§ 752.6 23 CFR Ch. I (4–1–10 Edition)

at such locations where accommoda-
tions are deemed necessary. All facili-
ties within the rest area are to provide
full consideration and accommodation
for the handicapped.

(b) The State may permit the place-
ment of vending machines in existing
or new safety rest areas located on the
rights-of-way of the Interstate system
for the purpose of dispensing such food,
drink, or other articles as the State de-
determines are appropriate and desirable,
except that the dispensing by any
means, of petroleum products or motor
vehicle replacement parts shall not be
allowed. Such vending machines shall
be operated by the State.

(c) The State may operate the vend-
ing machines directly or may contract
with a vendor for the installation, op-
eration, and maintenance of the vend-
ing machines. In permitting the place-
ment of vending machines the State
shall give priority to vending machines
which are operated through the State
licensing agency designated pursuant
to section 2(a)(5) of the Randolph-

(d) Access from the safety rest areas
to adjacent publicly owned conserva-
tion and recreation areas may be per-
mitted if access to these areas is only
available through the rest area and if
these areas or their usage does not ad-
versely affect the facilities of the safety
rest area.

(e) The scenic quality of the site, its
accessibility and adaptability, and the
availability of utilities are the prime
considerations in the selection of rest
area sites. A statewide safety rest area
system plan should be maintained.

(f) Facilities within newly con-
structed safety rest areas should meet
the forecast needs of the design year.
Expansion and modernization of older
existing rest areas that do not provide
adequate service should be considered.

(g) No charge to the public may be
made for goods and services at safety
rest areas except for telephone and ar-
ticles dispensed by vending machines.

[43 FR 19390, May 5, 1978, as amended at 48
FR 38611, Aug. 25, 1983]

§ 752.6 Scenic overlooks.

Scenic overlooks shall be located and
designed as appropriate to the site and
the scenic view with consideration for
safety, access, and convenience of the
motorist. Scenic overlooks may pro-
vide facilities equivalent to those pro-
vided in safety rest area.

§ 752.7 Information centers and sys-
tems.

(a) The State may establish at exist-
ing or new safety rest areas informa-
tion centers for the purpose of pro-
viding specific information to the mo-
torist as to services, as to places of in-
terest within the State and such other
information as the State may consider
desirable.

(b) The State may construct and op-
erate the facilities, may construct and
lease the operation of information fa-
cilities, or may lease the construction
and operation of information facilities.

(c) Where the information center or
system includes an enclosed building,
the identification of the operator and
all advertising must be restricted to
the interior of the building. Where a fa-
cility is in the nature of a bulletin
board or partial enclosure, none of the
advertising, including the trade name,
logo, or symbol of the operator shall be
legible from the main traveled way.

(d) Subject to FHWA approval, States
may establish or permit information
systems within the right-of-way of fed-
erally funded highways which provide
information of specific interest to the
traveling public which do not visually
intrude upon the main-traveled way of
the highway in a manner violating 23
U.S.C. 131 and other applicable local,
State, and Federal laws, rules, and reg-
ulations.

§ 752.8 Privately operated information
centers and systems.

(a) Subject to the FHWA Regional
Administrator's approval of the lease
agreement, the State may permit
privately operated information centers
and systems which conform with the standards of this directive.

(b) There shall be no violation of control of access, and no adverse effect on traffic in the main traveled way.

(c) The agreement between the State and the private operator shall provide that:

(1) The State shall have title to the information center or system upon completion of construction or termination of the lease.

(2) Advertising must be limited to matters relating to and of interest to the traveling public.

(3) Equal access must be provided at reasonable rates to all advertisers considered qualified by the State.

(4) Forty percent or more of all display areas and audible communications shall be devoted free of charge to providing information to the traveling public and public service announcements.

(5) No charge to the public may be made for goods or services except telephone and articles dispensed by vending machines.

(6) Nondiscrimination provisions must be included in accordance with the State assurance with regard to 42 U.S.C. 2000d—2000d–5 (Civil Rights Act of 1964). The private operator may not permit advertising from advertisers who do not provide their services without regard to race, color, or national origin.

(7) The center or system shall be adequately maintained and kept clean and sanitary.

(8) The State may promulgate reasonable rules and regulations on the conduct of the information center or system in the interests of the public.

(9) The State may terminate the lease or agreement for violation of its terms or for other cause.

§ 752.10 Abandoned vehicles.

(a) Abandoned motor vehicles may be removed from the right-of-way and from private lands adjacent to Federal-aid highways for the restoration, preservation, or enhancement of scenic beauty as seen from the traveled way of the highway as a landscape or roadside development project.

(b) The State shall obtain permission or sufficient legal authority to go on private land to carry out this program. Where feasible, an agreement should be made with the owner that he will not in the future place junk, or allow junk to be placed, on his land so as to create an eyesore to the traveling public. The permission or authority and the agreement may be informal.

(c) The collection of abandoned motor vehicles from within the right-of-way must be a development project and not a maintenance operation. Once a State completes a development project for the removal of abandoned motor vehicles from within the highway right-of-way, it is obligated to continue the removal of future abandoned motor vehicles from within the development project limits without further participation.

§ 752.11 Federal participation.

(a) Federal-aid highway funds, but generally excluding Interstate construction funds, are available for landscape development; for the acquisition and development of safety rest areas, scenic overlooks, and scenic lands; for the development of information centers and systems; and for the removal of abandoned motor vehicles.

(b) Federal-aid highway funds may participate in any landscaping project undertaken pursuant to paragraph (a) of this section provided that at least