

HOUSE BILL No. 5257

November 1, 1989, Introduced by Reps. Stupak and Hertel and referred to the Committee on Transportation.

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; 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:

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

5 Sec. 2. The state transportation department, boards of
6 county road commissioners, and cities and villages, either acting

1 alone or in cooperation with each other or with any federal,
2 state, or local agency having authority to participate in the
3 construction and maintenance of highways, are hereby authorized
4 to establish, open, discontinue, vacate, close, alter, improve,
5 maintain, and provide for the public use of limited access
6 highways. However, within cities and villages, that authority
7 shall continue to be subject to municipal consent, as now pro-
8 vided by section 1(i) of Act No. 352 of the Public Acts of 1925,
9 as amended, being section 213.171 of the Michigan Compiled Laws.
10 The state transportation department shall allow the installation
11 of only vending machines at selected sites on the limited access
12 highway system to dispense food, drink, and other articles as the
13 department determines are appropriate. The department shall
14 allow the installation of only vending machines at selected
15 travel information centers. Following a 2-year trial period the
16 department shall use its discretion with the advice of the com-
17 mission for the blind to allow only vending machines at other
18 locations on the limited access highway system. The vending
19 machines shall only be operated by the commission for the blind
20 which is designated as the state licensing agency under section
21 2(a)(5), chapter 638, 49 Stat. 1559, 20 U.S.C. 107a. No other
22 commercial enterprise shall be authorized or conducted within or
23 on property acquired for or designated as a limited access high-
24 way UNLESS THE ENTERPRISE IS APPROVED IN WRITING BY THE STATE
25 TRANSPORTATION DEPARTMENT AFTER THE DEPARTMENT HAS DETERMINED
26 THAT THE ENTERPRISE DOES NOT VIOLATE APPLICABLE FEDERAL LAW. The
27 commission for the blind shall require evidence of liability

1 insurance and monitor compliance as it pertains to only vending
2 machines in the designated areas, holding harmless the
3 ~~department of transportation~~ STATE TRANSPORTATION DEPARTMENT.