

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

PART 534
VENDING MACHINES IN REST AREAS

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

SOURCE: Adopted at 12 Ill. Reg. 12884, effective July 21, 1988; amended at 13 Ill. Reg. 1866, effective January 27, 1989; amended at 13 Ill. Reg. 10963, effective June 27, 1989; amended at 13 Ill. Reg. 19745, effective November 29, 1989; former Part repealed at 50 Ill. Reg. _____, and new Part adopted at 50 Ill. Reg. _____, effective _____.

Section 534.100 Purpose and Applicability

This Part governs the location, placement, operation, and types of services provided at vending facilities located at interstate highway rest areas which are under the jurisdiction of the Department. The Department will allow for the installation of vending machines consistent with the requirements of this Part and Section 9-113.1 of the Illinois Highway Code.

Section 534.200 Definitions

- "Code" – the Illinois Highway Code [605 ILCS 5]
- "Department" – Illinois Department of Transportation
- "Randolph-Sheppard Act" – the Randolph-Sheppard Act, as amended (20 U.S.C. 107 et seq.), which governs the federal vending stand program.
- "Vending Facilities" – buildings which house vending machines.
- "Vending Machine" – a credit card, coin, or currency operated machine capable of automatically dispensing an article or product.
- "Vendor" – an individual who has been licensed by the Illinois Department of Human Services (IDHS) in accordance with Section 650.50 of the Vending

44 Facility Program for the Blind (89 Ill. Adm. Code 650) pursuant to the Randolph-
45 Sheppard Vending Stand Act (20 U.S.C. 107 et seq.) or a firm or person who has
46 contracted with IDHS to operate and maintain vending machines at sites where an
47 entity is not located.

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49 **Section 534.300 Responsibilities**

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51 a) Department

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53 1) The Department will determine the location, type, and appearance of rest
54 area vending facilities and provide for the installation and maintenance of
55 water lines and electrical connections to the vending facilities.
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57 2) Department will provide for the design, construction, and maintenance of
58 vending facilities with full consideration and accommodation for persons
59 with disabilities in accordance with the federal and State laws and
60 regulations.
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62 3) The Department will provide advanced highway signing alerting motorists
63 about the vending facilities to be located on existing rest area
64 informational signs, in conformance with the Illinois Manual on Uniform
65 Traffic Control Devices.

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67 b) IDHS

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69 1) The IDHS shall assign vendors to operate vending machines at rest areas
70 under the jurisdiction of the Department by executing written contracts
71 consistent with this Part and Section 9-113.1 of the Code.
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73 2) The IDHS shall submit to the Department vendor name and contact
74 information for each location.
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76 3) The IDHS shall install vending equipment and appurtenances only in
77 Department approved vending location and maintain them in good
78 working order.
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80 4) The IDHS shall provide adequate means for rest area patrons to purchase
81 goods by credit card, debit card, or cash. Money changing machines in
82 good working order may be provided by IDHS if deemed beneficial and
83 there is adequate space.
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85 5) To the extent that federal funds are involved, all contracts between IDHS
86 and any vendor shall include nondiscrimination provisions in accordance

87 with the State assurance with regards to the Civil Rights Act of 1964 (42
88 U.S.C. 2000d-2000d-5), Landscape and Roadside Development (23 CFR
89 752.8(c)(6)), and the Rehabilitation Act of 1978 (29 U.S.C. 794).
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91 c) Vendors

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- 93 1) The vendor shall pay for all metered utilities if applicable.
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- 95 2) The vendor shall be responsible for the operation, maintenance, and
96 security of vending machines located at rest areas.
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- 98 3) The vendor shall service vending facilities to ensure, except for conditions
99 resulting from acts of God such as tornados, flooding, earthquakes, etc.,
100 that the services are available to rest area patrons 24 hours a day, 365 days
101 a year.
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- 103 4) The vendor shall limit vending items to hot and cold nonalcoholic
104 beverages, candy, gum, snacks, sandwiches, soups, ice cream, and sundry
105 items. Sundry items include non-food items that can be dispensed by
106 machines such as newspapers, fingernail clippers, pencils, and tissues. All
107 beverages shall be dispensed in cans or bottles except for hot beverages
108 and soups. No glass containers, petroleum products, or vehicle parts shall
109 be dispensed. All products shall be clearly marked with prices.
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- 111 5) The vendor shall comply with all laws and regulations regarding licensing
112 by public health departments and other agencies responsible for the
113 regulation of the vending business as explained in Section 650.80 of
114 Licensing of Vendors (89 Ill. Adm. Code 650.80).
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- 116 6) The vendor shall provide an effective method and conspicuously display
117 the process for the return of lost monies to patrons through one of the
118 following methods:
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- 120 A) Refunds made directly to the customer by the vendor or the
121 vendor's employee.
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- 123 B) Refund request cards which can be mailed by the customer to an
124 address specified by IDHS pursuant to Section 650.160 of Vending
125 Facilities in Rest Areas (89 Ill. Adm. Code 650.160). The cards
126 will identify the vending machine that did not operate properly, the
127 date, time, and type of problem. IDHS will determine whether the
128 refund request is valid and will handle the refund.
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- C) When complaints exceed one per day and have to do with the quality of service or goods, the activities of vendor employees, or return of lost monies, the vendor shall make improvements in vending operations to reduce the number of complaints to less than one per day.
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- 7) The vendor shall provide the Department 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 personnel are present at the rest area. The vendor's name and contact information shall be displayed on vending machines.
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- 8) The vendor shall assume all responsibility for liability resulting from the operation and maintenance of vending machines.
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- 9) The vendor shall provide that personnel assigned to service vending machines at the rest area sites wear clean, professional attire approved by both the Department and IDHS as explained in Section 650.100 of Business Services (89 Ill. Adm. Code 650.100).