



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 234 (Substitute S-1 as reported)  
Sponsor: Senator Jud Gilbert, II  
Committee: Transportation

**CONTENT**

The bill would amend the Michigan Vehicle Code to allow the Michigan Department of Transportation (MDOT) to issue a permit to a person, firm, or corporation to sell or display goods, wares, produce, fruit, vegetables, or merchandise within the right-of-way of a State trunk line highway, if the permitted activities did not create an unsafe situation or interfere with transportation along the highway. (Under the Code, except as otherwise provided, a person who sells or displays merchandise within a State trunk line right-of-way is responsible for a civil infraction.)

As a condition of issuing a permit, MDOT could require that the municipality with jurisdiction over the site of the permitted activities agree to enforce compliance with the permit. The issuance of a permit would not confer any property right, and MDOT could charge a fee in an amount not greater than the administrative cost of issuing the permit.

A permit holder who conducted activities in violation of the permit would be responsible for a civil infraction and subject to a maximum fine of \$10. Each day that the permit holder violated the permit would be a separate violation. The Department could limit or revoke a permit if the permit holder conducted activities that created an unsafe situation or interfered with transportation along the highway, or violated permit conditions.

MCL 257.676a & 257.907

Legislative Analyst: Julie Koval

**FISCAL IMPACT**

The bill would result in an indeterminate increase in State administrative costs associated with the proposed permitting process. The additional costs would be covered by new fee revenue that the Michigan Department of Transportation would collect for issuing the permits. The bill also could result in additional revenue associated with the proposed civil fine of \$10.

Date Completed: 2-24-05

Fiscal Analyst: Craig Thiel