

# SENATE BILL NO. 408

August 20, 2019, Introduced by Senators GEISS, LASATA, MCMORROW, ALEXANDER, ANANICH, BULLOCK, POLEHANKI, IRWIN, WOJNO, RUNESTAD and BRINKS and referred to the Committee on Transportation and Infrastructure.

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 2002 PA 150.

**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 in  
3 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, vacate,  
6 close, alter, improve, maintain, and provide for the public use of  
7 limited access highways, subject to section 1(i) of 1925 PA 352,  
8 MCL 213.171.

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

1 (3) In conjunction with the exemption granted by federal law  
2 from the restrictions ~~contained in section 111 of title 23 of the~~  
3 ~~United States Code, 23 U.S.C. 111, and under 23 USC 111, as~~  
4 described in **part 2g of** the ~~"manual on uniform traffic control~~  
5 ~~devices for streets and highways", U.S. department of~~  
6 ~~transportation and federal highway administration, part 2g (LOGOS),~~  
7 **manual on uniform traffic control devices for streets and highways,**  
8 this section does not prohibit the use of facilities located in  
9 part on the right-of-way of I-94 in the vicinity of the interchange  
10 of I-94 and I-69 business loop/I-94 business loop for the sale of  
11 only those articles ~~which~~**that** are for export and consumption  
12 outside the United States.

13 (4) This section does not prohibit the use of facilities  
14 located in the vicinity of the ~~international bridge~~**International**  
15 **Bridge** in the ~~city~~**City** of Sault Ste. Marie for the sale of only  
16 those articles which are for export and consumption outside the  
17 United States to the extent that the use is not restricted by  
18 federal law.

19 (5) This section does not prohibit the operation of customs  
20 brokering facilities on state owned property available for that use  
21 at the sites of the ~~blue water bridge~~**Blue Water Bridge** in Port  
22 Huron and the ~~international bridge~~**International Bridge** in Sault  
23 Ste. Marie.

24 (6) The state transportation department may enter into a lease  
25 for facilities described in subsection (3), (4), or (5), the  
26 revenue from which shall be deposited in the state trunk line fund  
27 if attributable to the ~~blue water bridge~~**Blue Water Bridge** site or  
28 in the fund created under section 7 of 1954 PA 99, MCL 254.227, if  
29 attributable to the ~~international bridge~~**International Bridge** site.

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

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

9           (9) The state transportation department may enter into  
10 agreements to authorize the use of property acquired for or  
11 designated as a limited access highway or acquired for or  
12 designated for ancillary purposes for the installation, operation,  
13 and maintenance of commercial or noncommercial electronic devices  
14 and related structures so long as the electronic devices and  
15 related structures are intended to assist in providing travel  
16 related information to motorists who subscribe to travel related  
17 information services, the public, or the state transportation  
18 department. All revenue generated by the agreements shall be  
19 deposited in the state trunk line fund. The state transportation  
20 department may accept facilities or in-kind services to be used for  
21 public purposes in lieu of, or in addition to, monetary  
22 compensation.

23           (10) This section does not prohibit the use of logo signage  
24 within the right-of-way of limited access highways. ~~For purposes of~~  
25 ~~this subsection, "logo signage" means a sign containing the~~  
26 ~~trademark or other symbol that identifies a business in a manner~~  
27 ~~and at locations approved by the state transportation department.~~  
28 The state transportation department may enter into agreements to  
29 allow logo signage, and any revenue received by the state

1 transportation department under this subsection shall be deposited  
2 into the state trunk line fund established under section 11 of 1951  
3 PA 51, MCL 247.661. **As used in this subsection, "logo signage"**  
4 **means a sign containing the trademark or other symbol that**  
5 **identifies a business in a manner and at locations approved by the**  
6 **state transportation department.**

7 (11) At the request of a hospital that provides 24-hour  
8 emergency care, the state transportation department shall place and  
9 maintain signs on all limited access highways that indicate exits  
10 that are within 2 miles of that hospital. The signs shall indicate  
11 the name of the hospital or the name of the nonprofit corporation  
12 that owns or operates the hospital and the exit number of the exit  
13 that is within the 2 miles of the hospital. At least 1 sign shall  
14 be placed for each exit that is within 2 miles of a requesting  
15 hospital that provides 24-hour emergency care. The cost of placing  
16 and maintaining the sign shall be paid by the hospital requesting  
17 the signs. The state transportation department shall adopt  
18 guidelines specifying the size, shape, design, number, and  
19 placement of the signs authorized under this subsection. The state  
20 transportation department shall not remove signs on limited access  
21 highways that exist on ~~the effective date of the amendatory act~~  
22 ~~that added this subsection~~ **July 23, 2001** and that indicate exits  
23 within 10 miles of a hospital that provides 24-hour emergency care  
24 but that do not otherwise satisfy the requirements of this  
25 subsection. As used in this subsection, "hospital" means a health  
26 facility that is licensed **as a hospital** under ~~part 215~~ **article 17**  
27 of the public health code, 1978 PA 368, MCL ~~333.21501 to~~  
28 ~~333.21568.~~ **333.20101 to 333.22260.**

29 (12) **The department may install or allow the installation of**

1 charging stations for electric vehicles at state park and ride  
2 sites in this state. The department may enter into a lease for the  
3 installation or operation of charging station infrastructure.  
4 Revenue from such a lease at a state park and ride site shall be  
5 deposited, respectively, into the state trunk line fund established  
6 under section 11 of 1951 PA 51, MCL 247.661.

7 (13) The department shall coordinate with the Michigan agency  
8 for energy, electric utilities, and other interested parties to  
9 identify specific state park and ride sites best suited for  
10 electric vehicle charging stations. In determining suitability, the  
11 department shall consider where grid infrastructure exists  
12 sufficient to support charging and where seasonal traffic patterns  
13 and state park and ride sites visitation volumes necessitate access  
14 to charging to accommodate long distance or local travel and use of  
15 state park and ride sites. Within 1 year after the effective date  
16 of the amendatory act that added this subsection, the department  
17 shall submit a report of its findings to the legislative committees  
18 of the senate and house of representatives with responsibility for  
19 issues involving electric vehicles and transportation and shall  
20 post the report on its website. The department shall maintain the  
21 website posting for at least 4 years.