



# HOUSE BILL No. 5141

November 30, 1999, Introduced by Reps. Birkholz, Ehardt, Hager, LaSata, Rick Johnson, Middaugh, Julian, Mead, Jellema, Van Woerkom, Woodward, Toy, Voorhees, Gosselin, Garcia, Jelinek and Jansen and referred to the Committee on Transportation.

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 1999 PA 47.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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1       Sec. 2. (1) The state transportation department, a board of  
2 county road commissioners, or a city or village, acting alone or  
3 in 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,  
6 vacate, close, alter, improve, maintain, and provide for the

1 public use of limited access highways, subject to section 1(i) of  
2 1925 PA 352, MCL 213.171.

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

23 (3) In conjunction with the exemption granted by federal law  
24 from the restrictions contained in section 111 of title 23 of the  
25 United States Code, 23 U.S.C. 111, and described in the "manual  
26 on uniform traffic control devices for streets and highways",  
27 U.S. department of transportation and federal highway

1 administration, part 2g (LOGOS), this section does not prohibit  
2 the use of facilities located in part on the right-of-way of I-94  
3 in the vicinity of the interchange of I-94 and I-69 business  
4 loop/I-94 business loop for the sale of only those articles  
5 ~~which~~ THAT are for export and consumption outside the United  
6 States.

7 (4) This section does not prohibit the use of facilities  
8 located in the vicinity of the international bridge in the city  
9 of Sault Ste. Marie for the sale of only those articles ~~which~~  
10 THAT are for export and consumption outside the United States to  
11 the extent that the use is not restricted by federal law.

12 (5) This section does not prohibit the operation of customs  
13 brokering facilities on state owned property available for that  
14 use at the sites of the blue water bridge in Port Huron and the  
15 international bridge in Sault Ste. Marie.

16 (6) The state transportation department may enter into a  
17 lease for facilities described in subsection (3), (4), or (5),  
18 the revenue from which shall be deposited in the state trunk line  
19 fund if attributable to the blue water bridge site or in the fund  
20 created under section 7 of 1954 PA 99, MCL 254.227, if attribut-  
21 able to the international bridge site.

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

1 (8) The state transportation department may enter into  
2 agreements for the activities described in subsection (7), the  
3 revenue from which shall be deposited in the state trunk line  
4 fund.

5 (9) This section does not prohibit the use of logo signage  
6 within the right-of-way of limited access highways. For purposes  
7 of this subsection, "logo signage" means a sign containing the  
8 trademark or other symbol that identifies a business in a manner  
9 and at locations approved by the state transportation  
10 department. ~~The~~ SUBJECT TO SUBSECTION (10), THE state trans-  
11 portation department may enter into agreements to allow logo sig-  
12 nage, and any revenue received by the state transportation  
13 department under this subsection shall be deposited into the  
14 state trunk line fund established under section 11 of 1951 PA 51,  
15 MCL 247.661.

16 (10) A FARMERS' MARKET IS ELIGIBLE TO ADVERTISE ON A LOGO  
17 SIGN DESCRIBED IN SUBSECTION (9) IF THE FARMERS' MARKET IS  
18 LOCATED WITHIN 10 MILES OF THE INTERSTATE EXCHANGE WHERE THE LOGO  
19 SIGN STANDS. A FARMERS' MARKET SHALL ONLY ADVERTISE ON A LOGO  
20 SIGN THAT THE STATE TRANSPORTATION DEPARTMENT HAS DESIGNATED FOR  
21 THE ADVERTISEMENT OF RESTAURANTS AND OTHER EATERIES. THE STATE  
22 TRANSPORTATION DEPARTMENT SHALL GIVE PREFERENCE TO AN ELIGIBLE  
23 FARMERS' MARKET THAT APPLIES TO ADVERTISE ON A LOGO SIGN AS  
24 DESCRIBED IN SUBSECTION (9) OVER ANY OTHER RESTAURANT OR EATING  
25 ESTABLISHMENT. AS USED IN THIS SUBSECTION, "FARMERS' MARKET"  
26 MEANS A GROUP OF FARMERS OR VENDORS THAT LEASES OR RENTS SPACE ON  
27 A TEMPORARY BASIS IN A COMMON FACILITY OR AT A COMMON SITE AND

- 1 THAT OFFERS TO SELL PRIMARILY FRESH FARM PRODUCTS AND OTHER
- 2 LOCALLY PRODUCED ITEMS.