

HOUSE BILL No. 6095

September 17, 1992, Introduced by Reps. Muxlow, London, DeBeaussiaert, Strand and Emerson and referred to the Committee on Transportation.

A bill to amend the title and section 2 of Act No. 205 of the Public Acts of 1941, entitled as amended

"An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways; the acquiring of property and property rights therefor; closing or other treatment of intersecting roads; the borrowing of money and issuing bonds or notes payable from special funds for the acquisition, construction or improvement of such highways,"

section 2 as amended by Act No. 97 of the Public Acts of 1990, being section 252.52 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 2 of Act No. 205 of the
2 Public Acts of 1941, section 2 as amended by Act No. 97 of the
3 Public Acts of 1990, being section 252.52 of the Michigan
4 Compiled Laws, are amended to read as follows:

TITLE

1
2 An act to provide for the construction, establishment, open-
3 ing, use, discontinuing, vacating, closing, altering, improve-
4 ment, and maintenance of limited access highways AND FACILITIES
5 ANCILLARY TO THOSE HIGHWAYS; TO PERMIT the acquiring of property
6 and property rights ~~therefor,~~ AND THE closing or other treat-
7 ment of intersecting roads FOR THESE PURPOSES; TO PROVIDE FOR the
8 borrowing of money and FOR THE issuing OF bonds or notes payable
9 from special funds for the acquisition, construction or improve-
10 ment of such highways; AND TO PROVIDE FOR THE RECEIPT AND EXPEN-
11 DITURE OF FUNDS GENERATED FROM THE FACILITIES.

12 Sec. 2. (1) The state transportation department, boards of
13 county road commissioners, and cities and villages, either acting
14 alone or in cooperation with each other or with any federal,
15 state, or local agency having authority to participate in the
16 construction and maintenance of highways, are hereby authorized
17 to establish, open, discontinue, vacate, close, alter, improve,
18 maintain, and provide for the public use of limited access
19 highways. However, within cities and villages, that authority
20 shall continue to be subject to municipal consent, as now pro-
21 vided by section 1(i) of Act No. 352 of the Public Acts of 1925,
22 as amended, being section 213.171 of the Michigan Compiled Laws.

23 (2) The state transportation department shall allow the
24 installation of only vending machines at selected sites on the
25 limited access highway system to dispense food, drink, and other
26 articles as the department determines are appropriate. The
27 department shall allow the installation of only vending machines

1 at selected travel information centers. Following a 2-year trial
2 period the department shall use its discretion with the advice of
3 the commission for the blind to allow only vending machines at
4 other locations on the limited access highway system. The vend-
5 ing machines shall only be operated by the commission for the
6 blind which is designated as the state licensing agency under
7 section 2(a)(5), chapter 638, 49 Stat. 1559, 20 U.S.C. 107a.
8 Except as otherwise provided in this section, no other commercial
9 enterprise shall be authorized or conducted within or on property
10 acquired for or designated as a limited access highway. The com-
11 mission for the blind shall require evidence of liability insur-
12 ance and monitor compliance as it pertains to only vending
13 machines in the designated areas, holding harmless the state
14 transportation department.

15 (3) In conjunction with the exemption granted by federal law
16 from the restrictions contained in section 1 of Public Law
17 85-767, 72 STAT. 895, 23 U.S.C. 111, this section shall not pro-
18 hibit the use of ~~a facility~~ FACILITIES located in part on the
19 right-of-way of I-94 in the vicinity of the interchange of I-94
20 and I-69 business loop/I-94 business loop for the sale of only
21 those articles which are for export and consumption outside the
22 United States.

23 (4) THIS SECTION SHALL NOT PROHIBIT THE OPERATION OF CUSTOMS
24 BROKERING FACILITIES ON STATE OWNED PROPERTY AVAILABLE FOR SUCH
25 USE AT THE SITE OF THE BLUE WATER BRIDGE IN PORT HURON.

26 (5) ~~(4)~~ The state transportation department may enter into
27 a lease for ~~such a facility~~ FACILITIES DESCRIBED IN SUBSECTION

1 (3) OR (4) the revenue from which shall be deposited in the state
2 trunk line fund IF ATTRIBUTABLE TO THE BLUE WATER BRIDGE SITE.