

Act No. 92
Public Acts of 1995
Approved by the Governor
June 20, 1995
Filed with the Secretary of State
June 20, 1995

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995

Introduced by Senators McManus, Gougeon, Emmons, Steil, Schwarz, Bennett and Koivisto

ENROLLED SENATE BILL No. 388

AN ACT to amend section 676a of Act No. 300 of the Public Acts of 1949, entitled as amended "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," as amended by Act No. 87 of the Public Acts of 1990, being section 257.676a of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 676a of Act No. 300 of the Public Acts of 1949, as amended by Act No. 87 of the Public Acts of 1990, being section 257.676a of the Michigan Compiled Laws, is amended to read as follows:

Sec. 676a. (1) Except as otherwise provided in this section, a person, firm, or corporation who sells or offers for sale, or displays or attempts to display for sale, goods, wares, produce, fruit, vegetables, or merchandise within the right-of-way of a highway outside of the corporate limits of a city or village, or within the right-of-way of a state trunk line highway, is responsible for a civil infraction.

(2) This section shall not interfere with a permanently established business presently located on or partially on private property or grant to the owner of that business additional rights or authority that the owner may not now possess, or diminish the legal rights or duties of the authority having jurisdiction of the right-of-way.

(3) In conjunction with the exemption granted by federal law from the restrictions contained in section 1 of Public Law 85-767, 23 U.S.C. 111, this section shall not prohibit the use of a facility located in part on the right-of-way of I-94 in the vicinity of the interchange of I-94 and I-69 business loop/I-94 business loop for the sale of only those articles which are for export and consumption outside the United States.

(4) The state transportation department shall conduct a study for a period of not less than 3 years to evaluate the potential benefit to the traveling public of logo signing within the right-of-way of limited access highways. Not later than October 1, 1998, the state transportation department shall issue a written report on the study, which shall include the economic impact of logo signing on the outdoor advertising industry, the benefits of logo signing to the motoring

public and local businesses, the acceptance of logo signing by the motoring public, and the proposed standards for logo signing recommended by the state transportation commission. The study shall include a pilot program for logo signing at not more than 30 interchanges. However, not less than 30 days before the implementation date of the pilot program, any proposed agreement specifying a location for the pilot program shall be reported to the Senate and House of Representatives standing committees that consider transportation-related legislation. Any revenue received by the state transportation department under this subsection shall be deposited into the state trunk line fund established under section 11 of Act No. 51 of the Public Acts of 1951, being section 247.661 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.