

HOUSE BILL No. 4935

June 17, 1997, Introduced by Reps. Dobronski, Brater, Hale, Anthony, Scranton, Gubow, Parks, Brackenridge, Baird and Willard and referred to the Committee on Local Government.

A bill to amend 1959 PA 96, entitled

"An act to prescribe the conditions under which persons, firms, corporations and municipalities may enter upon, construct and maintain bus passenger shelters upon public highways within the corporate limits of municipalities; to permit the posting of advertisements thereon; and to provide for the regulation thereof,"

by amending the title and section 5 (MCL 247.335) and by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2

An act to prescribe the conditions under which persons,

3

firms, corporations, and municipalities may enter upon,

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construct, MANAGE, and maintain bus passenger shelters upon

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public highways within the corporate limits of municipalities; to

6

permit the posting of advertisements ~~thereon~~ ON BUS PASSENGER

7

SHELTERS; ~~and~~ to provide for the regulation ~~thereof~~ OF BUS

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1 PASSENGER SHELTERS; AND TO PRESCRIBE PENALTIES AND PROVIDE
2 REMEDIES.

3 SEC. 4A. (1) A PERSON SHALL NOT SMOKE OR CARRY LIGHTED
4 TOBACCO IN ANY FORM IN A BUS PASSENGER SHELTER IN THIS STATE. A
5 PERSON THAT CONTROLS, MANAGES, OR MAINTAINS A BUS PASSENGER SHEL-
6 TER SHALL NOT PERMIT SMOKING OR THE CARRYING OF LIGHTED TOBACCO
7 IN ANY FORM IN A BUS PASSENGER SHELTER.

8 (2) THE PERSON THAT CONTROLS, MANAGES, OR MAINTAINS A BUS
9 PASSENGER SHELTER SHALL DO ALL OF THE FOLLOWING:

10 (A) POST IN EACH BUS PASSENGER SHELTER A SIGN READING,
11 "SMOKING PROHIBITED BY LAW--VIOLATORS RESPONSIBLE FOR A STATE
12 CIVIL INFRACTION".

13 (B) PROVIDE AND LOCATE NEAR EACH BUS PASSENGER SHELTER
14 ENTRANCE A NONCOMBUSTIBLE RECEPTACLE APPROVED BY THE STATE FIRE
15 MARSHAL FOR THE PROPER DISPOSAL OF CIGAR AND CIGARETTE STUBS,
16 PIPE ASH, OR LIGHTED TOBACCO IN ANY FORM.

17 (3) A PERSON WHO VIOLATES THIS SECTION IS RESPONSIBLE FOR A
18 STATE CIVIL INFRACTION AND MAY BE ORDERED TO PAY A CIVIL FINE OF
19 NOT MORE THAN \$250.00.

20 (4) A PERSON WHO CONSPICUOUSLY POSTS SIGNS PURSUANT TO SUB-
21 SECTION (2) IS NOT LIABLE FOR A VIOLATION OF SUBSECTION (1).

22 Sec. 5. The construction, MANAGEMENT, and maintenance of
23 all ~~such~~ bus passenger shelters ~~shall be deemed to be~~ UNDER
24 THIS ACT IS for the use and convenience of the public. ~~—, but~~
25 ~~nothing in this section or in sections 2, 3 or 4 shall be con-~~
26 ~~strued to~~ THIS ACT DOES NOT grant ~~any~~ rights ~~whatsoever~~ to
27 ~~any~~ A person, firm, corporation, or municipality ~~whatsoever~~ or

1 ~~to~~ AND DOES NOT impair ~~in any way~~ any existing rights granted
2 in accordance with the constitution or laws of this state, but
3 ~~shall be construed as~~ IS a regulation of the exercise of ~~all~~
4 ~~such~~ THOSE rights.