement or acquisition of appurtenant roadside parks and motor parkways.

(g) All funds returned to any county under the provisions of this section shall be used by the board of county road commissioners for the purposes herein provided and shall be deposited by the county treasurer

in a designated county depository, in a separate account to the credit of the county road fund, and shall be paid out only upon the order of the board of county road commissioners, and any interest accruing on said moneys shall become a part of, and be deposited with the county road fund.

(h) In all counties to which the funds are returned under the provisions of this section the function of the board of county road commissioners shall be limited to the formation of policy and the performance of the official duties imposed by law and delegated by the board of supervisors, and no member of the board of county road commissioners shall be employed individually in any other capacity by, or for any other duties with the county road commission.

(i) County road commissions may enter into agreements with cities and villages to perform work on any road or street within the limits of the city or village or adjacent thereto and to provide engineering services in connection therewith, and such agreements may provide for joint participation in the costs.

**247.663 Same ; allocation to cities and villages returned to treasurers; purposes for which used.
[M.S.A. 9.1097(13)]**

Sec. 13. The 19 per cent allocated to the several incorporated cities and villages of the state shall be returned to the treasurers thereof in the manner, for the purposes and under the terms and conditions herein-after specified: Provided, That for the purposes of this section population shall be construed to mean, according to the most recent state-wide federal census preceding such distribution, except that, if a municipality has been newly incorporated since completion of such census its population for purposes of the distribution of funds before completion of the next census shall be the population as determined by special federal census, if there be such a census, and, if not, by the population as determined by the official census in connection with such incorporation, if there be such a census, and, if not, by a special state census to be taken at the expense of the municipality by the secretary of state in accordance with the provisions of section 6 of Act No. 279 of the Public Acts of 1909, as amended, being section 117.6 of the Compiled Laws of 1948. The amount received by such newly incorporated municipality shall be in lieu of any other direct distribution of funds from the motor vehicle highway fund. It is further provided that the population of such newly incorporated municipality as determined under the procedure herein described shall be added to the total population of all incorporated cities in the state as shown by the most recent statewide federal census for purposes of determining such total population in computing the amounts returned under provisions of this section to each municipality in the state.

(a) Seventy per cent of the total amount to be returned to the incorporated cities and villages shall be returned $\frac{1}{2}$ thereof in the same proportion that the population of each bears to the total population of all incorporated cities and villages in the state, and $\frac{1}{4}$ thereof in the same proportion that the equivalent municipal trunk line mileage in each bears to the total equivalent municipal trunk line mileage in all incorporated cities and villages in the state; Provided, That the term "equivalent municipal trunk line mileage" shall mean the state trunk line mileage within the boundaries of each incorporated city and village multiplied by the percentage of the cost of constructing, reconstructing, and improving state trunk lines with each much bear under Act No. 19 of the Public Acts of 1919, as amended, being sections 250.31 to 250.42, inclusive, of the Compiled Laws of 1948, and said 70 per cent so returned shall be used by each incorporated city and village for the following purposes in the following order of priority:

(1) Payment of obligations of the city or village on highway projects undertaken by it jointly with the state highway commissioner, pursuant to the provisions of Act No. 131 of the Public Acts of 1931, as amended, being sections 250.31 and 250.34 of the Compiled Laws of 1948, known as the Dykstra act, and contracts and agreements authorized or approved by this act;

(2) For the maintenance, improvement, construction, acquisition and extension of the major street system as defined by this act and the roadside parks and motor parkways appurtenant thereto, of the city or village; Provided, That not more than 5 per cent per annum of the funds returned to any city or village by this subsection shall be used for the maintenance, improvement or acquisition of appurtenant roadside parks and motor parkways.

(b) The remaining 30 per cent of the total amount to be returned to incorporated cities and villages shall be used in the several cities and villages for the maintenance, improvement, construction, acquisition and extension of the local street systems thereof, as defined by this act, and shall be returned to the several cities and villages 60 per cent thereof in the same proportion that the population of each bears to the total population of all incorporated cities and villages in the state, and 40 per cent thereof in the same proportion that the total mileage of the local street system of each bears to the total mileage in the local street systems of all incorporated cities and villages of the state.

(c) It is the intent of the legislature that the moneys allotted to each city and village for the maintenance and improvement of its local street system pursuant to the provisions of subsections (a) and (b) of this section represent the total responsibility of the state for local street system support and that additional funds required for the support of any city and village local streets be supplied from other moneys returned to the city and village governments by the state under the provisions of the constitution and statutes of the state, and/or from funds that can be raised by taxation in cities and villages for street purposes within the limitations of the constitution and statutes of the state.

(d) Not to exceed 25 per cent of the amount returned to any incorporated city or village hereby for use on the major street system, may, in case of an emergency or with the approval of the state highway commissioner, be used on the local street system of that city or village, and not to exceed 25 per cent per annum of the amount returned to any incorporated city or village hereby, for use on the local street system, may, in case of an emergency or with the approval of the state highway commissioner, be used on the major street system of that city or village.

