

CHAPTER 105
HOLIDAY REST STOPS

761—105.1(307,314) 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 3561C, IAB 1/3/18, effective 2/7/18]

761—105.2(307) General.

105.2(1) *Holiday rest stop.* A holiday rest stop is a location where a nonprofit organization or group 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.

105.2(2) *Free refreshments.* Free refreshments means water, coffee, cookies, any nonintoxicating, noncarbonated beverage which is not already bottled or canned, doughnuts, or baked dessert goods.

105.2(3) *Holiday periods.* Holiday periods shall be limited to:

a. Memorial Day weekend and Labor Day weekend, starting at noon on the preceding Friday and ending at midnight between Monday and Tuesday of the holiday weekend.

b. The period surrounding Independence Day, starting at noon on July 1 and ending at midnight between July 6 and July 7.

105.2(4) *Information.* General information regarding holiday rest stops 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 3561C, IAB 1/3/18, effective 2/7/18; ARC 5607C, IAB 5/5/21, effective 6/9/21]

761—105.3(307,314) Conditions. The sponsor of a holiday rest stop shall comply with the following general conditions:

105.3(1) The sponsor shall 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 donation containers are used, the sponsor shall place signs within the immediate area of the operation at locations designated by the department stating "free refreshments."

105.3(2) The sponsor shall not distribute any literature or other promotional material.

105.3(3) Rescinded IAB 4/3/02, effective 5/8/02.

105.3(4) The sponsor shall clean up the area and remove all signs it has erected promptly after the holiday rest stop is discontinued.

105.3(5) Parking shall not be permitted on the highway shoulders.

105.3(6) The sponsor shall agree to save 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 3561C, IAB 1/3/18, effective 2/7/18]

761—105.4(307,314) Holiday rest stops on interstate highways.

105.4(1) *Site.* A holiday rest stop along an interstate highway shall be located in an established interstate rest area. The department shall designate an appropriate spot within the rest area for the holiday rest stop. The sponsor shall not use the rest area restroom building or welcome center buildings for the purposes of the holiday rest stop. The sponsor may use the information kiosk where available. A tent or canopy may be used in areas without a kiosk during inclement weather. Running water is available at each rest area. The department will provide electricity if requested.

105.4(2) *Signs.*

a. The sponsor shall not place any signs directing highway traffic to the holiday rest stop. The sponsor shall not place any signs for the holiday rest stop along the interstate highway or interchange

ramps. The department shall place signs stating “free refreshments” adjacent to the interstate highway and shall remove these signs when the holiday rest stop is discontinued.

b. The sponsor is responsible 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 shall remove all signs it has erected promptly after the holiday rest stop is discontinued.

105.4(3) Request. A request to sponsor a holiday rest stop in an interstate rest area shall be made on Form 810023. This form is available from the maintenance bureau or the department’s website.

a. The request shall 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.

b. The request shall be submitted to the maintenance bureau.

c. The request must be submitted at least 30 days prior to the beginning date of the holiday period and shall be accepted up to 12 months in advance.

105.4(4) Approval of request. The request is subject to the approval of the maintenance bureau.

a. A request to sponsor a holiday rest stop shall not be approved until 60 days before the beginning date of the holiday period.

b. If there is more than one qualifying request for the same site and date, the sponsor shall be selected by lottery.

[ARC 3561C, IAB 1/3/18, effective 2/7/18; ARC 5607C, IAB 5/5/21, effective 6/9/21]

761—105.5(307,314) Holiday rest stops on primary highways.

105.5(1) Site. The proposed site of a holiday rest stop along a noninterstate primary highway will be inspected by the department to ensure it meets the following requirements:

a. The site shall be 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.

b. An access drive from the primary highway shoulder to the parking area shall have a top width of at least 20 feet and shall provide a clear view of the primary highway for at least 900 feet in each direction.

105.5(2) Signs.

a. The sponsor shall not place any signs directing highway traffic to the holiday rest stop. The sponsor shall provide two signs approximately 4 feet by 4 feet announcing the holiday rest stop, one for each highway approach to the site. These signs will be installed by the department, not the sponsor. The department shall remove these signs when the holiday rest stop is discontinued.

b. The sponsor is responsible 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 shall remove all signs it has erected promptly after the holiday rest stop is discontinued.

105.5(3) Request. A request to sponsor a holiday rest stop along a noninterstate primary highway shall be made on Form 810023. This form is available from the maintenance bureau or the department’s website.

a. The request shall 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.

b. The request shall be submitted to the maintenance bureau.

c. The request must be submitted at least 30 days prior to the beginning date of the holiday period and shall be accepted up to 12 months in advance.

105.5(4) Approval of request. The request is subject to the approval of the maintenance bureau.

a. A request to sponsor a holiday rest stop shall not be approved until 60 days before the beginning date of the holiday period.

b. If there is more than one qualifying request for the same site and date, the sponsor shall be selected by lottery.

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These rules are intended to implement Iowa Code sections 307.12 and 314.27.

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