

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

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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. (7-1-24)

001. PURPOSE.

The purpose of this rule is to set standards for all persons visiting developed rest areas. (7-1-24)

002. -- 099. (RESERVED)

100. SANITATION.

The following acts are not allowed: (7-1-24)

01. Designated Trash Containers. Failing to dispose of all garbage and pet waste in designated trash containers. (7-1-24)

02. Vehicle Refuse or Water. Draining or dumping refuse or waste from any vehicle except in places or receptacles provided. (7-1-24)

03. Water Facilities. Cleaning food, washing clothing or household articles at any water facility. (7-1-24)

04. Water Systems. Contaminating water used for consumption or water systems used for the delivery of such water. (7-1-24)

05. Comfort Station. Depositing body waste in or on any portion of a comfort station not intended for that purpose. (7-1-24)

06. Dumping. Dumping of household or commercial garbage brought as such into any on-site refuse containers or other refuse facilities. (7-1-24)

101. -- 199. (RESERVED)

200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.

The following acts are not allowed: (7-1-24)

01. Behavior. Indulging in boisterous, dangerous, threatening, conduct or creating noise which interferes with the reasonable use of the area by other visitors. (7-1-24)

02. Treatment of Natural Features or Plants. Destroying or removing any natural feature or plant. (7-1-24)

03. Treatment of Public Property. Damaging or removing any facility, fixture, sign or marker provided for use of the public or damaging sidewalks or areas intended for motor vehicles. (7-1-24)

04. Soliciting. Offering for sale any merchandise or service other than emergency services for disabled vehicles 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. (7-1-24)

05. Noise Producing Devices. Using any audio devices 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. (7-1-24)

06. Fireworks/Incendiary Devices. Discharging fireworks or any other incendiary device. This does not include any automotive safety flares or any other emergency or safety device. (7-1-24)

201. -- 299. (RESERVED)

300. OCCUPANCY OF DEVELOPED REST AREAS.

The following acts are not allowed: (7-1-24)

01. Camping. (7-1-24)

02. Assembling. Assembling except for public service functions by civic, fraternal or religious organizations as approved by the Department. (7-1-24)

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. (7-1-24)

04. Fires. (7-1-24)

05. Failure to Clean. Failing to clean the space occupied before departing. (7-1-24)

06. Animals. Bringing any animal into a rest area unless it is a certified service animal or leashed or otherwise under physical restrictive control at all times. (7-1-24)

301. -- 399. (RESERVED)

400. VEHICLES.

The following acts are not allowed: (7-1-24)

01. Driving or Parking. Driving or parking a vehicle or trailer except in places developed for such purpose. (7-1-24)

02. 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 signage. (7-1-24)

401. -- 999. (RESERVED)