

HOUSE BILL NO. 4804

May 06, 2021, Introduced by Reps. LaGrand, Ellison, Hood, Rogers, Hertel, Garza, Steckloff, Rabhi, Damoose, Kuppa, Bellino and Schroeder and referred to the Committee on Energy.

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~~ **bureau of services for blind persons** to
18 allow only vending machines at other locations on the limited
19 access highway system. The vending machines ~~shall~~ **must** be operated
20 solely by the ~~commission for the blind~~, **bureau of services for**
21 **blind persons**, which is designated as the state licensing agency
22 under ~~section 2(a)(5) of chapter 638, 49 Stat. 1559, 20 U.S.C.~~
23 ~~107a.~~ **20 USC 107a**. Except as otherwise provided in this section, no
24 other commercial enterprise ~~shall~~ **must** be authorized or conducted
25 within or on a property acquired for or designated as a limited
26 access highway. The ~~commission for the blind~~ **bureau of services for**
27 **blind persons** shall require evidence of liability insurance and
28 monitor 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, 23 U.S.C. 111, and~~ **under 23 USC 111, as**
6 described in the ~~"manual"~~ **Manual** on ~~uniform traffic control devices~~
7 **Uniform 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~~ **International**
17 **Bridge** in the city of Sault Ste. Marie for the sale of only those
18 articles ~~which~~ **that** are for export and consumption outside the
19 United States to the extent that the use is not restricted by
20 federal law.

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

26 (6) The ~~state transportation department~~ may enter into a lease
27 for facilities described in subsection (3), (4), or (5). ~~the~~ **The**
28 revenue from ~~which shall~~ **the lease for facilities described in**
29 **subsection (3), (4), or (5) must** be deposited ~~in~~ **into** the state

1 trunk line fund **established under section 11 of 1951 PA 51, MCL**
2 **247.661**, if attributable to the ~~blue water bridge~~ **Blue Water Bridge**
3 site or ~~in~~ **into** the fund created under section 7 of 1954 PA 99, MCL
4 254.227, if attributable to the ~~international bridge~~ **International**
5 **Bridge** site.

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

11 (8) The ~~state transportation~~ department may enter into
12 agreements for the activities described in subsection (7). ~~the~~
13 ~~revenue~~ **Revenue** from ~~which shall~~ **the activities described in**
14 **subsection (7) must** be deposited in the state trunk line fund
15 **established under section 11 of 1951 PA 51, MCL 247.661.**

16 (9) The state transportation department may enter into
17 agreements to authorize the use of property acquired for or
18 designated as a limited access highway or acquired for or
19 designated for ancillary purposes for the installation, operation,
20 and maintenance of commercial or noncommercial electronic devices
21 and related structures so long as the electronic devices and
22 related structures are intended to assist in providing travel
23 related information to motorists who subscribe to travel related
24 information services, the public, or the ~~state transportation~~
25 department. All revenue generated by the agreements ~~shall~~ **must** be
26 deposited in the state trunk line fund **established under section 11**
27 **of 1951 PA 51, MCL 247.661.** The ~~state transportation~~ department may
28 accept facilities or in-kind services to be used for public
29 purposes in lieu of, or in addition to, monetary compensation.

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

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

1 that indicate exits within 10 miles of a hospital that provides 24-
2 hour emergency care but that do not otherwise satisfy the
3 requirements of this subsection. As used in this subsection,
4 "hospital" means a health facility that is licensed **as a hospital**
5 under ~~part 215~~ **article 17** of the public health code, 1978 PA 368,
6 MCL ~~333.21501 to 333.21568~~. **333.20101 to 333.22260**.

7 (12) The department may install, operate, and maintain or
8 allow the installation, operation, and maintenance of charging
9 stations for electric vehicles at selected sites on limited access
10 highway rest areas or travel information centers. The department
11 may enter into a lease for the installation or operation of the
12 charging station. Revenue from a lease entered into under this
13 subsection must be deposited into the state trunk line fund
14 established under section 11 of 1951 PA 51, MCL 247.661. The
15 department shall identify specific selected sites on the limited
16 highway system or specific selected travel information centers that
17 are best suited for electric vehicle charging stations.

18 (13) As used in this section, "department" means the state
19 transportation department.