(e) In each city and village to which funds are returned under the provisions of this section, the responsibility for all street improvement, maintenance and traffic operation work shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in all transactions with the state highway commissioner pursuant to the provisions of this act.

(f) Incorporated cities and villages may provide for consolidated street administration and cities and villages may enter into agreements with the county road commission and with the state highway commissioner for the performance of street or highway work on any road or street within the limits of the city or village or adjacent thereto and for engineering in connection therewith, and such agreements may provide for joint participation in the costs where appropriate.

247.664 Same ; administration and use of funds; programs submitted to state highway commissioner; separate accounts to be kept; records; biennial report to governor by state highway commissioner, contents. [M.S.A. 9.1097(14)]

Sec. 14. In addition to all other requirements provided by law, the terms, conditions, obligations, restrictions and duties hereinafter specified, concerning the administration and use of funds allocated by this act, are hereby imposed upon the state highway commissioner, the several county road commissions, townships, and incorporated cities and villages of the state as beneficiaries of the funds allocated by this act.

(a) Each county road commission and incorporated city and village of the state shall submit biennial highway and street programs, based on long range plans, with standards and specifications for projects included, to the state highway commissioner for approval at the time, in the manner, and on forms prescribed by the state highway commissioner.

(b) Separate accounts shall be kept by cities, villages and county road commissions of all moneys returned from the motor vehicle highway fund.

(c) All county road commissions and incorporated cities and villages shall keep accurate and uniform records on all road and street work and funds, and shall annually report to the state highway commissioner at the time, in the manner, and on the forms prescribed by him the mileage and condition of each road system under their jurisdiction and the receipts and disbursements of road and street funds.

(d) The expenditure of adequate amounts, by county road commissions and the incorporated cities and villages, from funds returned by this act, to cover the cost of administration, engineering and record keeping

is hereby authorized, and expenditures for such purposes shall be reported separately by each county road commission, city and village to the state highway commissioner.

(e) The state highway commissioner shall report biennially to the governor and the state legislature, describing progress made by the state highway department, the county road commissions, and the incorporated cities and villages in carrying out the adopted highway and street programs, and in such report he shall give an account of all expenditures of funds allocated from the motor vehicle highway fund to the state highway department, the county road commissions and the incorporated cities and villages.

(f) The state highway commissioner shall include in the biennial report to the governor and the legislature a summary of the program of improvements scheduled for the next biennium by the state highway department, the county road commissions and the incorporated cities and villages.

(g) All payments and returns of funds provided for in this act shall be withheld from the state highway department, and any county road commission, incorporated city or village for failure to comply with any of the requirements of this act, and such withholding shall continue for the period of noncompliance.

(h) It is the intent of the legislature that the moneys allotted to county road commissions for the maintenance and improvement of county local road systems pursuant to the provisions of subsections (c) and (e) of section 12 of this act represent the total responsibility of the state for local county road support and that additional funds required for the support of any county local road systems be supplied from other moneys returned to the township governments by the state under the provisions of the constitution and statutes of the state, and/or from funds that can be raised by taxation in the townships and/or counties for road purposes within the limitations of the constitution and statutes of the state.

247.665 Reports to the state highway commissioner, contents. [M.S.A. 9.1097(15)]

Sec. 15. On or before the first day of April of each year, each county road commission and the clerk of each incorporated city and village shall file with the state highway commissioner and the clerk of the county, on forms to be provided by the state highway commissioner, a report showing the disposition of funds appropriated, apportioned or allocated under this act, to such county and incorporated city and village.

247.666 Forfeiture of funds. [M.S.A. 9.1097(16)]

Sec. 16. The failure of any county road commission, incorporated city or village to apply moneys returned pursuant to the provisions of this act, to the purposes herein prescribed, shall result in the forfeiture by such county road commission, incorporated city or village of any and all funds to which it may have been entitled under the provisions of this act for a period of 1 year from and after such failure to apply such moneys for the purposes prescribed, and all funds so forfeited shall thereafter be apportioned among the other county road commissions and incorporated cities and villages in the same manner and proportion as hereinbefore provided for the distribution of the motor vehicle highway fund.

