

CHAPTER 105
HOLIDAY REST STOPS

Chapter rescission date pursuant to Iowa Code section 17A.7: 2/12/30

761—105.1(314) Purpose. The purpose of this chapter is to establish the requirements and procedures for approving requests for rest stops on primary and interstate highways during holiday periods.
[ARC 8780C, IAB 1/8/25, effective 2/12/25]

761—105.2(314) General.

105.2(1) Definitions.

“Free refreshments” means the same as defined in Iowa Code section 314.27.

“Holiday periods” means the same as defined in Iowa Code section 314.27.

“Holiday rest stop” means a location where a sponsor serves free refreshments to motorists during holiday periods to provide a break from driving monotony, promote safer driving, and reduce the potential for highway accidents.

“Sponsor” means the nonprofit organization that is providing the free refreshments and staffing the holiday rest stop.

105.2(2) Information. Information regarding this chapter is available from the Maintenance Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or the department’s website at www.iowadot.gov.

[ARC 8780C, IAB 1/8/25, effective 2/12/25]

761—105.3(314) Conditions. The sponsor of a holiday rest stop shall comply with the following general conditions:

105.3(1) Not request or accept payment for the refreshments served. The sponsor may accept voluntary donations using containers clearly labeled with a sign stating “donations.” If the sponsor uses donation containers, the sponsor needs to place signs within the immediate area of the operation at locations designated by the department stating “free refreshments.”

105.3(2) Not distribute any literature or other promotional material.

105.3(3) Clean up the area and remove all signs the sponsor has erected promptly after the holiday rest stop is discontinued.

105.3(4) No permit parking on the highway shoulders.

105.3(5) Agree to indemnify, defend and hold the department of transportation and the state of Iowa harmless from any liability that may result from the directing of traffic to the holiday rest stop area, and as a result of changes of traffic patterns caused by the activities of the sponsor in or about the holiday rest stop area, and all other liability related to the operation of the special holiday rest stop and the refreshments provided.

[ARC 8780C, IAB 1/8/25, effective 2/12/25]

761—105.4(314) Holiday rest stops.

105.4(1) Site.

a. A holiday rest stop along an interstate highway shall be in an established interstate rest area. Running water is available at each rest area. The department will provide electricity if requested.

b. The proposed site of a holiday rest stop along a primary highway will be inspected by the department to ensure it meets the following requirements:

(1) The site is large enough to provide parking space for at least 15 vehicles and located so that all parked vehicles will be at least 50 feet from the edge of the traveled way of the primary highway.

(2) An access drive from the primary highway shoulder to the parking area has a top width of at least 20 feet and provides a clear view of the primary highway for at least 900 feet in each direction.

c. The department will designate an appropriate spot within the requested holiday rest stop location that will not include rest area restroom buildings or welcome center buildings. The sponsor may use the

information kiosk where available. A tent or canopy may be used in areas without a kiosk during inclement weather.

105.4(2) Signs. The sponsor shall:

- a. Not place any signs directing highway traffic to the holiday rest stop.
- b. Not place any signs for an interstate holiday rest stop along the interstate highway or interchange ramps. The department will place signs stating “free refreshments” adjacent to the interstate highway and will remove these signs when the holiday rest stop is discontinued.
- c. Provide two signs approximately four feet by four feet announcing the holiday rest stop, one for each highway approach to the site for holiday rest stops on primary highways. The department will install these signs and will remove them when the holiday rest stop is discontinued.
- d. Take responsibility for any signs posted at the actual holiday rest stop site. Signs provided or placed by the sponsor shall not include any advertising but may include the sponsor’s name. Signs shall not be mounted on objects (including vehicles) that contain the name of any organization or individual except the sponsor. The sponsor is responsible for the removal of all signs the sponsor has erected promptly after the holiday rest stop is discontinued.

105.4(3) Request.

- a. A request to sponsor a holiday rest stop will be made on Form 810023. This form is available from the maintenance bureau or the department’s website.
- b. The request will include the name and address of the requesting sponsor, a detailed description of the proposed holiday rest stop location, and the requested hours of operation.
- c. The request will be submitted to the maintenance bureau and must be submitted at least 90 days prior to the beginning date of the holiday period and may be accepted up to 12 months in advance.

105.4(4) Approval of request.

- a. The maintenance bureau will notify the potential sponsor of approval or disapproval of the request within the time frame specified in Iowa Code section 314.27.
- b. If there is more than one qualifying request for the same site and date, the sponsor will be selected by lottery.

[ARC 8780C, IAB 1/8/25, effective 2/12/25]

These rules are intended to implement Iowa Code section 314.27.

[Filed 8/11/93, Notice 6/23/93—published 9/1/93, effective 10/6/93]

[Filed 2/15/94, Notice 1/5/94—published 3/16/94, effective 4/20/94]

[Filed 10/25/95, Notice 8/30/95—published 11/22/95, effective 12/27/95]

[Filed 3/13/02, Notice 2/6/02—published 4/3/02, effective 5/8/02]

[Filed ARC 3561C (Notice ARC 3366C, IAB 10/11/17), IAB 1/3/18, effective 2/7/18]

[Filed ARC 5607C (Notice ARC 5410C, IAB 2/10/21), IAB 5/5/21, effective 6/9/21]

[Filed ARC 8780C (Notice ARC 8246C, IAB 10/16/24), IAB 1/8/25, effective 2/12/25]