

HOUSE BILL No. 4606

April 29, 1999, Introduced by Reps. Garcia, Vander Roest, Rick Johnson, Vear, Bishop, Ehardt, Shackleton, Julian, Schermesser, Patterson, Tabor, Jelinek, Mans, Mortimer, LaSata, Hart, Jellema, Ruth Johnson, Reeves, Jamnick, Middaugh, Gilbert, Lockwood, Kukuk, DeVuyst, Geiger, Bovin, Lemmons and Scranton and referred to the Committee on Transportation.

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 1998 PA 223.

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

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.

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 shall conduct a~~
6 ~~study for a period of not less than 3 years to evaluate the~~
7 ~~potential benefit to the traveling public of logo signing within~~
8 ~~the right-of-way of limited access highways. Not later than~~
9 ~~December 31, 1998, the state transportation department shall~~
10 ~~issue a written report on the study, which shall include the eco-~~
11 ~~nomic impact of logo signing on the outdoor advertising industry,~~
12 ~~the benefits of logo signing to the motoring public and local~~
13 ~~businesses, the acceptance of logo signing by the motoring~~
14 ~~public, and the proposed standards for logo signing recommended~~
15 ~~by the state transportation commission. The study shall include~~
16 ~~a pilot program for logo signing at not more than 60~~
17 ~~interchanges. However, not less than 30 days before the imple-~~
18 ~~mentation date of the pilot program, any proposed agreement spec-~~
19 ~~ifying a location for the pilot program shall be reported to the~~
20 ~~senate and house of representatives standing committees that con-~~
21 ~~sider transportation-related legislation. THIS SECTION DOES NOT~~
22 ~~PROHIBIT THE USE OF LOGO SIGNAGE WITHIN THE RIGHT-OF-WAY OF~~
23 ~~LIMITED ACCESS HIGHWAYS. FOR PURPOSES OF THIS SUBSECTION, "LOGO~~
24 ~~SIGNAGE" MEANS A SIGN CONTAINING THE TRADEMARK OR OTHER SYMBOL~~
25 ~~THAT IDENTIFIES A BUSINESS IN A MANNER AND AT LOCATIONS APPROVED~~
26 ~~BY THE STATE TRANSPORTATION DEPARTMENT. Any revenue received by~~
27 ~~the state transportation department under this subsection shall~~

1 be deposited into the Michigan transportation fund established
2 under section 10 of 1951 PA 51, MCL 247.660.

3 Enacting section 1. This amendatory act does not take
4 effect unless Senate Bill No. _____ or House Bill No. _____
5 (request no. 01136'99 a) of the 90th Legislature is enacted into
6 law.