



# HOUSE BILL No. 5142

November 30, 1999, Introduced by Reps. Ehardt, Birkholz, 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 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1999 PA 46.

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

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

8       (2) This section does not interfere with a permanently  
9 established business that, as of September 27, 1957, was located  
10 on or partially on private property or grant to the owner of that

1 business additional rights or authority that the owner did not  
2 possess on September 27, 1957, or diminish the legal rights or  
3 duties of the authority having jurisdiction of the right-of-way.

4 (3) In conjunction with the exemption granted by federal law  
5 from the restrictions contained in section 111 of title 23 of the  
6 United States Code, 23 U.S.C. 111, and described in the "manual  
7 on uniform traffic control devices for streets and highways",  
8 U.S. department of transportation and federal highway administra-  
9 tion, part 2g (LOGOS), this section does not prohibit the use of  
10 a facility located in part on the right-of-way of I-94 in the  
11 vicinity of the interchange of I-94 and I-69 business loop/I-94  
12 business loop for the sale of only those articles which are for  
13 export and consumption outside the United States.

14 (4) This section does not prohibit the use of logo signage  
15 within the right-of-way of limited access highways. For purposes  
16 of this subsection, "logo signage" means a sign containing the  
17 trademark or other symbol that identifies a business in a manner  
18 and at locations approved by the state transportation  
19 department. ~~The~~ SUBJECT TO SUBSECTION (5), THE state transpor-  
20 tation department may enter into agreements to allow logo sig-  
21 nage, and any revenue received by the state transportation  
22 department under this subsection shall be deposited into the  
23 state trunk line fund established under section 11 of 1951 PA 51,  
24 MCL 247.661.

25 (5) A FARMERS' MARKET IS ELIGIBLE TO ADVERTISE ON A LOGO  
26 SIGN DESCRIBED IN SUBSECTION (4) IF THE FARMERS' MARKET IS  
27 LOCATED WITHIN 10 MILES OF THE INTERSTATE EXCHANGE WHERE THE LOGO

1 SIGN STANDS. A FARMERS' MARKET SHALL ONLY ADVERTISE ON A LOGO  
2 SIGN THAT THE STATE TRANSPORTATION DEPARTMENT HAS DESIGNATED FOR  
3 THE ADVERTISEMENT OF RESTAURANTS AND OTHER EATERIES. THE STATE  
4 TRANSPORTATION DEPARTMENT SHALL GIVE PREFERENCE TO AN ELIGIBLE  
5 FARMERS' MARKET THAT APPLIES TO ADVERTISE ON A LOGO SIGN AS  
6 DESCRIBED IN SUBSECTION (4) OVER ANY OTHER RESTAURANT OR EATING  
7 ESTABLISHMENT. AS USED IN THIS SUBSECTION, "FARMERS' MARKET"  
8 MEANS A GROUP OF FARMERS OR VENDORS THAT LEASES OR RENTS SPACE ON  
9 A TEMPORARY BASIS IN A COMMON FACILITY OR AT A COMMON SITE AND  
10 THAT OFFERS TO SELL PRIMARILY FRESH FARM PRODUCTS AND OTHER  
11 LOCALLY PRODUCED ITEMS.