

HOUSE BILL NO. 5095

June 23, 2021, Introduced by Rep. Rabhi 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~~
5 **constructing** and ~~maintenance of maintaining~~ highways, may
6 establish, open, discontinue, vacate, close, alter, improve,
7 maintain, and provide for the public use of limited access
8 highways, subject to section 1(i) of 1925 PA 352, MCL 213.171.

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

1 machines in the designated areas, ~~holding harmless~~ **and shall hold**
 2 the state 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 **section 2J.03 of** the "manual on uniform traffic
 7 control devices for streets and highways", U.S. ~~department of~~
 8 ~~transportation and federal highway administration, part 2g (LOGOS),~~
 9 **Department of Transportation and Federal Highway Administration,**
 10 **2009 edition as revised in 2012,** 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~~ **exporting** and ~~consumption~~ **consuming** outside the United
 15 States.

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

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

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

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

5 (7) This section does not prohibit the use of facilities
6 located at rest areas or welcome centers ~~to distribute,~~ **for**
7 **distributing**, either directly or through electronic technologies,
8 free travel related information or assistance, or both, to the
9 traveling public if the ~~distribution~~ **distributing** is approved by
10 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 from which ~~shall~~ **must** be deposited ~~in~~ **into** the state trunk
14 line fund.

15 (9) The state transportation department may enter into
16 agreements to authorize the use of property acquired for or
17 designated as a limited access highway or acquired for or
18 designated for ancillary purposes for ~~the installation, operation,~~
19 ~~and maintenance of~~ **installing, operating, and maintaining**
20 commercial or noncommercial electronic devices and related
21 structures ~~so long as~~ **if** the electronic devices and related
22 structures are intended to assist in providing travel related
23 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~~ **under**
26 **this subsection must** be deposited ~~in~~ **into** the state trunk line
27 fund. The state transportation department may accept facilities or
28 in-kind services to be used for public purposes in lieu of, or in
29 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.~~

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

1 ~~health facility that is licensed under part 215 of the public~~
2 ~~health code, 1978 PA 368, MCL 333.21501 to 333.21568.~~

3 (12) The state transportation department may install or allow
4 the installing of electric vehicle charging stations and supporting
5 infrastructure at state park-and-ride sites, and may enter into a
6 lease for the installing or operating of electric vehicle charging
7 stations and supporting infrastructure. Revenue from a lease
8 described in this subsection must be deposited into the state trunk
9 line fund.

10 (13) The state transportation department shall coordinate with
11 the department of environment, Great Lakes, and energy, electric
12 utilities, and other interested parties to identify specific state
13 park-and-ride sites best suited for electric vehicle charging
14 stations and supporting infrastructure by considering both of the
15 following:

16 (a) Where grid infrastructure exists sufficient to support
17 electric vehicle charging stations and supporting infrastructure.

18 (b) Where seasonal traffic patterns and state park-and-ride
19 site visitation volumes necessitate access to electric vehicle
20 charging stations and supporting infrastructure to accommodate
21 long-distance or local travel and the use of state park-and-ride
22 sites.

23 (14) Not later than 1 year after the effective date of the
24 amendatory act that added this subsection, the state transportation
25 department shall prepare a report on the state park-and-ride sites
26 best suited for electric vehicle charging stations and supporting
27 infrastructure and do both of the following:

28 (a) Submit the report to the legislative committees of the
29 senate and house of representatives with responsibility for issues

1 involving electric vehicles and transportation.

2 (b) Post the report on the state transportation department
3 website and maintain the posting for not less than 4 years after
4 the date the report is first posted.

5 (15) As used in this section:

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

9 (b) "Logo signage" means a sign containing a trademark or
10 other symbol that identifies a business in a manner and at
11 locations approved by the state transportation department.

12 (c) "State trunk line fund" means the state trunk line fund
13 established under section 11 of 1951 PA 51, MCL 247.661.