

SENATE BILL No. 900

December 11, 2003, Introduced by Senators GEORGE, BERNERO, SWITALSKI, VAN WOERKOM, TOY and SCHAUER 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 2002 PA 150.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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
7 public use of limited access highways, subject to section 1(i) of

1 1925 PA 352, MCL 213.171.

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

23 (3) In conjunction with the exemption granted by federal law
24 from the restrictions contained in ~~section 111 of title 23 of~~
25 ~~the United States Code, 23 U.S.C. 111~~ **23 USC 111**, and described
26 in the "manual on uniform traffic control devices for streets and
27 highways", 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 which
5 are for export and consumption outside the United States.

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

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

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

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

27 (8) The state transportation department may enter into

1 agreements for the activities described in subsection (7), the
2 revenue from which shall be deposited in the state trunk line
3 fund.

4 (9) The state transportation department may enter into
5 agreements to authorize the use of property acquired for or
6 designated as a limited access highway or acquired for or
7 designated for ancillary purposes for the installation,
8 operation, and maintenance of commercial or noncommercial
9 electronic devices and related structures so long as the
10 electronic devices and related structures are intended to assist
11 in providing travel related information to motorists who
12 subscribe to travel related information services, the public, or
13 the state transportation department. All revenue generated by
14 the agreements shall be deposited in the state trunk line fund.
15 The state transportation department may accept facilities or
16 in-kind services to be used for public purposes in lieu of, or in
17 addition to, monetary compensation.

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

1 (11) The state transportation department shall apply to the
2 federal highway administration of the United States department of
3 transportation to receive permission to allow the category of
4 tourist attraction in the logo signage program. Within 30 days
5 after the federal highway administration has approved the state
6 transportation department's request, the state transportation
7 department shall add the category of tourist attraction to the
8 logo signage program. The department shall establish
9 qualification criteria for facilities, activities, and locations
10 designated as tourist sites, including, but not limited to,
11 parking, restroom facilities, and public telephone access. For
12 purposes of this section, "tourist attraction" means a facility,
13 activity, or location that is 1 or more of the following:

- 14 (a) A site with natural phenomena.
- 15 (b) A historic site.
- 16 (c) A cultural site.
- 17 (d) A scientific site.
- 18 (e) An educational site.
- 19 (f) A religious site.
- 20 (g) An area of natural beauty.
- 21 (h) An area naturally suited for outdoor or indoor
22 recreation.
- 23 (i) A shopping mall or shopping area.
- 24 (j) An agricultural site.

25 (12) ~~—(11)—~~ At the request of a hospital that provides
26 24-hour emergency care, the state transportation department shall
27 place and maintain signs on all limited access highways that

1 indicate exits that are within 2 miles of that hospital. The
2 signs shall indicate the name of the hospital or the name of the
3 nonprofit corporation that owns or operates the hospital and the
4 exit number of the exit that is within the 2 miles of the
5 hospital. At least 1 sign shall be placed for each exit that is
6 within 2 miles of a requesting hospital that provides 24-hour
7 emergency care. The cost of placing and maintaining the sign
8 shall be paid by the hospital requesting the signs. The state
9 transportation department shall adopt guidelines specifying the
10 size, shape, design, number, and placement of the signs
11 authorized under this subsection. The state transportation
12 department shall not remove signs on limited access highways that
13 exist on the effective date of the amendatory act that added this
14 subsection and that indicate exits within 10 miles of a hospital
15 that provides 24-hour emergency care but that do not otherwise
16 satisfy the requirements of this subsection. As used in this
17 subsection, "hospital" means a health facility that is licensed
18 under part 215 of the public health code, 1978 PA 368,
19 MCL 333.21501 to 333.21568.

20 Enacting section 1. This amendatory act does not take
21 effect unless Senate Bill No. 901
22 of the 92nd Legislature is enacted into
23 law.