247.667 Certification by secretary of state and state highway commissioner; reports to legislature and governor. [M.S.A. 9.1097(17)]

Sec. 17. On or before the first day of July of each year and at the end of each quarter thereafter, the secretary of state shall certify to the state highway commissioner and the state controller the amounts received from the several counties for motor vehicle taxes during the preceding quarter pursuant to the provisions of said Act No. 300 of the Public Acts of 1949, and also the total amount deposited in the motor vehicle fund pursuant to the provisions of this act during the preceding quarter, after deducting the amount appropriated for the payment of the necessary expenses incurred in the enforcement of said Act No. 150 of the Public Acts of 1927, as amended, Act 300 of the Public Acts of 1949, and Act No. 319 of the Public Acts of 1947, as amended. The state highway commissioner shall thereupon certify to the state controller the amounts to be returned to each county road commission and each incorporated city and village of the state pursuant to the provisions of this act, and the state controller shall thereupon certify these amounts to the auditor general, who shall thereupon draw his warrant on the state treasurer for such amounts as are due the state trunk line

fund, the several county road commissions and the several cities and villages of the state under the provisions of this act, and the auditor general shall issue checks for the amounts due, within 30 days after the end of each quarter, to the several county road commissions and the several incorporated cities and villages. If the amount due is not returned to any county road commission, city or village within 30 days after the end of each quarter, such county road commission, city or village is hereby authorized to bring an action in the nature of mandamus to compel the various state officials to perform their duties in connection with such return as provided herein.

The state highway commissioner shall within 30 days after the close of each fiscal year of the state to furnish to the legislature and the governor a detailed report of revenues credited to the motor vehicle highway fund and disbursements and allocations under the provisions of this act, showing the amounts distributed to each county road commission, city and village.

217.668 Cancelled installments of special assessments. [M.S.A. 9.10907(17)]

Sec. 18. Where there are any outstanding bonds, issued in anticipation of the collection of special assessments against lands in any special assessment district created under the provisions of said Act No. 59 of the Public Acts of 1915, as amended, known as the Covert act, in allocating any moneys under this act to the relief of such a special assessment district, the fact that any installments of such special assessments have been cancelled by reason of the sale of lands for the nonpayment of taxes and assessments, shall be disregarded and such cancelled installments shall be deemed in full force and effect for the purpose of such allocation but not for any other purpose. The foregoing provision shall also be deemed to be declaratory of the existing statutory law upon the subject.

247.669 Roads, streets and alleys taken over as county roads. [M.S.A. 9.1097(19)]

Sec. 19. The board of county road commissioners in each of the several counties shall, within 1 year of the effective date of this act, complete the taking over as county roads of all roads, streets and alleys heretofore required to be taken over as county roads by the provisions of Act No. 130 of the Public Acts of 1931, as amended, being sections 247.1 to 247.13 inclusive of the Compiled Laws of 1948. Said board of county road commissioners in each of the several counties shall take over as county roads all streets and alleys lying outside the limits of incorporated cities and villages and dedicated to the public in recorded plats approved by said board of county road commissioners, within 30 days after the recording of the plat or the effective date of this act, whichever may be later. Such dedicated streets and alleys, when taken over by the county road commission, shall be county roads in all respects and for all purposes and shall be classified as county primary roads or county local roads pursuant to the provisions of this act.

247.670 Appropriation of unexpended balances of township funds; property tax levy for county road local maintenance or improvement. [M.S.A. 9.1097(20)]

Sec. 20. Notwithstanding any other provisions of this act the township board of any township may appropriate any unexpended balances in the contingent or general fund of the township, for the maintenance and/or improvement of county local roads within such township, without submitting the question to the electors of said township, and pay any sum so appropriated into the county road fund of the county for the aforesaid purpose pursuant to an agreement with the county road commission. Notwithstanding any other provisions of this act the township board of any township may also levy a property tax not to exceed 3 mills on each dollar of assessed valuation of the township in any year for the maintenance or improvement of county local roads within the township, without submitting the question to the electors of said township, and pay any sum so raised into the county road fund of the county for the aforesaid purposes pursuant to an agreement with the county road commission.

247.671 Acts repealed. [M.S.A. 9.1097(21)]

Sec. 21. All acts and parts of acts inconsistent with the provisions of this act, and the following acts and parts of acts, are hereby repealed, viz: sections 19, 19a, 19b, 19e and 19f of Act No. 150 of the Public Acts of 1927, being sections 207.119, 201.119a, 201.119b, 207.119e and 207.119f, respectively, of the Compiled Laws of 1948; Act No. 130 of the Public Acts of 1931, as amended, being sections 247.1 to 247.13, inclusive, of the Compiled Laws of 1948; Act No. 1 of the Public Acts of the Extra Session of 1937, being sections 247.21 to 247.25, inclusive, of the Compiled Laws of 1948; and section 805 of Act No. 300 of the Public Acts of 1949, being section 257.805 of the Compiled Laws of 1948.

247.672 Effective date of act. [M.S.A. 9.1097(22)]

Sec. 22. This act shall become effective June 1, 1951.

247.673 Effective upon passage of certain act. [M.S.A. 9.1097(23)]

Sec. 23. This act shall not take effect unless Senate Bill No. 41 of the 1951 session of the legislature, relative to increase in the privilege tax for the use of the public highways by owners and drivers or motor vehicles is enacted into law and becomes effective.

This act is ordered to take immediate effect.

Approved May 23, 1951.

NOTE.—Senate Bill No. 41 of the 1951 session of the legislature became Act No. 54 of the Public Acts of 1951.