

# SENATE BILL No. 294

March 9, 2005, Introduced by Senator BISHOP 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 2002 PA 150.

**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 in  
3 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, vacate,  
6 close, alter, improve, maintain, and provide for the public use of

1 limited access highways, subject to section 1(i) of 1925 PA 352,  
2 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  
8 installation of vending machines at selected travel information  
9 centers. Following a 2-year trial period the state transportation  
10 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 blind,  
14 which is designated as the state licensing agency under section  
15 2(a)(5), ~~of chapter 638, 49 Stat. 1559, 20 U.S.C.~~ **20 USC** 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  
19 commission for the blind shall require evidence of liability  
20 insurance 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.~~ **23 USC** 111, and described in the  
26 "manual on uniform traffic control devices for streets and  
27 highways", U.S. department of transportation and federal highway

1 administration, part 2g (LOGOS), this section does not prohibit the  
2 use of facilities located in part on the right-of-way of I-94 in  
3 the vicinity of the interchange of I-94 and I-69 business loop/I-94  
4 business loop for the sale of only those articles which are for  
5 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 of  
8 Sault Ste. Marie for the sale of only those articles which are for  
9 export and consumption outside the United States to the extent that  
10 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 use  
13 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 lease  
16 for facilities described in subsection (3), (4), or (5), the  
17 revenue from which shall be deposited in the state trunk line fund  
18 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 attributable  
20 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 the  
25 distribution is approved by the state transportation department.

26 (8) The state transportation department may enter into  
27 agreements for the activities described in subsection (7), the

1 revenue from which shall be deposited in the state trunk line fund.

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

16 (10) This section does not prohibit the use of logo signage  
17 within the right-of-way of limited access highways. For purposes of  
18 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 be deposited  
24 into the state trunk line fund established under section 11 of 1951  
25 PA 51, MCL 247.661.

26 (11) At the request of a hospital that provides 24-hour  
27 emergency care **OR A 24-HOUR EMERGENCY CARE FACILITY**, the state

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