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**IDAPA 39  
TITLE 03  
CHAPTER 50**

**39.03.50 – RULES GOVERNING SAFETY REST AREAS**

**000. LEGAL AUTHORITY.**

Under the authority of Section 40-312, Idaho Code, the Idaho Transportation Board adopts this rule. (12-26-90)

**001. TITLE AND SCOPE.**

**01. Title.** This rule is titled IDAPA 39.03.50, “Rules Governing Safety Rest Areas.” (3-6-14)

**02. Scope.** The purpose of this rule is to regulate use of and set standards of behavior for all persons using or visiting developed rest areas. (3-6-14)

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations for this chapter. (3-6-14)

**003. ADMINISTRATIVE APPEALS.**

Administrative appeals under this chapter will be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (3-6-14)

**004. INCORPORATION BY REFERENCE.**

There are no documents incorporated by reference in this chapter. (3-6-14)

**005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS -- PHONE NUMBERS.**

**01. Street and Mailing Address.** The Idaho Transportation Department maintains a central office in Boise at 3311 W. State Street with a mailing address of P O Box 7129, Boise ID 83707-1129. (3-6-14)

**02. Office Hours.** Daily office hours are 8:00 a.m. to 5:00 p.m. except Saturday, Sunday and state holidays. (3-6-14)

**03. Telephone and FAX Numbers.** The central office may be contacted during office hours by phone at 208-334-8000 or by fax at 208-334-3858. (3-6-14)

**04. Idaho Transportation Department District Offices.** District office addresses can be found at <https://itd.idaho.gov/> (3-6-14)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

All records associated with this chapter are subject to and in compliance with the Idaho Public Records Act, as set forth in Title 74, Chapter 1, Idaho Code. (3-6-14)

**007. -- 099. (RESERVED)**

**100. SANITATION.**

The following acts are prohibited: (12-26-90)

**01. Designated Trash Containers.** Failing to dispose of all garbage and trash, including paper, cans, bottles and other waste materials by either removal from the site or depositing in designated trash containers. (12-26-90)

**02. Vehicle Refuse or Water.** Draining or dumping refuse or waste from any trailer or other vehicle except in places or receptacles provided. (12-26-90)

**03. Water Facilities.** Cleaning fish or other food, washing clothing or household articles at hydrants or water faucets. (12-26-90)

**04. Water Systems.** Polluting or contaminating water used for human consumption or water systems used for the delivery of such water. (12-26-90)

**05. Comfort Station.** Depositing body waste in or on any portion of a comfort station not intended for that purpose. (12-26-90)

**06. Dumping.** Dumping of household or commercial garbage or trash brought as such from private off-site into any on-site refuse containers or other refuse facilities. (3-6-14)

**101. -- 199. (RESERVED)**

**200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.**  
The following acts are prohibited: (12-26-90)

**01. Behavior.** Indulging in boisterous, abusive, threatening, or indecent conduct or creating unnecessary noise which interferes with the reasonable use of the area by other visitors. (12-26-90)

**02. Treatment of Natural Features or Plants.** Destroying, defacing, cutting, sampling, or removing any natural feature or plant. (12-26-90)

**03. Treatment of Public Property.** Damaging by defacing, plugging, breaking, or removing any facility, fixture, sign or marker provided for use of the public. (12-26-90)

**04. Soliciting.** Selling or offering for sale any merchandise or service other than emergency services for disabled vehicles, such as towing, vehicle repairs, fire response, ambulance or medical response/transport, or vending machines permitted under the provisions of federal law or federal rule and Section 67-5411, Idaho Code. (4-11-15)

**05. Noise Producing Devices.** Operating or using any audio devices, including radio, television and musical instrument, and other noise producing devices, such as electrical generator plants and equipment driven by motors or engines, in such a manner and at such times so as to disturb other persons. (12-26-90)

**06. Fireworks/Incendiary Devices.** Discharging fireworks or any other incendiary device. Fireworks are considered any combustible or explosive substance, but do not include any automotive safety flares or any other emergency or safety device. (4-11-15)

**201. -- 299. (RESERVED)**

**300. OCCUPANCY OF DEVELOPED REST AREAS.**  
The following acts are prohibited: (12-26-90)

**01. Camping/Occupancy of Site.** Camping or occupying a rest area for any purpose other than rest and relaxation from the fatigue of travel. (3-6-14)

**02. Assembling.** Assembling or attracting groups of people except for public service functions by civic, fraternal or religious organizations as approved by the Department. (12-26-90)

**03. Time Limits.** Occupancy of the rest areas on interstate highways is limited to ten (10) consecutive hours. Occupancy of rest areas on other routes of the State Highway System is limited to sixteen (16) consecutive hours. (4-11-15)

**04. Fires.** Building fires outside the confines of a stove, grill or fireplace. (3-6-14)

**05. Failure to Clean.** Failing to clean the space occupied before departing. (3-6-14)

**06. Animals.** (12-26-90)

**a.** Bringing a dog, cat or other animal into a rest area unless it is a certified service animal or crated, caged, leashed or otherwise under physical restrictive control at all times. (3-6-14)

**b.** Permitting a dog, cat or other animal to exercise and/or defecate in areas outside of specifically designated pet areas. (3-6-14)

**301. -- 399. (RESERVED)**

**400. VEHICLES.**

The following acts are prohibited: (12-26-90)

**01. Rates of Speed.** Operating any motor vehicles in excess of fifteen (15) mph speed within the confines of a rest area with the exception of acceleration or deceleration ramps. (3-6-14)

**02. Driving or Parking.** Driving or parking a vehicle or trailer except in places developed for such purpose. (12-26-90)

**03. Careless Driving.** Driving a vehicle carelessly and heedlessly in disregard of the rights or safety of others; or driving at a speed, or in a manner which endangers, or is likely to endanger, any person or property. (12-26-90)

**04. Paths/Roads/Trails in Rest Areas.** Operating any vehicle on paths, roads, or trails in developed rest areas for any purpose other than entering or leaving the area, unless specifically allowed by appropriate signage. (3-6-14)

**05. Accelerating Engine.** Excessively accelerating the engine of any vehicle or motorcycle when such vehicle is not moving or is approaching or leaving the rest area. (3-6-14)

**06. Skateboards/Rollerblades.** Use of skateboards or rollerblades on sidewalks or in areas primarily intended for use by motor vehicles. (3-6-14)

**401. -- 999. (RESERVED)**

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