

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER f: HIGHWAYS

PART 534  
VENDING MACHINES IN REST AREAS (REPEALED)

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25 AUTHORITY: Implementing and authorized by Section 9-113.1 of the Illinois Highway Code  
26 [605 ILCS 5/9-113.1].

28 SOURCE: Adopted at 12 Ill. Reg. 12884, effective July 21, 1988; amended at 13 Ill. Reg. 1866,  
29 effective January 27, 1989; amended at 13 Ill. Reg. 10963, effective June 27, 1989; amended at  
30 13 Ill. Reg. 19745, effective November 29, 1989; repealed at 50 Ill. Reg. \_\_\_\_\_, effective  
31 \_\_\_\_\_.

SUBPART A: PLACEMENT OF VENDING MACHINES IN REST AREAS

**Section 534.10 Purpose**

37 This Part is being promulgated to govern the location, placement, operation, and type of services  
38 provided at vending stands located in Interstate Rest Areas which are under the jurisdiction of  
39 the Illinois Department of Transportation (IDOT).

**Section 534.20 Definitions**

43 "IDORS" – Illinois Department of Rehabilitation Services.

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"IDOT" – Illinois Department of Transportation.

"Private Contractor" – a firm or person who has contracted with IDORS to operate and maintain vending machines at sites where a blind vendor is not located.

"Vending Machine" – a coin or currency operated machine capable of automatically dispensing an article or product.

"Vending Machine Facilities" – buildings which house vending machines.

"Vendor" – a blind vendor who has been licensed by the IDORS in accordance with the rules entitled 'Vending Stand Program for the Blind', 89 Ill. Adm. Code 650 pursuant to the federal Randolph-Sheppard Vending Stand Act of June 20, 1936 (49 Stat. 1559, Title 20, Sections 107-107F) (20 U.S.C.A. 107 et seq.).

**Section 534.30 Responsibilities**

The Engineer of Maintenance for the IDOT is responsible for enforcing compliance with the provisions of this Part. Persons with questions, comments, or suggestions concerning this Part should contact:

Engineer of Maintenance  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 009  
Springfield, Illinois 62764  
(217) 782-7231

SUBPART B: APPLICATION

**Section 534.110 Application**

This Part shall apply only to *the location, placement, operation, and the type of services provided, of vending machines in safety rest areas constructed or located on rights-of-way of non-toll fully access controlled State highways* (The Highway Code (The Act), Ill. Rev. Stat. 1987, ch. 121, par 9-113.1(b)).

SUBPART C: ADMINISTRATION

**Section 534.210 IDOT-IDORS Responsibilities**

*The IDOT has the responsibility to regulate the placement and operation of vending machines in*

87 *safety rest areas constructed or located on rights-of-way of non-toll fully access controlled State*  
88 *highways (Section 9-113.1(b) of the Act).*

- 89
- 90 a) The IDOT shall allow for the installation of vending facilities through contracts  
91 between the IDORS and the IDOT. All such contracts shall be in writing and  
92 shall ensure retention by the IDOT of full responsibility for and control over all  
93 activities within the rest area. At a minimum, the contract with IDORS shall  
94 provide:
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- 96 1) *The IDORS shall assign licensed blind vendors to operate vending*  
97 *machines in all safety rest areas constructed or located on rights-of-way*  
98 *of non-toll fully access controlled State highways (Section 9-113.1(b) of*  
99 *the Act).*
- 100
- 101 2) *If, after notification to all licensed blind vendors of the availability of a*  
102 *particular site, none is interested in operating that site, the IDORS may*  
103 *contract for the operation of that site by a private contractor. Any*  
104 *income, after deduction for cost of items, labor and a negotiated*  
105 *percentage of profit, shall accrue to the IDORS for the exclusive benefit of*  
106 *the vending facilities for the blind program or other programs of*  
107 *rehabilitation and training for the blind administered by the IDORS*  
108 *(Section 9-113.1(b) of the Act).*
- 109
- 110 3) *The IDORS shall, every three (3) years, notify licensed blind vendors of*  
111 *the availability of such contractually operated sites and make them*  
112 *available to interested blind vendors (Section 9-113.1(b) of the Act).*
- 113
- 114 4) The IDORS shall submit an annual report to the IDOT detailing gross  
115 vending sales, profits, number of persons involved in all aspects of  
116 servicing and operating the approved vending machines.
- 117
- 118 5) To the extent that federal funds are involved, all written contracts between  
119 the IDORS and any Vendor or Private Contractor shall include  
120 nondiscrimination provisions in accordance with the State assurance with  
121 regard to the Civil Rights Act of 1964 (42 U.S.C. 2000d--2000d-5),  
122 Landscape and Roadside Development (23 CFR 752.8(c)(6)), and the  
123 Rehabilitation Act of 1978 (29 U.S.C. 794).
- 124
- 125 6) *The IDOT shall not require the vending machine operators to perform any*  
126 *services other than those related to servicing and operating the approved*  
127 *vending machines (Section 9-113.1(c) of the Act).*
- 128
- 129 7) The IDOT shall determine the location, type, and appearance of vending

