

HOUSE BILL NO. 6179

November 26, 2024, Introduced by Rep. Skaggs and referred to the Committee on Energy, Communications, and Technology.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 676a (MCL 257.676a), as amended by 2005 PA 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 676a. (1) Except as otherwise provided in this section, a
2 person, firm, or corporation ~~who~~**that** sells or offers for sale, or
3 displays or attempts to display for sale, goods, wares, produce,
4 fruit, vegetables, or merchandise ~~within~~**in** the right-of-way of a
5 highway outside of the corporate limits of a city or village, or

1 ~~within~~**in** the right-of-way of a state trunk line highway, is
 2 responsible for a civil infraction.

3 (2) The state transportation department may issue a permit to
 4 a person, firm, or corporation to conduct activities described in
 5 subsection (1) if the permitted activities do not create an unsafe
 6 situation and do not interfere with transportation along the state
 7 trunk line highway. ~~As a condition of issuing~~**Except as otherwise**
 8 **provided in subsection (7), to issue** a permit under this
 9 subsection, the state transportation department shall require the
 10 municipality having jurisdiction over the site to pass a resolution
 11 authorizing the activities described in subsection (1) and may
 12 require that the municipality having jurisdiction over the site of
 13 the permitted activities agree to enforce compliance with the
 14 permit. ~~The issuance of a~~**A permit issued** under this subsection
 15 does not confer any property right. The state transportation
 16 department may charge a fee for issuing a permit under this
 17 subsection in an amount not greater than the administrative cost of
 18 issuing the permit.

19 (3) A holder of a permit issued under subsection (2) that
 20 conducts activities in violation of that permit is responsible for
 21 a civil infraction. Each day ~~during which~~ the permit holder
 22 conducts activities in violation of the permit is a separate
 23 violation. The state transportation department may limit or revoke
 24 a permit issued under subsection (2) if the permit holder conducts
 25 activities that create an unsafe situation or interfere with
 26 transportation along the state trunk line highway, or if the permit
 27 holder is in violation of the conditions of the permit.

28 (4) This section does not interfere with a permanently
 29 established business that, as of September 27, 1957, was located on

1 or partially on private property or grant to the owner of that
 2 business additional rights or authority that the owner did not
 3 possess on September 27, 1957, or diminish the legal rights or
 4 duties of the authority having jurisdiction of the right-of-way.

5 (5) In conjunction with the exemption granted by federal law
 6 from the restrictions ~~contained in~~ **under** 23 USC 111, and **as**
 7 described in the ~~"manual"~~ **Manual** on ~~uniform traffic control devices~~
 8 **Uniform Traffic Control Devices** for ~~streets~~ **Streets** and highways",
 9 **Highways**", U.S. ~~department~~ **Department** of ~~transportation~~
 10 **Transportation** and ~~federal highway administration,~~ **Federal Highway**
 11 **Administration**, part 2g (LOGOS), this section does not prohibit the
 12 use of a facility located in part on the right-of-way of I-94 in
 13 the vicinity of the interchange of I-94 and I-69 business loop/I-94
 14 business loop for the sale of only those articles ~~which~~ **that** are
 15 for export and consumption outside the United States.

16 (6) This section does not prohibit the use of logo signage
 17 ~~within~~ **in** the right-of-way of limited access highways. ~~For purposes~~
 18 ~~of this subsection, "logo signage" means a sign containing the~~
 19 ~~trademark or other symbol that identifies a business in a manner~~
 20 ~~and at locations approved by the state transportation department.~~
 21 The state transportation department may enter into agreements to
 22 allow logo signage, and any revenue received by the state
 23 transportation department under this subsection ~~shall~~ **must** be
 24 deposited into the state trunk line fund established under section
 25 11 of 1951 PA 51, MCL 247.661. **As used in this subsection, "logo**
 26 **signage" means a sign containing the trademark or other symbol that**
 27 **identifies a business in a manner and at locations approved by the**
 28 **state transportation department.**

29 (7) This section does not prohibit the state transportation

1 department from installing, operating, and maintaining or issuing a
2 permit under subsection (2) allowing the installation, operation,
3 and maintenance of charging ports for electric vehicles on selected
4 sites on limited access highway rest areas, welcome centers, and
5 state park-and-ride sites. The state transportation department
6 shall identify selected sites and shall not require the
7 municipality that has jurisdiction over the site to pass a
8 resolution authorizing the activities described in subsection (1)
9 or require that the municipality having jurisdiction over the site
10 of the permitted activities agree to enforce compliance with the
11 permit. Revenue received by the state transportation department
12 under this subsection must be deposited into the state trunk line
13 fund established under section 11 of 1951 PA 51, MCL 247.661.

14 Enacting section 1. This amendatory act does not take effect
15 unless all of the following bills of the 102nd Legislature are
16 enacted into law:

17 (a) Senate Bill No. ____ or House Bill No. 6177 (request no.
18 00578'23 *).

19 (b) Senate Bill No. ____ or House Bill No. 6178 (request no.
20 03884'23 *).