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BILL ANALYSIS



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Senate Bill 735 (as enrolled)  
Sponsor: Senator Jason E. Allen  
Senate Committee: Transportation  
House Committee: Transportation

Date Completed: 12-21-04

### **RATIONALE**

Under Public Act 299 of 1996, which regulates tourism signs on certain rural roads, the operator of a tourist-oriented activity may participate in a directional sign program upon application to the Michigan Department of Transportation (MDOT) and, upon being issued a permit, payment of a fee. Under the Act, the operator may erect a tourist-oriented directional sign only upon the portion of a road under the jurisdiction of MDOT. Reportedly, this is problematic for the owners of businesses and tourist attractions in rural areas in which there may be several miles of undeveloped land between a municipality's border and the location of the tourist attraction. An operator may erect signs on roads outside the municipality's limits, but may not post signs to help direct visitors to the tourist attraction once they have entered the municipality. It has been suggested that the law should allow a tourist attraction operator to request permission from a local unit of government to place directional signs on roads within municipal borders.

### **CONTENT**

**The bill would amend Public Act 299 of 1996 to require the operator of a tourist-oriented attraction who wished to erect a tourist-oriented directional sign within the jurisdiction of an incorporated city or village to apply to the city or village for permission to erect the sign, if the city or village had adopted an ordinance allowing the signs within its jurisdictional boundaries.**

Under the Act, if the operator of a tourist-oriented activity wishes to participate in a directional sign program, the operator must

apply to the Michigan Department of Transportation and pay a fee upon being issued a permit. The bill would make an exception to this requirement for an operator who wished to place a tourist-oriented directional sign within the boundaries of a city or village.

A city or village that had adopted an ordinance allowing the signs could reject any application for tourist-oriented directional signs within its jurisdictional limits. A tourist-oriented directional sign could not be posted within the limits of a city or village that had not adopted an ordinance allowing the signs.

The Act defines "tourist-oriented activity" as a lawful cultural, historical, recreational, educational, or commercial activity that is attended annually by at least 2,000 people and for which a major portion of the activity's income or visitors is derived during the normal business season from motorists not residing in the immediate area of the activity. "Tourist-oriented directional sign" means a sign used to provide motorists with advanced notice of a tourist-oriented activity.

The Act required the Department to implement a program for the placement of tourist-directional signs and markers within the right-of-way of those portions of rural roads within State jurisdiction. "Rural road" means a highway but does not include a road or street within the boundaries of an incorporated city or village, a limited access highway, or a road that is part of the national system of interstate and defense highways. The bill would delete the exclusion of a road or street within the

boundaries of an incorporated city or village and a limited access highway, but would include a freeway in the definition. (Under the Michigan Vehicle Code, "freeway" means a divided arterial highway for through traffic with full control of access and with all crossroads separated in grade from pavements for through traffic.)

MCL 247.401 & 247.403

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bill would make it easier for the operators of tourist attractions to guide visitors directly to their location. Currently, with MDOT approval, an operator may post a directional sign along the portion of a rural road outside the limits of a city, village, or township, but cannot post anything to help guide motorists once they have driven into the municipality. A person driving in unfamiliar territory can become lost. He or she might not be able to call for directions, or might not listen carefully when verbal directions are given. The bill would do a great deal to eliminate the trouble some drivers encounter when trying to find local tourist attractions, which could help boost economic activity.

Legislative Analyst: Julie Koval

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Craig Thiel

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.