

# HOUSE BILL No. 4605

April 29, 1999, Introduced by Reps. Garcia, Vander Roest, Rick Johnson, Vear, Bishop, Ehardt, Shackleton, Julian, Schermesser, Patterson, Tabor, Jelinek, Mortimer, LaSata, Jellema, Ruth Johnson, Reeves, Jamnick, Middaugh, Gilbert, Lockwood, Mans, Hart, Kukuk, DeVuyst, Geiger, Bovin, Lemmons and Scranton and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 676a (MCL 257.676a), as amended by 1998 PA  
224.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 676a. (1) Except as otherwise provided in this sec-  
2 tion, a person, firm, or corporation who sells or offers for  
3 sale, or displays or attempts to display for sale, goods, wares,  
4 produce, fruit, vegetables, or merchandise within the  
5 right-of-way of a highway outside of the corporate limits of a  
6 city or village, or within the right-of-way of a state trunk line  
7 highway, is responsible for a civil infraction.

8       (2) This section does not interfere with a permanently  
9 established business that, as of September 27, 1957, was located  
10 on or partially on private property or grant to the owner of that

1 business additional rights or authority that the owner did not  
2 possess on September 27, 1957, or diminish the legal rights or  
3 duties of the authority having jurisdiction of the right-of-way.

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

14 ~~(4) The state transportation department shall conduct a~~  
15 ~~study for a period of not less than 3 years to evaluate the~~  
16 ~~potential benefit to the traveling public of logo signing within~~  
17 ~~the right-of-way of limited access highways. Not later than~~  
18 ~~December 31, 1998, the state transportation department shall~~  
19 ~~issue a written report on the study, which shall include the eco-~~  
20 ~~nomic impact of logo signing on the outdoor advertising industry,~~  
21 ~~the benefits of logo signing to the motoring public and local~~  
22 ~~businesses, the acceptance of logo signing by the motoring~~  
23 ~~public, and the proposed standards for logo signing recommended~~  
24 ~~by the state transportation commission. The study shall include~~  
25 ~~a pilot program for logo signing at not more than 60~~  
26 ~~interchanges. However, not less than 30 days before the~~  
27 ~~implementation date of the pilot program, any proposed agreement~~

~~1 specifying a location for the pilot program shall be reported to~~  
~~2 the senate and house of representatives standing committees that~~  
~~3 consider transportation-related legislation.~~ THIS SECTION DOES  
4 NOT PROHIBIT THE USE OF LOGO SIGNAGE WITHIN THE RIGHT-OF-WAY OF  
5 LIMITED ACCESS HIGHWAYS. FOR PURPOSES OF THIS SUBSECTION, "LOGO  
6 SIGNAGE" MEANS A SIGN CONTAINING THE TRADEMARK OR OTHER SYMBOL  
7 THAT IDENTIFIES A BUSINESS IN A MANNER AND AT LOCATIONS APPROVED  
8 BY THE STATE TRANSPORTATION DEPARTMENT. Any revenue received by  
9 the state transportation department under this subsection shall  
10 be deposited into the Michigan transportation fund established  
11 under section 10 of 1951 PA 51, MCL 247.660.

12 Enacting section 1. This amendatory act does not take  
13 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
14 (request no. 01136'99) of the 90th Legislature is enacted into  
15 law.