

HOUSE BILL NO. 4839

August 28, 2019, Introduced by Reps. LaGrand, Rabhi, Pohutsky, Tyrone Carter, Brenda Carter, Shannon, Kuppa, Wittenberg, Stone, Hood and Hertel 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.



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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 in
 3 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, vacate,
 6 close, alter, improve, maintain, and provide for the public use of
 7 limited access highways, subject to section 1(i) of 1925 PA 352,
 8 MCL 213.171.

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



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

13 (4) This section does not prohibit the use of facilities
14 located in the vicinity of the ~~international bridge~~ **International**
15 **Bridge** in the ~~city~~ **City** of Sault Ste. Marie for the sale of only
16 those articles which are for export and consumption outside the
17 United States to the extent that the use is not restricted by
18 federal law.

19 (5) This section does not prohibit the operation of customs
20 brokering facilities on state owned property available for that use
21 at the sites of the ~~blue water bridge~~ **Blue Water Bridge** in Port
22 Huron and the ~~international bridge~~ **International Bridge** in Sault
23 Ste. Marie.

24 (6) The state transportation department may enter into a lease
25 for facilities described in subsection (3), (4), or (5), the
26 revenue from which shall be deposited in the state trunk line fund
27 if attributable to the ~~blue water bridge~~ **Blue Water Bridge** site or
28 in the fund created under section 7 of 1954 PA 99, MCL 254.227, if
29 attributable to the ~~international bridge~~ **International Bridge** site.



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

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

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

23 (10) This section does not prohibit the use of logo signage
24 within the right-of-way of limited access highways. ~~For purposes of~~
25 ~~this subsection, "logo signage" means a sign containing the~~
26 ~~trademark or other symbol that identifies a business in a manner~~
27 ~~and at locations approved by the state transportation department.~~
28 The state transportation department may enter into agreements to
29 allow logo signage, and any revenue received by the state



1 transportation department under this subsection shall be deposited
 2 into the state trunk line fund established under section 11 of 1951
 3 PA 51, MCL 247.661. **As used in this subsection, "logo signage"**
 4 **means a sign containing the trademark or other symbol that**
 5 **identifies a business in a manner and at locations approved by the**
 6 **state transportation department.**

7 (11) At the request of a hospital that provides 24-hour
 8 emergency care, the state transportation department shall place and
 9 maintain signs on all limited access highways that indicate exits
 10 that are within 2 miles of that hospital. The signs shall indicate
 11 the name of the hospital or the name of the nonprofit corporation
 12 that owns or operates the hospital and the exit number of the exit
 13 that is within the 2 miles of the hospital. At least 1 sign shall
 14 be placed for each exit that is within 2 miles of a requesting
 15 hospital that provides 24-hour emergency care. The cost of placing
 16 and maintaining the sign shall be paid by the hospital requesting
 17 the signs. The state transportation department shall adopt
 18 guidelines specifying the size, shape, design, number, and
 19 placement of the signs authorized under this subsection. The state
 20 transportation department shall not remove signs on limited access
 21 highways that exist on ~~the effective date of the amendatory act~~
 22 ~~that added this subsection~~ **July 23, 2001** and that indicate exits
 23 within 10 miles of a hospital that provides 24-hour emergency care
 24 but that do not otherwise satisfy the requirements of this
 25 subsection. As used in this subsection, "hospital" means a health
 26 facility that is licensed **as a hospital** under ~~part 215~~ **article 17**
 27 of the public health code, 1978 PA 368, MCL ~~333.21501 to~~
 28 ~~333.21568~~ **333.20101 to 333.22260.**

29 (12) **The department shall install or allow the installation of**



1 at least 8 level 3 DC fast-charging stations for electric vehicles
2 at each rest area in this state. The department may enter into a
3 lease for the installation or operation of charging station
4 infrastructure. Revenue from a lease at a rest area shall be
5 deposited, respectively, into the state trunk line fund established
6 under section 11 of 1951 PA 51, MCL 247.661. The department shall
7 determine fee rates per charging and design rates to cover the
8 costs of establishing service, providing service, and depreciation
9 and maintenance of equipment only.

10 (13) The department shall coordinate with the Michigan agency
11 for energy, electric utilities, and other interested parties to
12 prioritize the rest areas best suited for electric vehicle charging
13 stations. In determining priority status, the department shall
14 consider where grid infrastructure exists sufficient to support
15 charging and where seasonal traffic patterns and rest area
16 visitation volumes necessitate access to charging to accommodate
17 long distance or local travel and use of rest areas. Within 90 days
18 after the effective date of the amendatory act that added this
19 subsection, the department shall submit a report of its findings to
20 the legislative committees of the senate and house of
21 representatives with responsibility for issues involving electric
22 vehicles and transportation and shall post the report on its
23 website. The report described in this subsection must contain a
24 preliminary schedule for the construction and installation of
25 charging stations at all rest areas in Michigan.

