**Section 534.210 IDOT-IDORS Responsibilities**

*The IDOT has the responsibility to regulate the placement and operation of vending machines in safety rest areas constructed or located on rights-of-way of non-toll fully access controlled State highways* (Section 9-113.1(b) of the Act).

a) The IDOT shall allow for the installation of vending facilities through contracts between the IDORS and the IDOT. All such contracts shall be in writing and shall ensure retention by the IDOT of full responsibility for and control over all activities within the rest area. At a minimum, the contract with IDORS shall provide:

1) *The IDORS shall assign licensed blind vendors to operate vending machines in all safety rest areas constructed or located on rights-of-way of non-toll fully access controlled State highways* (Section 9-113.1(b) of the Act).

2) *If, after notification to all licensed blind vendors of the availability of a particular site, none is interested in operating that site, the IDORS may contract for the operation of that site by a private contractor. Any income, after deduction for cost of items, labor and a negotiated percentage of profit, shall accrue to the IDORS for the exclusive benefit of the vending facilities for the blind program or other programs of rehabilitation and training for the blind administered by the IDORS* (Section 9-113.1(b) of the Act).

3) *The IDORS shall, every three (3) years, notify licensed blind vendors of the availability of such contractually operated sites and make them available to interested blind vendors* (Section 9-113.1(b) of the Act).

4) The IDORS shall submit an annual report to the IDOT detailing gross vending sales, profits, number of persons involved in all aspects of servicing and operating the approved vending machines.

5) To the extent that federal funds are involved, all written contracts between the IDORS and any Vendor or Private Contractor shall include nondiscrimination provisions in accordance with the State assurance with regard to the Civil Rights Act of 1964 (42 U.S.C. 2000d--2000d-5), Landscape and Roadside Development (23 CFR 752.8(c)(6)), and the Rehabilitation Act of 1978 (29 U.S.C. 794).

6) *The IDOT shall not require the vending machine operators to perform any services other than those related to servicing and operating the approved vending machines* (Section 9-113.1(c) of the Act).

7) The IDOT shall determine the location, type, and appearance of vending machine facilities to be located in rest areas. The contract with IDORS shall provide:

A) The IDORS shall locate and install vending equipment and appurtenances only in vending machine facilities.

B) The IDORS shall provide money changers which are in good working order at each vending facility for use by rest area patrons.

8) The IDOT shall provide for the installation and maintenance of water lines and electrical connections to the vending facilities.

9) Vending items to be dispensed shall be limited to hot and cold nonalcoholic beverages, candy, gum, snacks, cigarettes, sandwiches, soups, and sundry items. Sundry items include non-food items that can be dispensed by machines, such as newspapers, fingernail clippers, pencils and tissues. No petroleum products or vehicle replacement parts shall be dispensed by any means at safety rest areas (23 CFR 752.5(b) (1987)). No later amendments or editions are incorporated. All beverages shall be dispensed in cans except for hot coffee, tea, chocolate, soups, milk, and fruit juices. No glass containers shall be dispensed. Newspapers shall be dispensed in separate facilities (newsracks).

10) The IDOT shall provide advance highway signing, to be located on existing rest area informational signs, in conformance with the IDOT's Illinois Manual on Uniform Traffic Control Devices (92 Ill. Adm. Code 546). The IDOT shall provide signs at shelters identifying the Illinois Department of Rehabilitation Services as the agency providing vending machines.

11) All Vendors or Private Contractors selected by the IDORS for the operation of vending facilities at safety rest areas pursuant to the provisions of Section 9-113.1 of the Act shall conform with the requirements specified in this Section, and IDORS will include with its agreement with the Vendor or Private Contractors the following:

A) The Vendor or Private Contractor shall pay for all metered utilities used for vending facilities located at rest areas under the provisions of Section 9-113.1 of the Act.

B) The Vendor or Private Contractor shall be responsible for the operation, maintenance, and security of vending machines located at rest areas.

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 goods, the activities of Vendor or Private Contractor employees, or return of lost monies, are made to IDOT or IDORS from vending customers at a vending site and the compliants exceed one per day, the Vendor or Private Contractor shall make improvements in vending operations to reduce complaints to below the occurrence of one per day.

b) The IDOT shall, in cooperation with IDORS, provide for the design, construction, and maintenance of vending machine facilities with full consideration and accommodation for the handicapped (23 CFR 752.5(a) (1987)) in accordance with the rules of the Capital Development Board at 71 Ill. Adm. Code 400 (Illinois Accessibility Code). No later amendments or editions are incorporated.

(Source: Amended at 13 Ill. Reg. 19745, effective November 29, 1989)