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**SFA**

BILL ANALYSIS

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Senate Bills 811 and 812 (as introduced 11-1-01)  
Sponsor: Senator Bill Bullard, Jr.  
Committee: Transportation and Tourism

Date Completed: 11-6-01

## **CONTENT**

**Senate Bills 811 and 812 would amend Public Acts 205 of 1941 and 368 of 1925, respectively, to allow the Michigan Department of Transportation (MDOT) to enter into agreements authorizing the use of limited access highway property for devices providing electronic travel-related information services to subscribers, motorists, or MDOT. Both bills would require all revenue generated by these agreements to be deposited in the State Trunk Line Fund, and would allow MDOT to accept facilities or in-kind services to be used for public purposes in lieu of, or in addition to, monetary compensation.**

### **Senate Bill 811**

Public Act 205 of 1941 provides for the construction, improvement, and maintenance of limited access highways. (Under the Act, "limited access highway" means a highway specially designed for through traffic, and over, from, or to which owners or occupants of abutting land have no easement or right of light, air, or access.)

Currently, MDOT may provide, at selected sites on limited access highways, only vending machines that dispense food, drink, and other appropriate articles. The Act specifies exceptions to this restriction, including permitting electronic technologies that dispense free travel-related information to assist the traveling public. The bill also would allow MDOT to enter into agreements authorizing property acquired for or designated as a limited access highway, or for ancillary purposes, to be used for the installation, operation, and maintenance of commercial or noncommercial electronic devices and related structures as long as they were intended to assist in providing travel-related information to motorists who subscribed to travel-related information services, the public, or MDOT.

### **Senate Bill 812**

Public Act 368 of 1925 prescribes the conditions under which public utility companies may construct lines across public roads. The bill states that Public Act 368 would not prohibit the use of rights-of-way, bridges, towers, welcome centers, and rest stops to provide, through the use of electronic technologies, including electronic kiosks, travel-related information and assistance and advance traffic information systems.

Under the bill, a person engaged in the collection of traffic data or the provision of travel-related information or assistance could enter upon, construct, and maintain electronic devices and related structures within limited access and other highway rights-of-way according to standards that were approved by the State Transportation Commission and conformed to governing Federal laws and regulations. The standards would have to require that the devices

and structures be placed in a manner that would not impede traffic or increase maintenance costs for MDOT.

The bill also contains the same language proposed by Senate Bill 811 to allow MDOT to enter into agreements authorizing the use of limited access highway property for devices providing electronic travel-related information.

MCL 252.52 (S.B. 811)  
247.183 et al. (S.B. 812)

Legislative Analyst: C. Layman

### **FISCAL IMPACT**

The bills would result in an increase of State revenue deposited in the State Trunkline Fund associated with the provision that would allow MDOT to enter into agreements for the installation, operation, and maintenance of commercial or noncommercial electronic devices and related structures for the provision of travel-related information to motorists. The bill also would allow MDOT to receive in-kind contributions in addition to monetary compensation. There are no data currently available to indicate how much revenue would be generated from these agreements.

Fiscal Analyst: C. Thiel