

761—123.3 (307) Definitions. As used in this chapter, unless the context otherwise requires:

“Acknowledgment sign” means an official sign placed within the right-of-way which meets all design and placement guidelines for acknowledgment signs as covered in Part 2 of the MUTCD, and all sign design principles covered in the most current edition of the “Standard Highway Signs and Markings Book,” as published by the U.S. Department of Transportation, Federal Highway Administration, and which is intended only to inform the traveling public that a highway-related service, product or monetary contribution has been sponsored by a person, firm or entity.

“Advertise” means to provide information on a sign which includes, but is not limited to, any of the following: promotional offers, location directions, a listing of amenities, descriptive words or phrases, telephone numbers, Internet addresses including domain names, slogans or any message that is extraneous to the identification of a single-sponsoring person, firm or entity.

“Identification” means a display on an acknowledgment sign which is limited to the name of the sponsor or a registered or unregistered trademark in addition to or instead of the name of the sponsor, if such mark is used consistently by the sponsor whenever and wherever the firm’s or entity’s name is visible to the public, and the medium will allow. If multiple trademarks are used by the sponsor, identification is provided only by the one in the simplest form needed to identify the sponsor.

“Interstate highway” means any highway of the primary system at any time officially designated as a part of the national system of interstate and defense highways by the department and approved by the appropriate authority of the federal government.

“Main-traveled way” means the portion of the roadway for movement of vehicles on which through traffic is carried, exclusive of shoulders and auxiliary lanes. In the case of a divided highway, the main-traveled way includes each of the separated roadways for traffic in opposite directions, exclusive of frontage roads, turning roadways or parking areas.

“MUTCD” means the Manual on Uniform Traffic Control Devices as adopted in 761—Chapter 130.

“Rest area” means an area or site established and maintained within or adjacent to the right-of-way of an interstate, freeway-primary or primary highway under supervision and control of the department for the safety, recreation, and convenience of the traveling public. Subject to paragraph 123.4(1) “b,” if two rest areas are located in close proximity and serve opposite directions of travel, both rest areas are individually eligible for sponsorship.

“Right-of-way” means land area dedicated to public use for the highway and its maintenance, and includes land acquired in fee simple or by permanent easement for highway purposes, but does not include temporary easements or rights for supplementary highway appurtenances.

“Sponsor” means a single person, firm or entity which has been approved by the department for the rest area sponsorship program.