130 machine facilities to be located in rest areas. The contract with IDORS  
131 shall provide:

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- 133 A) The IDORS shall locate and install vending equipment and  
134 appurtenances only in vending machine facilities.
- 135
- 136 B) The IDORS shall provide money changers which are in good  
137 working order at each vending facility for use by rest area patrons.
- 138
- 139 8) The IDOT shall provide for the installation and maintenance of water lines  
140 and electrical connections to the vending facilities.
- 141
- 142 9) Vending items to be dispensed shall be limited to hot and cold  
143 nonalcoholic beverages, candy, gum, snacks, cigarettes, sandwiches,  
144 soups, and sundry items. Sundry items include non-food items that can be  
145 dispensed by machines, such as newspapers, fingernail clippers, pencils  
146 and tissues. No petroleum products or vehicle replacement parts shall be  
147 dispensed by any means at safety rest areas (23 CFR 752.5(b) (1987)). No  
148 later amendments or editions are incorporated. All beverages shall be  
149 dispensed in cans except for hot coffee, tea, chocolate, soups, milk, and  
150 fruit juices. No glass containers shall be dispensed. Newspapers shall be  
151 dispensed in separate facilities (newsracks).
- 152
- 153 10) The IDOT shall provide advance highway signing, to be located on  
154 existing rest area informational signs, in conformance with the IDOT's  
155 Illinois Manual on Uniform Traffic Control Devices (92 Ill. Adm. Code  
156 546). The IDOT shall provide signs at shelters identifying the Illinois  
157 Department of Rehabilitation Services as the agency providing vending  
158 machines.
- 159
- 160 11) All Vendors or Private Contractors selected by the IDORS for the  
161 operation of vending facilities at safety rest areas pursuant to the  
162 provisions of Section 9-113.1 of the Act shall conform with the  
163 requirements specified in this Section, and IDORS will include with its  
164 agreement with the Vendor or Private Contractors the following:
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- 166 A) The Vendor or Private Contractor shall pay for all metered utilities  
167 used for vending facilities located at rest areas under the provisions  
168 of Section 9-113.1 of the Act.
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- 170 B) The Vendor or Private Contractor shall be responsible for the  
171 operation, maintenance, and security of vending machines located  
172 at rest areas.

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- C) The Vendor or Private Contractor shall service vending facilities to ensure, except for conditions resulting from acts of God such as tornadoes, flooding, earthquakes, etc., that those services are available to rest area patrons 24 hours per day, every day, all year.
  - D) The Vendor or Private Contractor shall comply with all laws and regulations regarding licensing by public health departments and other agencies responsible for the regulation of the vending business as explained by the Department of Rehabilitation Services at 89 Ill. Adm. Code 650.1000 (Business Practices).
  - E) The Vendor or Private Contractor shall provide an effective method for the return of lost monies to patrons through one of the following procedures:
    - i) Refunds made directly to the customer by the Vendor or the Vendor's employee.
    - ii) Refunds made through the use of refund request cards which can be mailed by the customer to an address specified by IDORS. The cards will identify the vending machine that did not operate properly, the date, time, and type of problem. IDORS will determine whether the refund request is valid and will handle the refund.
  - F) The Vendor or Private Contractor shall provide the IDOT with the name and telephone number of the person who should be contacted for response when problems with the vending operations arise during time periods when no Vendor or Private Contractor personnel are present at a rest area.
  - G) The Vendor or Private Contractor shall assume all responsibility for liability resulting from the operation and maintenance of vending machines.
  - H) The Vendor or Private Contractor shall provide that personnel assigned to service vending machines wear work uniforms which have been approved by both IDOT and IDORS as explained by the Department of Rehabilitation Services at 89 Ill. Adm. Code 650.1000 (Business Practices) at the rest area sites.
  - I) Whenever complaints having to do with the quality of service or

216 goods, the activities of Vendor or Private Contractor employees, or  
217 return of lost monies, are made to IDOT or IDORS from vending  
218 customers at a vending site and the compliants exceed one per day,  
219 the Vendor or Private Contractor shall make improvements in  
220 vending operations to reduce complaints to below the occurrence  
221 of one per day.  
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223 b) The IDOT shall, in cooperation with IDORS, provide for the design, construction,  
224 and maintenance of vending machine facilities with full consideration and  
225 accommodation for the handicapped (23 CFR 752.5(a) (1987)) in accordance with  
226 the rules of the Capital Development Board at 71 Ill. Adm. Code 400 (Illinois  
227 Accessibility Code). No later amendments or editions are incorporated.