

HOUSE BILL NO. 6177

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

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
7 limited access highways, subject to section 1(i) of 1925 PA 352,
8 MCL 213.171.

9 (2) ~~The state transportation~~ **Except as otherwise provided in**
10 **this section, the** department shall allow only the installation of
11 vending machines at selected sites on the limited access highway
12 system to dispense food, drink, and other articles that the ~~state~~
13 ~~transportation~~ department determines appropriate. The ~~state~~
14 ~~transportation~~ department shall allow only the installation of
15 vending machines at selected travel information centers. Following
16 a 2-year trial period, the ~~state transportation~~ department shall
17 use its discretion with the advice of the ~~commission for the blind~~
18 **bureau of services for blind persons** to allow only vending machines
19 at other locations on the limited access highway system. The
20 vending machines ~~shall~~ **must** be operated solely by the ~~commission~~
21 ~~for the blind,~~ **bureau of services for blind persons**, which is
22 designated as the state licensing agency under ~~section 2(a)(5) of~~
23 ~~chapter 638, 49 Stat. 1559, 20 U.S.C. 107a.~~ **20 USC 107a.** Except as
24 otherwise provided in this section, ~~no~~ other commercial ~~enterprise~~
25 ~~shall~~ **enterprises must not** be authorized or conducted within or on
26 **a** property acquired for or designated as a limited access highway.
27 The ~~commission for the blind~~ **bureau of services for blind persons**
28 shall require evidence of liability insurance and monitor

1 compliance as it pertains to only vending machines in the
 2 designated areas, ~~holding harmless and shall hold~~ the state
 3 ~~transportation department~~ **harmless.**

4 (3) In conjunction with the exemption granted by federal law
 5 from the restrictions ~~contained in section 111 of title 23 of the~~
 6 ~~United States Code, under~~ 23 U.S.C. ~~USC~~ 111, and **as** described in
 7 the ~~"manual"~~ **Manual** on uniform traffic control devices ~~Uniform~~
 8 **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 facilities 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 (4) This section does not prohibit the use of facilities
 17 located in the vicinity of the ~~international bridge~~ **International**
 18 **Bridge** in the city of Sault Ste. Marie for the sale of only those
 19 articles ~~which~~ **that** are for export and consumption outside the
 20 United States to the extent that the use is not restricted by
 21 federal law.

22 (5) This section does not prohibit the operation of customs
 23 brokering facilities on state owned property available for that use
 24 at the sites of the ~~blue water bridge~~ **Blue Water Bridge** in Port
 25 Huron and the ~~international bridge~~ **International Bridge** in Sault
 26 Ste. Marie.

27 (6) The ~~state transportation department~~ may enter into a lease
 28 for facilities described in subsection (3), (4), or (5), the
 29 revenue from which ~~shall~~ **must** be deposited in the state trunk line

1 fund if attributable to the ~~blue water bridge~~ **Blue Water Bridge**
2 site or in the fund created under section 7 of 1954 PA 99, MCL
3 254.227, if attributable to the ~~international bridge~~ **International**
4 **Bridge** site.

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

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

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

28 (10) This section does not prohibit the use of logo signage
29 within the right-of-way of limited access highways. ~~For purposes of~~

1 ~~this subsection, "logo signage" means a sign containing the~~
 2 ~~trademark or other symbol that identifies a business in a manner~~
 3 ~~and at locations approved by the state transportation department.~~
 4 The ~~state transportation department~~ may enter into agreements to
 5 allow logo signage, and any revenue received by the ~~state~~
 6 ~~transportation department~~ under this subsection ~~shall~~ **must** be
 7 deposited into the state trunk line fund. ~~established under section~~
 8 ~~11 of 1951 PA 51, MCL 247.661.~~

9 (11) At the request of a hospital that provides 24-hour
 10 emergency care, the ~~state transportation department~~ shall place and
 11 maintain signs on all limited access highways that indicate exits
 12 that are within 2 miles of that hospital. The signs ~~shall~~ **must**
 13 indicate the name of the hospital or the name of the nonprofit
 14 corporation that owns or operates the hospital and the exit number
 15 of the exit that is within the 2 miles of the hospital. At least 1
 16 sign ~~shall~~ **must** be placed for each exit that is within 2 miles of a
 17 requesting hospital that provides 24-hour emergency care. The cost
 18 of placing and maintaining the sign ~~shall~~ **must** be paid by the
 19 hospital requesting the signs. The ~~state transportation department~~
 20 shall adopt guidelines ~~specifying that specify~~ the size, shape,
 21 design, number, and placement of the signs authorized under this
 22 subsection. The ~~state transportation department~~ shall not remove
 23 signs on limited access highways that ~~exist~~ **existed** on the
 24 ~~effective date of the amendatory act that added this subsection~~
 25 **July 23, 2001** and that indicate exits within 10 miles of a hospital
 26 that provides 24-hour emergency care but that do not otherwise
 27 satisfy the requirements of this subsection. ~~As used in this~~
 28 ~~subsection, "hospital" means a health facility that is licensed~~
 29 ~~under part 215 of the public health code, 1978 PA 368, MCL~~

