



SENATE BILL No. 1192

October 2, 1996, Introduced by Senators SCHWARZ, DINGELL, MC MANUS, KOIVISTO and NORTH and referred to the Committee on Transportation and Tourism.

A bill to amend section 2 of Act No. 205 of the Public Acts of 1941, entitled as amended

"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,"

as amended by Act No. 93 of the Public Acts of 1995, being section 252.52 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 205 of the Public Acts of
2 1941, as amended by Act No. 93 of the Public Acts of 1995, being
3 section 252.52 of the Michigan Compiled Laws, is amended to read
4 as follows:

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
8 Act No. 352 of the Public Acts of 1925, being section 213.171 of
9 the Michigan Compiled Laws.

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

1 machines in the designated areas, holding harmless the state
2 transportation department.

3 (3) In conjunction with the exemption granted by federal law
4 from the restrictions contained in section ~~111 of Title 23 of~~
5 ~~the United States Code~~ 1 OF PUBLIC LAW 85-767, 72 Stat. 895, 23
6 U.S.C. 111, this section does not prohibit the use of facilities
7 located in part on the right-of-way of I-94 in the vicinity of
8 the interchange of I-94 and I-69 business loop/I-94 business loop
9 for the sale of only those articles which are for export and con-
10 sumption outside the United States.

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

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

20 (6) The state transportation department may enter into a
21 lease for facilities described in subsection (3), (4), or (5),
22 the revenue from which shall be deposited in the state trunk line
23 fund if attributable to the blue water bridge site or in the fund
24 created pursuant to section 7 of Act No. 99 of the Public Acts of
25 1954, being section 254.227 of the Michigan Compiled Laws, if
26 attributable to the 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
5 the distribution is approved by the state transportation
6 department.

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

11 (9) The state transportation department shall conduct a
12 study for a period of not less than 3 years to evaluate the
13 potential benefit to the traveling public of logo signing within
14 the right-of-way of limited access highways. Not later than
15 December 31, 1998, the state transportation department shall
16 issue a written report on the study, which shall include the eco-
17 nomic impact of logo signing on the outdoor advertising industry,
18 the benefits of logo signing to the motoring public and local
19 businesses, the acceptance of logo signing by the motoring
20 public, and the proposed standards for logo signing recommended
21 by the state transportation commission. The study shall include
22 a pilot program for logo signing at not more than ~~30~~ 60
23 interchanges. However, not less than 30 days before the imple-
24 mentation date of the pilot program, any proposed agreement spec-
25 ifying a location for the pilot program shall be reported to the
26 senate and house of representatives standing committees that
27 consider transportation-related legislation. Any revenue

1 received by the state transportation department under this
2 subsection shall be deposited into the state trunk line fund
3 established under section 11 of Act No. 51 of the Public Acts of
4 1951, being section 247.661 of the Michigan Compiled Laws.