

DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY TECHNICAL SERVICES
HIGHWAY MOTORIST SERVICE AREAS AND OTHER MDOT FACILITIES

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the department of transportation by section 9 of 1964 PA 286, MCL 247.809)

R 247.601, R 247.602, R 247.621, R 247.622, R 247.631, R 247.632, and R 247.633 are added to the Michigan Administrative Code, as follows:

PART 1. GENERAL PROVISIONS

R 247.601 Definitions.

Rule 1. As used in these rules:

- (a) "Act" means 1964 PA 286, MCL 247.801 to 247.816.
- (b) "Camping" means either of the following:
 - (i) The opening or setting up of a tent, canopy, shelter, covering, or other similar device or structure.
 - (ii) The parking and occupancy of an enclosed, self-contained camping unit.
- (c) "Department" means the department of transportation.
- (d) "Dog-run " means an area designated for the exercise of pets.
- (e) "Emergency" means an event that requires immediate action to promote public safety, protect property, or both.
- (f) "Facility" means a highway motorist service area, carpool parking lot, gated closed area, and buildings and lands dedicated and appropriate to the public use over which the department has jurisdiction or control, including buildings or parts of buildings, and other real estate occupied by the state as lessee.
- (g) "Highway" means a highway under the jurisdiction of the department.
- (h) "Highway motorist service area" means any of the following:
 - (i) Welcome center.
 - (ii) Rest area.
 - (iii) Roadside park.
 - (iv) Scenic turnout.
 - (v) Picnic table site.
 - (vi) Parking areas.

- (vii) Emergency pull offs.
- (viii) Non-motorized paths.
- (ix) On, under, or in bridges or culverts, and other department right of way.
- (i) "Official permission" means either of the following:
 - (i) A department permit.
 - (ii) A letter of authorization signed by a department bureau deputy director, region engineer, or transportation service center manager.
- (j) "Public area" means all areas within facility and highway motorist service areas, except for enclosed toilet compartments and urinal locations.
- (k) "Short-term" means 48 hours or less.
- (l) "Vehicle" means the term as defined in section 79 of the Michigan vehicle code, 1949 PA 300, MCL 257.79.

R 247.602 Facility purpose and operation.

- Rule 2. (1) Highway motorist service areas are provided to promote the safety, comfort, convenience, and relaxation of operators and passengers of vehicles traversing the trunkline highways of this state.
- (2) Highway motorist service areas are intended for short-term visits or emergency use by motorists so that they may resume travel in greater comfort and safety.
- (3) Carpool parking lots are intended to provide safe and convenient parking facilities for carpoolers and travelers while establishing a commitment to the conservation of limited energy resources.
- (4) Rest areas and carpool parking lots are normally open 24 hours per day, each day of the year.
- (5) Welcome centers are normally open during scheduled hours of operation and are not open 24 hours per day, each day of the year.
- (6) Roadside parks, scenic turnouts, and picnic table sites are normally available for public use during daylight hours from May 1 to October 31.
- (7) Gated closed facilities are not available for public entry or use.
- (8) The department may limit the hours of use or close a facility for a designated period. These rules do not change the department's rights or abilities to close facilities, or limit access, in whole or part, without notice, at the discretion of the department, or where it is determined there is a threat to public safety, or if the department determines that operational needs require closing.
- (9) The department shall post an operating schedule online or at a facility designated for limited use or closing, or both, except if the facility is closed for the season or for repair.

PART 2. RESTRICTIONS

R 247.621 Prohibited activities.

- Rule 21. (1) Commercial or business activities at a facility are prohibited, except as otherwise provided by law.

(2) The operation of a pay-telephone system, vending machines, and newspaper stands requires official permission.

(3) A person shall not occupy a corridor, sidewalk, areaway, driveway, or room of a facility in a manner that hampers or obstructs the proper use of movement of personnel or vehicles or the proper conduct of state government.

(4) A person is not allowed at a facility for the purpose of solicitation of funds or the sale of any article, except that charitable organizations may solicit funds if official permission is obtained and if the conduct is confined to the entrances and lobby areas of a facility, without blocking, impeding, or tending to impede the ingress, egress, or movement of people.

(5) A person is not allowed at a facility for the purpose of demonstrating, organizing activities, soliciting membership, or distributing literature, except that the persons or organizations may conduct the activity if confined to the entrances and lobby areas and other non-work areas, if official permission is obtained, and if the activities do not interfere with public safety or unreasonably interfere with the operation and use of the facility, and the activities do not block, impede, or tend to impede the ingress, egress or movement of people.

(6) Official permission as used in this subrule and subrule (2) of this rule may be granted if the department determines that the approval would not result in interference with the public safety or unreasonable interference with the operations or use of the facility.

(7) The following conduct is prohibited at a facility:

- (a) Bringing a sign or placard into a facility.
 - (b) Bringing voice amplification devices into a facility.
 - (c) Stepping or climbing on state property that is not designed or intended for that purpose.
 - (d) Unauthorized movement or removal of state property.
 - (e) Damaging, in any manner, state property, including the buildings and grounds of the state.
 - (f) Transferring trailers or cargo.
 - (g) Parking or storing vehicles, cargo, and trailers for more than 48 hours in a highway motorist service area, carpool parking lot, or closed facility.
 - (h) Using a facility as a meeting point for commercial, tour, or shuttle service, except as granted by official permission.
 - (i) Advertising vehicles for sale.
 - (j) Camping.
- (8) A person shall not consume alcoholic beverages at a facility.
- (9) A person is not allowed to hunt, trap, fish, or swim at a facility.
- (10) A person shall build or maintain a fire only in designated locations.
- (11) A person shall drive and park a vehicle exclusively on established public drives and parking areas specifically designated and marked for the parking vehicles, and in conformance with posted signs and traffic directions.
- (12) A person shall not park or store any of the following vehicles at a carpool parking lot:
- (a) Vehicles with a manufacturer's curb weight greater than 4 tons.
 - (b) Vehicles with a combination of automobile and trailer.

- (c) Travel trailers, motor homes, and other recreational vehicles.

R 247.622 Health restrictions.

Rule 22. (1) Refuse other than that generated during the course of travel must not be disposed of at a highway motorist service area.

(2) Travel-related refuse shall be disposed of in refuse containers provided by the department.

(3) A person shall not dispose of any of the following at a facility:

- (a) Engine lubricants.
- (b) Fuel.
- (c) Sewage or wastewater, including that from recreational vehicles.
- (d) Tires.

(4) A pet may be allowed outside a parked vehicle under the following conditions:

- (a) It shall at all times be confined by a leash 6 feet in length, or shorter.
- (b) It shall be personally attended at all times.
- (c) It shall be exercised exclusively at designated dog-run areas, where established.
- (d) It shall not be allowed inside buildings, except for service animals as recognized by the Americans with disabilities act, 42 USC 12101 to 12213.
- (e) The person attending to the pet shall pick up feces of the pet.

PART 3. ENFORCEMENT

R 247.631 Posting of rules.

Rule 31. A copy of these rules or a summary of the provisions contained in these rules must be posted in a public area, or online, or both, of all department welcome centers, freeway rest areas, truck parking, and roadside parks.

R 247.632 Monitoring facilities.

Rule 32. Public areas of a facility may be monitored by audio or video equipment, facility attendants, or a combination of these methods to protect the safety of the public and to prevent misuse of a facility.

R 247.633 Rule violations.

Rule 33. A person that violates any of the rules promulgated under this act shall be guilty of a misdemeanor.