



# SENATE BILL No. 389

March 15, 1995, Introduced by Senators MC MANUS, GOUGEON, EMMONS, STEIL, SCHWARZ, BENNETT and KOIVISTO 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. 45 of the Public Acts of 1994, 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. 45 of the Public Acts of 1994, 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~~ A  
2 BOARD of county road commissioners, ~~and cities and villages~~ OR  
3 A CITY OR VILLAGE, ~~either~~ acting alone or in cooperation with  
4 each other or with ~~any~~ A federal, state, or local agency having  
5 authority to participate in the construction and maintenance of  
6 highways, ~~are hereby authorized to~~ MAY establish, open, discon-  
7 tinue, vacate, close, alter, improve, maintain, and provide for  
8 the public use of limited access highways, ~~-. However, within~~  
9 ~~cities and villages, that authority shall continue to be subject~~  
10 ~~to municipal consent, as now provided by~~ SUBJECT TO section 1(i)  
11 of Act No. 352 of the Public Acts of 1925, ~~as amended,~~ being  
12 section 213.171 of the Michigan Compiled Laws.

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

1 authorized or conducted within or on property acquired for or  
2 designated as a limited access highway. The commission for the  
3 blind shall require evidence of liability insurance and monitor  
4 compliance as it pertains to only vending machines in the desig-  
5 nated areas, holding harmless the state transportation  
6 department.

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

15 (4) This section ~~shall~~ DOES not prohibit the use of facil-  
16 ities located in the vicinity of the international bridge in the  
17 city of Sault Ste. Marie for the sale of only those articles  
18 which are for export and consumption outside the United States to  
19 the extent that ~~such~~ THE use is not restricted by federal law.

20 (5) This section ~~shall~~ DOES not prohibit the operation of  
21 customs brokering facilities on state owned property available  
22 for ~~such~~ THAT use at the sites of the blue water bridge in Port  
23 Huron and the international bridge in Sault Ste. Marie.

24 (6) The state transportation department may enter into a  
25 lease for facilities described in subsection (3), (4), or (5),  
26 the revenue from which shall be deposited in the state trunk line  
27 fund if attributable to the blue water bridge site or in the fund

1 created pursuant to section 7 of Act No. 99 of the Public Acts of  
2 1954, being section 254.227 of the Michigan Compiled Laws, if  
3 attributable to the international bridge site.

4 (7) This section ~~shall~~ DOES not prohibit the use of facil-  
5 ities located at rest areas or welcome centers to distribute,  
6 either directly or through electronic technologies, free travel  
7 related information or assistance, or both, to the traveling  
8 public if the distribution is approved by the state transporta-  
9 tion 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 be deposited in the state trunk line  
13 fund.

14 (9) THE STATE TRANSPORTATION DEPARTMENT MAY ENTER INTO AN  
15 AGREEMENT FOR A PILOT PROGRAM TO EVALUATE THE POTENTIAL BENEFIT  
16 TO THE TRAVELING PUBLIC OF LOGO SIGNING WITHIN THE RIGHT-OF-WAY  
17 OF LIMITED ACCESS HIGHWAYS IN ACCORDANCE WITH STANDARDS ADOPTED  
18 BY THE STATE TRANSPORTATION COMMISSION. ANY REVENUE RECEIVED BY  
19 THE DEPARTMENT UNDER THIS SUBSECTION SHALL BE DEPOSITED IN THE  
20 STATE TRUNK LINE FUND.