

HOUSE BILL No. 5539

February 4, 1998, Introduced by Reps. DeHart, Kelly, Scott and Schermesser and referred to the Committee on Transportation.

A bill to amend 1925 PA 368, entitled

"An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act,"

(MCL 247.171 to 247.191) by adding section 1a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1A. UPON RECEIPT OF A PRIVATE LANDOWNER'S WRITTEN
2 REQUEST, THE STATE TRANSPORTATION DEPARTMENT OR THE BOARD OF
3 COUNTY ROAD COMMISSIONERS, AS APPLICABLE, MAY REMOVE AN ENCROACH-
4 MENT OR OBSTRUCTION ERECTED ON THAT PART OF THE LANDOWNER'S PROP-
5 ERTY ON WHICH AN EASEMENT IS GRANTED TO THE APPLICABLE ROAD
6 AUTHORITY. AS USED IN THIS SECTION, "ENCROACHMENT OR
7 OBSTRUCTION" INCLUDES A MEMORIAL OR A CAMPAIGN SIGN OR SIGNS

1 PLACED ON THE LANDOWNER'S PROPERTY WITHOUT PRIOR CONSENT OF THE
2 LANDOWNER.