1 ~~333.21501 to 333.21568.~~

2 (12) Subject to coordinating with other plans and programs
3 promoting electric vehicle charging infrastructure, and to the
4 extent allowed by applicable federal law, both of the following
5 apply to the department:

6 (a) The department shall install, operate, and maintain or
7 allow the installation, operation, and maintenance of electric
8 vehicle charging ports at selected welcome centers and park-and-
9 ride sites.

10 (b) The department may install, operate, and maintain or allow
11 the installation, operation, and maintenance of electric vehicle
12 charging ports at selected limited access highway rest areas.

13 (13) The department may enter into a lease for the
14 installation or operation of the electric vehicle charging ports
15 described in subsection (12). The department shall deposit revenue
16 from operating an electric vehicle charging port or from a lease
17 entered into under subsection (12) into the state trunk line fund.

18 (14) All of the following apply to electric vehicle charging
19 ports at each site selected under subsection (12):

20 (a) Except as provided in subdivision (c), not fewer than 50%
21 must operate at a minimum capability of 320 kilowatts.

22 (b) Except as provided in subdivision (c), not more than 50%
23 may operate at a minimum capability of 150 kilowatts.

24 (c) If the department determines for a site in a rural area
25 that installing 320 kilowatt electric vehicle charging ports is
26 technically infeasible or would otherwise delay the project for 1
27 year or longer, all may operate at a minimum capability of 150
28 kilowatts.

29 (15) The department shall coordinate with the department of

1 environment, Great Lakes, and energy, with electric utilities, and
2 with other interested parties to prioritize the selection of sites
3 under subsection (12) that are best suited for electric vehicle
4 charging ports. In determining priority status, the department
5 shall consider where grid infrastructure exists sufficient to
6 support electric vehicle charging ports and where seasonal traffic
7 patterns and selected site visitation volumes necessitate access to
8 electric vehicle charging ports to accommodate long distance or
9 local travel and the use of selected sites. Within 180 days after
10 the effective date of the amendatory act that added this
11 subsection, the department shall submit a report of its findings
12 under this subsection to the legislative committees of the senate
13 and house of representatives with responsibility for issues
14 involving transportation and shall post the report on the
15 department's website. The report described in this subsection must
16 contain a preliminary schedule for the construction and
17 installation of electric vehicle charging ports at all eligible
18 selected sites in this state.

19 (16) All of the following apply to electric vehicle charging
20 ports installed under this section:

21 (a) Fire service rapid shut down equipment must be provided at
22 each site.

23 (b) Batteries installed at each site are subject to the
24 standards of the National Fire Protection Association 855, Standard
25 for the Installation of Stationary Energy Storage Systems, 2020
26 edition.

27 (c) Electric vehicle charging ports and all related equipment
28 must be installed and maintained in accordance with the National
29 Electric Code as adopted by this state.

1 (d) Electric vehicle charging ports must be installed above a
 2 stand-up curb or have a barrier to protect the electric vehicle
 3 charging ports from traffic.

4 (17) As used in subsection (12), "limited access highway"
 5 means, except as otherwise provided in this subsection, a United
 6 States highway, an interstate highway, or a state highway. Limited
 7 access highway does not include a business route or a parkway.

8 (18) As used in this section:

9 (a) "Charging port" means a port with 1 or more connectors
 10 that provides charging to only 1 electric vehicle at a time.

11 (b) "Department" means the state transportation department.

12 (c) "Hospital" means a health facility that is licensed as a
 13 hospital under article 17 of the public health code, 1978 PA 368,
 14 MCL 333.20101 to 333.22260.

15 (d) "Logo signage" means a sign that contains the trademark or
 16 other symbol that identifies a business in a manner and at
 17 locations approved by the department.

18 (e) "State trunk line fund" means the state trunk line fund
 19 established under section 11 of 1951 PA 51, MCL 247.661.

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

23 (a) Senate Bill No. ____ or House Bill No. 6179 (request no.
 24 01783'23 *).

25 (b) Senate Bill No. ____ or House Bill No. 6178 (request no.
 26 03884'23 *).