

# HOUSE BILL NO. 6038

November 07, 2024, Introduced by Rep. Phil Green and referred to the Committee on Transportation, Mobility 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~~ **Except as otherwise provided in**  
 10 **this section, the** department shall allow only the installation of  
 11 vending machines at selected sites on the limited access highway  
 12 system to dispense food, drink, and other articles that the ~~state~~  
 13 ~~transportation~~ department determines appropriate. The ~~state~~  
 14 ~~transportation~~ department shall allow only the installation of  
 15 vending machines at selected travel information centers. Following  
 16 a 2-year trial period, the ~~state transportation~~ department shall  
 17 use its discretion with the advice of the ~~commission for the blind~~  
 18 **bureau of services for blind persons** to allow only vending machines  
 19 at other locations on the limited access highway system. The  
 20 vending machines ~~shall~~ **must** be operated solely by the ~~commission~~  
 21 ~~for the blind,~~ **bureau of services for blind persons**, which is  
 22 designated as the state licensing agency under ~~section 2(a)(5) of~~  
 23 ~~chapter 638, 49 Stat. 1559, 20 U.S.C. 107a.~~ **20 USC 107a.** Except as  
 24 otherwise provided in this section, ~~no other commercial enterprise~~  
 25 ~~shall~~ **enterprises must not** be authorized or conducted within or on  
 26 a property acquired for or designated as a limited access highway.  
 27 The ~~commission for the blind~~ **bureau of services for blind persons**  
 28 shall require evidence of liability insurance and monitor  
 29 compliance as it pertains to only vending machines in the

1 designated areas, ~~holding harmless and shall hold~~ the state  
 2 ~~transportation department~~ **harmless.**

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

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

21 (a) **The International Bridge in the city of Sault Ste. Marie.**

22 (b) **The Gordie Howe International Bridge in the city of**  
 23 **Detroit.**

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

29 (6) The ~~state transportation department~~ may enter into a lease

for facilities described in subsection (3), (4), or (5). ~~the~~ **The**  
 revenue from ~~which shall~~ **a lease for facilities described in**  
~~subsection (3), (4), or (5) must~~ be deposited ~~in~~ **into** the state  
 trunk line fund if attributable to the ~~blue water bridge~~ **Blue Water**  
~~Bridge site or Gordie Howe International Bridge site,~~ or ~~in~~ **into**  
 the fund created under section 7 of 1954 PA 99, MCL 254.227, if  
 attributable to the ~~international bridge~~ **International Bridge** site  
**in Sault Ste. Marie.**

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

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

(9) The ~~state transportation~~ department may enter into  
 agreements to authorize the use of property acquired for or  
 designated as a limited access highway or acquired for or  
 designated for ancillary purposes for the installation, operation,  
 and maintenance of commercial or noncommercial electronic devices  
 and related structures ~~so long as~~ **if** the electronic devices and  
 related structures are intended to assist in providing travel  
 related information to motorists who subscribe to travel related  
 information services, the public, or the ~~state transportation~~  
 department. All revenue generated by the agreements ~~shall~~ **must** be  
 deposited in the state trunk line fund. The ~~state transportation~~  
 department may accept facilities or in-kind services to be used for

1 public purposes in lieu of, or in addition to, monetary  
2 compensation.

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

13 (11) At the request of a hospital that provides 24-hour  
14 emergency care, the ~~state transportation department~~ shall place and  
15 maintain signs on all limited access highways that indicate exits  
16 that are within 2 miles of that hospital. The signs ~~shall~~ **must**  
17 indicate the name of the hospital or the name of the nonprofit  
18 corporation that owns or operates the hospital and the exit number  
19 of the exit that is within the 2 miles of the hospital. At least 1  
20 sign ~~shall~~ **must** be placed for each exit that is within 2 miles of a  
21 requesting hospital that provides 24-hour emergency care. The cost  
22 of placing and maintaining the sign ~~shall~~ **must** be paid by the  
23 hospital requesting the signs. The ~~state transportation department~~  
24 shall adopt guidelines ~~specifying that~~ **specify** the size, shape,  
25 design, number, and placement of the signs authorized under this  
26 subsection. The ~~state transportation department~~ shall not remove  
27 signs on limited access highways that ~~exist~~ **existed** on the  
28 ~~effective date of the amendatory act that added this subsection~~  
29 **July 23, 2001** and that indicate exits within 10 miles of a hospital

1 that provides 24-hour emergency care but that do not otherwise  
2 satisfy the requirements of this subsection. ~~As used in this~~  
3 ~~subsection, "hospital" means a health facility that is licensed~~  
4 ~~under part 215 of the public health code, 1978 PA 368, MCL~~  
5 ~~333.21501 to 333.21568.~~

6 (12) As used in this section:

7 (a) "Department" means the state transportation department.

8 (b) "Hospital" means a health facility that is licensed as a  
9 hospital under article 17 of the public health code, 1978 PA 368,  
10 MCL 333.20101 to 333.22260.

11 (c) "Logo signage" means a sign that contains the trademark or  
12 other symbol that identifies a business in a manner and at  
13 locations approved by the department.

14 (d) "State trunk line fund" means the state trunk line fund  
15 established under section 11 of 1951 PA 51, MCL 247.661.