

Act No. 97
Public Acts of 1990
Approved by the Governor
June 6, 1990
Filed with the Secretary of State
June 6, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Reps. Stupak and Hertel

ENROLLED HOUSE BILL No. 5257

AN ACT 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; the acquiring of property and property rights therefor; closing or other treatment of intersecting roads; the borrowing of money and issuing bonds or notes payable from special funds for the acquisition, construction or improvement of such highways," as amended by Act No. 160 of the Public Acts of 1984, being section 252.52 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 2 of Act No. 205 of the Public Acts of 1941, as amended by Act No. 160 of the Public Acts of 1984, being section 252.52 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 2. (1) The state transportation department, boards of county road commissioners, and cities and villages, either acting alone or in cooperation with each other or with any federal, state, or local agency having authority to participate in the construction and maintenance of highways, are hereby authorized to establish, open, discontinue, vacate, close, alter, improve, maintain, and provide for the public use of limited access highways. However, within cities and villages, that authority shall continue to be subject to municipal consent, as now provided by section 1(i) of Act No. 352 of the Public Acts of 1925, as amended, being section 213.171 of the Michigan Compiled Laws.

(2) The state transportation department shall allow the installation of only vending machines at selected sites on the limited access highway system to dispense food, drink, and other articles as the department determines are appropriate. The department shall allow the installation of only vending machines at selected travel information centers. Following a 2-year trial period the department shall use its discretion with the advice of the commission for the blind to allow only vending machines at other locations on the limited access highway system. The vending machines shall only be operated by the commission for the blind which is designated as the state licensing agency under section 2(a)(5), chapter 638, 49 Stat. 1559, 20 U.S.C. 107a. Except as otherwise provided in this section, no other commercial enterprise shall be authorized or conducted within or on property acquired for or designated as a limited access highway. The commission for the blind shall require evidence of liability insurance and monitor compliance as it pertains to only vending machines in the designated areas, holding harmless the state transportation department.

(3) In conjunction with the exemption granted by federal law from the restrictions contained in section 1 of Public Law 85-767, 23 U.S.C. 111, this section shall not prohibit the use of a facility located in part on the right-of-way of I-94 in the vicinity of the interchange of I-94 and I-69 business loop/I-94 business loop for the sale of only those articles which are for export and consumption outside the United States.

(4) The state transportation department may enter into a lease for such a facility the revenue from which shall be deposited in the state trunk line fund.

This act is ordered to take immediate effect.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved.....

.....
Governor.