

## IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

### Division of Highways: Construction & Operations

#### 39.03.50 – Rules Governing Safety Rest Areas

##### **Who does this rule apply to?**

*These rules are in place to protect ITD property and safety of the traveling public and trucking industry.*

##### **What is the purpose of this rule?**

*The purpose of this rule is to regulate the use of rest areas and set standards of behavior for all persons using or visiting developed rest areas.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Highways and Bridges -

Definitions:

- [40-120\(1\), Idaho Code](#) – Definition of “Safety Rest Area”

Idaho Transportation Board:

- [40-312, Idaho Code](#) – Powers and Duties — Rules and Regulations
- [40-313\(3\), Idaho Code](#) – Powers and Duties — Beautification and Information

Idaho Transportation Department:

- [40-507, Idaho Code](#) – Construction and Maintenance of Information Centers

##### **Who do I contact for more information on this rule?**

Idaho Transportation Department

Monday – Friday 8:00 am to 5:00 pm

P.O. Box 7129

Boise, ID 83707-1129

3311 West State Street

Phone: (208) 334-8000

[itd.idaho.gov](http://itd.idaho.gov)

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## 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. (3-31-22)

### 001. TITLE AND SCOPE.

**01. Title.** This rule is titled IDAPA 39.03.50, “Rules Governing Safety Rest Areas.” (3-31-22)

**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. (3-31-22)

### 002. -- 099. (RESERVED)

### 100. SANITATION.

The following acts are prohibited: (3-31-22)

**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. (3-31-22)

**02. Vehicle Refuse or Water.** Draining or dumping refuse or waste from any trailer or other vehicle except in places or receptacles provided. (3-31-22)

**03. Water Facilities.** Cleaning fish or other food, washing clothing or household articles at hydrants or water faucets. (3-31-22)

**04. Water Systems.** Polluting or contaminating water used for human consumption or water systems used for the delivery of such water. (3-31-22)

**05. Comfort Station.** Depositing body waste in or on any portion of a comfort station not intended for that purpose. (3-31-22)

**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. (3-31-22)

### 101. -- 199. (RESERVED)

### 200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.

The following acts are prohibited: (3-31-22)

**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. (3-31-22)

**02. Treatment of Natural Features or Plants.** Destroying, defacing, cutting, sampling, or removing any natural feature or plant. (3-31-22)

**03. Treatment of Public Property.** Damaging by defacing, plugging, breaking, or removing any facility, fixture, sign or marker provided for use of the public. (3-31-22)

**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. (3-31-22)

**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. (3-31-22)

**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. (3-31-22)

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

**300. OCCUPANCY OF DEVELOPED REST AREAS.**

The following acts are prohibited: (3-31-22)

**01. Camping/Occupancy of Site.** Camping or occupying a rest area for any purpose other than rest and relaxation from the fatigue of travel. (3-31-22)

**02. Assembling.** Assembling or attracting groups of people except for public service functions by civic, fraternal or religious organizations as approved by the Department. (3-31-22)

**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. (3-31-22)

**04. Fires.** Building fires outside the confines of a stove, grill or fireplace. (3-31-22)

**05. Failure to Clean.** Failing to clean the space occupied before departing. (3-31-22)

**06. Animals.** (3-31-22)

**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. (3-31-22)

**b.** Permitting a dog, cat or other animal to exercise and/or defecate in areas outside of specifically designated pet areas. (3-31-22)

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

**400. VEHICLES.**

The following acts are prohibited: (3-31-22)

**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. (3-31-22)

**02. Driving or Parking.** Driving or parking a vehicle or trailer except in places developed for such purpose. (3-31-22)

**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. (3-31-22)

**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. (3-31-22)

**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. (3-31-22)

**06. Skateboards/Rollerblades.** Use of skateboards or rollerblades on sidewalks or in areas primarily intended for use by motor vehicles. (3-31-22)

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