

Senate Bill 811

A bill to amend 1941 PA 205, entitled

"An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities,"

by amending section 2 (MCL 252.52), as amended by 2001 PA 47.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) The state transportation department, a board of
2 county road commissioners, or a city or village, acting alone or
3 in cooperation with each other or with a federal, state, or local
4 agency having authority to participate in the construction and
5 maintenance of highways, may establish, open, discontinue,
6 vacate, close, alter, improve, maintain, and provide for the

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1 public use of limited access highways, subject to section 1(i) of
2 1925 PA 352, MCL 213.171.

3 (2) The state transportation department shall allow only the
4 installation of vending machines at selected sites on the limited
5 access highway system to dispense food, drink, and other articles
6 that the state transportation department determines appropriate.
7 The state transportation department shall allow only the instal-
8 lation of vending machines at selected travel information
9 centers. Following a 2-year trial period the state transporta-
10 tion department shall use its discretion with the advice of the
11 commission for the blind to allow only vending machines at other
12 locations on the limited access highway system. The vending
13 machines shall be operated solely by the commission for the
14 blind, which is designated as the state licensing agency under
15 section 2(a)(5) of chapter 638, 49 Stat. 1559, 20 U.S.C. 107a.
16 Except as otherwise provided in this section, no other commercial
17 enterprise shall be authorized or conducted within or on property
18 acquired for or designated as a limited access highway. The com-
19 mission for the blind shall require evidence of liability insur-
20 ance and monitor compliance as it pertains to only vending
21 machines in the designated areas, holding harmless the state
22 transportation department.

23 (3) In conjunction with the exemption granted by federal law
24 from the restrictions contained in section 111 of title 23 of the
25 United States Code, 23 U.S.C. 111, and described in the "manual
26 on uniform traffic control devices for streets and highways",
27 U.S. department of transportation and federal highway

1 administration, part 2g (LOGOS), this section does not prohibit
2 the use of facilities located in part on the right-of-way of I-94
3 in the vicinity of the interchange of I-94 and I-69 business
4 loop/I-94 business loop for the sale of only those articles which
5 are for export and consumption outside the United States.

6 (4) This section does not prohibit the use of facilities
7 located in the vicinity of the international bridge in the city
8 of Sault Ste. Marie for the sale of only those articles which are
9 for export and consumption outside the United States to the
10 extent that the use is not restricted by federal law.

11 (5) This section does not prohibit the operation of customs
12 brokering facilities on state owned property available for that
13 use at the sites of the blue water bridge in Port Huron and the
14 international bridge in Sault Ste. Marie.

15 (6) The state transportation department may enter into a
16 lease for facilities described in subsection (3), (4), or (5),
17 the revenue from which shall be deposited in the state trunk line
18 fund if attributable to the blue water bridge site or in the fund
19 created under section 7 of 1954 PA 99, MCL 254.227, if attribut-
20 able to the international bridge site.

21 (7) This section does not prohibit the use of facilities
22 located at rest areas or welcome centers to distribute, either
23 directly or through electronic technologies, free travel related
24 information or assistance, or both, to the traveling public if
25 the distribution is approved by the state transportation
26 department.

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1 (8) The state transportation department may enter into
2 agreements for the activities described in subsection (7), the
3 revenue from which shall be deposited in the state trunk line
4 fund.

5 (9) THE STATE TRANSPORTATION DEPARTMENT MAY ENTER INTO
6 AGREEMENTS TO AUTHORIZE THE USE OF PROPERTY ACQUIRED FOR OR DES-
7 IGNATED AS A LIMITED ACCESS HIGHWAY OR ACQUIRED FOR OR DESIGNATED
8 FOR ANCILLARY PURPOSES FOR THE INSTALLATION, OPERATION, AND MAIN-
9 TENANCE OF COMMERCIAL OR NONCOMMERCIAL ELECTRONIC DEVICES AND
10 RELATED STRUCTURES SO LONG AS THE ELECTRONIC DEVICES AND RELATED
11 STRUCTURES ARE INTENDED TO ASSIST IN PROVIDING TRAVEL RELATED
12 INFORMATION TO MOTORISTS WHO SUBSCRIBE TO TRAVEL RELATED INFORMA-
13 TION SERVICES, THE PUBLIC, OR THE STATE TRANSPORTATION
14 DEPARTMENT. ALL REVENUE GENERATED BY THE AGREEMENTS SHALL BE
15 DEPOSITED IN THE STATE TRUNK LINE FUND. THE STATE TRANSPORTATION
16 DEPARTMENT MAY ACCEPT FACILITIES OR IN-KIND SERVICES TO BE USED
17 FOR PUBLIC PURPOSES IN LIEU OF, OR IN ADDITION TO, MONETARY
18 COMPENSATION.

19 (10) ~~(9)~~ This section does not prohibit the use of logo
20 signage within the right-of-way of limited access highways. For
21 purposes of this subsection, "logo signage" means a sign contain-
22 ing the trademark or other symbol that identifies a business in a
23 manner and at locations approved by the state transportation
24 department. The state transportation department may enter into
25 agreements to allow logo signage, and any revenue received by the
26 state transportation department under this subsection shall be

1 deposited into the state trunk line fund established under
2 section 11 of 1951 PA 51, MCL 247.661.

3 (11) ~~(10)~~ At the request of a hospital that provides
4 24-hour emergency care, the state transportation department shall
5 place and maintain signs on all limited access highways that
6 indicate exits that are within 2 miles of that hospital. The
7 signs shall indicate the name of the hospital or the name of the
8 nonprofit corporation that owns or operates the hospital and the
9 exit number of the exit that is within the 2 miles of the
10 hospital. At least 1 sign shall be placed for each exit that is
11 within 2 miles of a requesting hospital that provides 24-hour
12 emergency care. The cost of placing and maintaining the sign
13 shall be paid by the hospital requesting the signs. The state
14 transportation department shall adopt guidelines specifying the
15 size, shape, design, number, and placement of the signs autho-
16 rized under this subsection. The state transportation department
17 shall not remove signs on limited access highways that exist on
18 the effective date of the amendatory act that added this subsec-
19 tion and that indicate exits within 10 miles of a hospital that
20 provides 24-hour emergency care but that do not otherwise satisfy
21 the requirements of this subsection. As used in this subsection,
22 "hospital" means a health facility that is licensed under part
23 215 of the public health code, 1978 PA 368, MCL 333.21501 to
24 333.21568.