

SENATE BILL No. 1224

April 11, 2002, Introduced by Senator GOUGEON and referred to the Committee on Transportation and Tourism.

A bill to amend 1941 PA 205, entitled

"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,"

by amending section 2 (MCL 252.52), as amended by 2001 PA 47.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 public use of limited access highways, subject to section 1(i) of
2 1925 PA 352, MCL 213.171.

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

23 (3) In conjunction with the exemption granted by federal law
24 from the restrictions contained in section 111 of title 23 of the
25 United States Code, 23 U.S.C. 111, and described in the "manual
26 on uniform traffic control devices for streets and highways",
27 U.S. department of transportation and federal highway

1 administration, part 2g (LOGOS), this section does not prohibit
2 the use of facilities located in part on the right-of-way of I-94
3 in the vicinity of the interchange of I-94 and I-69 business
4 loop/I-94 business loop for the sale of only those articles which
5 are for export and consumption outside the United States.

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

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

15 (6) The state transportation department may enter into a
16 lease for facilities described in subsection (3), (4), or (5),
17 the revenue from which shall be deposited in the state trunk line
18 fund if attributable to the blue water bridge site or in the fund
19 created under section 7 of 1954 PA 99, MCL 254.227, if attribut-
20 able to the international bridge site.

21 (7) This section does not prohibit the use of facilities
22 located at rest areas or welcome centers to distribute, either
23 directly or through electronic technologies, free travel related
24 information or assistance, or both, to the traveling public if
25 the distribution is approved by the state transportation
26 department.

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

5 (9) This section does not prohibit the use of logo signage
6 within the right-of-way of limited access highways. For purposes
7 of this subsection, "logo signage" means a sign containing the
8 trademark or other symbol that identifies a business in a manner
9 and at locations approved by the state transportation
10 department. The state transportation department may enter into
11 agreements to allow logo signage, and any revenue received by the
12 state transportation department under this subsection shall be
13 deposited into the state trunk line fund established under sec-
14 tion 11 of 1951 PA 51, MCL 247.661.

15 (10) At the request of a hospital that provides 24-hour
16 emergency care, OR A HEALTH CENTER, the state transportation
17 department shall place and maintain signs on all limited access
18 highways that indicate exits that are within 2 miles of ~~that~~
19 THE hospital OR THE HEALTH CENTER. The signs shall indicate the
20 name of the hospital, THE NAME OF THE HEALTH CENTER, or the name
21 of the nonprofit corporation that owns or operates the hospital
22 OR HEALTH CENTER, and the exit number of the exit that is within
23 ~~the~~ 2 miles of the hospital OR HEALTH CENTER. At least 1 sign
24 shall be placed for each exit that is within 2 miles of a
25 requesting hospital that provides 24-hour emergency care OR A
26 REQUESTING HEALTH CENTER. The cost of placing and maintaining
27 the sign shall be paid by the hospital OR HEALTH CENTER

1 requesting the signs. The state transportation department shall
2 adopt guidelines specifying the size, shape, design, number, and
3 placement of the signs authorized under this subsection. The
4 state transportation department shall not remove signs on limited
5 access highways that ~~exist~~ EXISTED on ~~the effective date of~~
6 ~~the amendatory act that added this subsection~~ JULY 23, 2001 and
7 that indicate exits within 10 miles of a hospital that provides
8 24-hour emergency care but that do not otherwise satisfy the
9 requirements of this subsection. As used in this subsection: —
10 ~~"hospital"~~

11 (A) "HEALTH CENTER" MEANS A HEALTH CENTER AS DEFINED UNDER
12 SECTION 330 OF SUBPART I OF PART D OF TITLE III OF THE PUBLIC
13 HEALTH SERVICE ACT, 42 U.S.C. 254b.

14 (B) "HOSPITAL" means a health facility that is licensed
15 under part 215 of the public health code, 1978 PA 368,
16 MCL 333.21501 to 333.21568.