

Act No. 150
Public Acts of 2002
Approved by the Governor
April 8, 2002
Filed with the Secretary of State
April 8, 2002
EFFECTIVE DATE: April 8, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Senator Bullard

ENROLLED SENATE BILL No. 811

AN ACT 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:

Sec. 2. (1) The state transportation department, a board of county road commissioners, or a city or village, acting alone or in cooperation with each other or with a federal, state, or local agency having authority to participate in the construction and maintenance of highways, may establish, open, discontinue, vacate, close, alter, improve, maintain, and provide for the public use of limited access highways, subject to section 1(i) of 1925 PA 352, MCL 213.171.

(2) The state transportation department shall allow only the installation of vending machines at selected sites on the limited access highway system to dispense food, drink, and other articles that the state transportation department determines appropriate. The state transportation department shall allow only the installation of vending machines at selected travel information centers. Following a 2-year trial period the state transportation department shall use its discretion with the advice of the commission for the blind to allow only vending machines at other locations on the limited access highway system. The vending machines shall be operated solely by the commission for the blind, which is designated as the state licensing agency under section 2(a)(5) of chapter 638, 49 Stat. 1559, 20 U.S.C. 107a. Except as otherwise provided in this section, no other commercial enterprise shall be authorized or conducted within or on property acquired for or designated as a limited access highway. The commission for the blind shall require evidence of liability insurance and monitor compliance as it pertains to only vending machines in the designated areas, holding harmless the state transportation department.

(3) In conjunction with the exemption granted by federal law from the restrictions contained in section 111 of title 23 of the United States Code, 23 U.S.C. 111, and described in the "manual on uniform traffic control devices for streets and highways", U.S. department of transportation and federal highway administration, part 2g (LOGOS), this section does not prohibit the use of facilities located in part on the right-of-way of I-94 in the vicinity of the interchange of I-94 and I-69 business loop/I-94 business loop for the sale of only those articles which are for export and consumption outside the United States.

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

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

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

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

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

(9) The state transportation department may enter into agreements to authorize the use of property acquired for or designated as a limited access highway or acquired for or designated for ancillary purposes for the installation, operation, and maintenance of commercial or noncommercial electronic devices and related structures so long as the electronic devices and related structures are intended to assist in providing travel related information to motorists who subscribe to travel related information services, the public, or the state transportation department. All revenue generated by the agreements shall be deposited in the state trunk line fund. The state transportation department may accept facilities or in-kind services to be used for public purposes in lieu of, or in addition to, monetary compensation.

(10) This section does not prohibit the use of logo signage within the right-of-way of limited access highways. For purposes of this subsection, "logo signage" means a sign containing the trademark or other symbol that identifies a business in a manner and at locations approved by the state transportation department. The state transportation department may enter into agreements to allow logo signage, and any revenue received by the state transportation department under this subsection shall be deposited into the state trunk line fund established under section 11 of 1951 PA 51, MCL 247.661.

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

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

.....
Governor.