

1998 PUBLIC AND LOCAL ACTS

[No. 224]

(SB 484)

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 676a (MCL 257.676a), as amended by 1995 PA 92.

The People of the State of Michigan enact:

257.676a Sale or display for sale of produce or merchandise within right-of-way of highway; civil infraction; exceptions; study to evaluate logo signing; report; pilot program; disposition of revenue.
[M.S.A. 9.2376(1)]

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

(2) This section does not interfere with a permanently established business that, as of September 27, 1957, was located on or partially on private property or grant to the owner of that business additional rights or authority that the owner did not possess on September 27, 1957, or diminish the legal rights or duties of the authority having jurisdiction of the right-of-way.

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

(4) The state transportation department shall conduct a study for a period of not less than 3 years to evaluate the potential benefit to the traveling public of logo signing within the right-of-way of limited access highways. Not later than December 31, 1998, the state transportation department shall issue a written report on the study, which shall include the economic impact of logo signing on the outdoor advertising industry, the benefits of logo signing to the motoring public and local businesses, the acceptance of logo signing by the motoring public, and the proposed standards for logo signing recommended by the

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state transportation commission. The study shall include a pilot program for logo signing at not more than 60 interchanges. However, not less than 30 days before the implementation date of the pilot program, any proposed agreement specifying a location for the pilot program shall be reported to the senate and house of representatives standing committees that consider transportation-related legislation. Any revenue received by the state transportation department under this subsection shall be deposited into the Michigan transportation fund established under section 10 of 1951 PA 51, MCL 247.660.

This act is ordered to take immediate effect.

Approved July 1, 1998.

Filed with Secretary of State July 1, 1998.
