



SENATE BILL No. 310

February 2, 1993, Introduced by Senators MC MANUS, DE GROW, KOIVISTO, PRIDNIA and KELLY and referred to the Committee on Transportation and Tourism.

A bill to amend 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 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,"

as amended by Act No. 243 of the Public Acts of 1992, being section 252.52 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 205 of the Public Acts of
2 1941, as amended by Act No. 243 of the Public Acts of 1992, being
3 section 252.52 of the Michigan Compiled Laws, is amended to read
4 as follows:

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

12 (2) The state transportation department shall allow the
13 installation of only vending machines at selected sites on the
14 limited access highway system to dispense food, drink, and other
15 articles as the STATE TRANSPORTATION department determines are
16 appropriate. The STATE TRANSPORTATION department shall allow the
17 installation of only vending machines at selected travel informa-
18 tion centers. Following a 2-year trial period the STATE
19 TRANSPORTATION department shall use its discretion with the
20 advice of the commission for the blind to allow only vending
21 machines at other locations on the limited access highway
22 system. The vending machines shall only be operated by the com-
23 mission for the blind which is designated as the state licensing
24 agency under section 2(a)(5), chapter 638, 49 Stat. 1559, 20
25 U.S.C. 107a. Except as otherwise provided in this section, no
26 other commercial enterprise shall be authorized or conducted
27 within or on property acquired for or designated as a limited

1 access highway. The commission for the blind shall require
2 evidence of liability insurance and monitor compliance as it per-
3 tains to only vending machines in the designated areas, holding
4 harmless the state transportation department.

5 (3) In conjunction with the exemption granted by federal law
6 from the restrictions contained in section 1 of Public Law
7 85-767, 72 Stat. 895, 23 U.S.C. 111, this section shall not pro-
8 hibit the use of facilities located in part on the right-of-way
9 of I-94 in the vicinity of the interchange of I-94 and I-69 busi-
10 ness loop/I-94 business loop for the sale of only those articles
11 which are for export and consumption outside the United States.

12 (4) THIS SECTION SHALL NOT PROHIBIT THE USE OF FACILITIES
13 LOCATED IN THE VICINITY OF THE INTERNATIONAL BRIDGE IN THE CITY
14 OF SAULT STE. MARIE FOR THE SALE OF ONLY THOSE ARTICLES WHICH ARE
15 FOR EXPORT AND CONSUMPTION OUTSIDE THE UNITED STATES TO THE
16 EXTENT THAT SUCH USE IS NOT RESTRICTED BY FEDERAL LAW.

17 (5) ~~-(4)-~~ This section shall not prohibit the operation of
18 customs brokering facilities on state owned property available
19 for such use at the ~~-site-~~ SITES of the blue water bridge in Port
20 Huron AND THE INTERNATIONAL BRIDGE IN SAULT STE. MARIE.

21 (6) ~~-(5)-~~ The state transportation department may enter into
22 a lease for facilities described in subsection (3), ~~-or-~~ (4), OR
23 (5) the revenue from which shall be deposited in the state trunk
24 line fund if attributable to the blue water bridge site OR IN THE
25 FUND CREATED PURSUANT TO SECTION 7 OF ACT NO. 99 OF THE PUBLIC
26 ACTS OF 1954, BEING SECTION 254.227 OF THE MICHIGAN COMPILED
27 LAWS, IF ATTRIBUTABLE TO THE INTERNATIONAL BRIDGE SITE.

1 (7) THIS SECTION SHALL NOT PROHIBIT THE USE OF FACILITIES
2 LOCATED AT REST AREAS OR WELCOME CENTERS TO DISTRIBUTE, EITHER
3 DIRECTLY OR THROUGH ELECTRONIC TECHNOLOGIES, FREE INFORMATION,
4 SAMPLES, AND ASSISTANCE REGARDING TRAVEL RELATED GOODS, SERVICES,
5 PLACES, AND EVENTS WHICH MAY INTEREST THE TRAVELING PUBLIC.

6 (8) THE STATE TRANSPORTATION DEPARTMENT MAY ENTER INTO
7 AGREEMENTS FOR THE ACTIVITIES DESCRIBED IN SUBSECTION (7), THE
8 REVENUE FROM WHICH SHALL BE DEPOSITED IN THE STATE TRUNK LINE
9 FUND.