

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 16—Rest Areas

PROPOSED AMENDMENT

7 CSR 10-16.020 Definitions. The Missouri Highways and Transportation Commission is amending section (1) and subsections (1)(A) through (1)(I), deleting subsection (1)(D) and relettering as necessary.

PURPOSE: This amendment incorporates federal statutes consistent with section 536.031.4 RSMo., deletes an unnecessary definition for newsrack, updates the definitions for publication vending machine and publication vending machine bin, and deletes unnecessary restrictive wording.

(1) Definitions. When used in administrative rules 7 CSR 10-16.020 through 7 CSR 10-16.050, *[the following]* **these** words and phrases have the **following** meaning *[set forth in this rule]*:

(A) “Commission” *[means]* - the Missouri Highways and Transportation Commission, and where appropriate, its authorized agents and representatives in the Missouri Department of Transportation;

(B) “Licensee” *[means]*- *[the Association of Sheltered Workshop Managers, Inc., a not-for-profit Missouri organization, or] a [successor] public agency or private not-for-profit entity which contracts with the commission [, if the Association of Sheltered Workshop Managers, Inc. should ever cease to be the licensee at its own election or at the election of the commission];*

(C) “License fee” *[means]* - the fee charged by the commission’s licensee to a publisher or the publisher’s agent to lease *[publication vending machine]* space in a commission publication vending machine *[bin]*;

[(D)] “Newsrack” means any self-service or coin-operated box, container, storage unit, or other dispenser owned, installed, used, and maintained by a publisher for the display, sale, and/or distribution of publications in a rest area;]

[(E)](D) “Publication” [means] - a newspaper, pamphlet, newsletter, or magazine printed and distributed to convey news and information or other matters of public interest, which may include advertisements;

[(F)](E) “Publication vending machine” or “machine” [means the individual units owned and installed by the commission in the publication vending machine bin and in which only one (1) publication may be offered for sale;] - the device owned and installed by the commission, at its own discretion, at rest areas which is capable of holding one (1) or more publication vending machine bins;

[(G)](F) “Publication vending machine bin” or “bin” [means] – [the device owned and installed by the commission, which is capable of holding up to four (4) publication vending machines and is placed at the rest areas in the sole discretion of the commission for the purpose of leasing space to a licensee or a publisher or its agent to sell publications;] the individual units owned and installed by the commission for a publisher to distribute a single publication;

[(H)](G) “Publisher” [means] - any person who has paid a license fee to the commission’s licensee to lease [publication vending machine space in commission-owned machines] a bin to

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[sell] distribute its publication; and

[(1)] **(H)** “Rest area” [or “rest and recreation area” means] - a commission roadside facility along a Missouri interstate highway with parking facilities for the rest, safety, or other needs of motorists. This term includes the facilities described in sections 226.750 through 226.790, RSMo, and in Title 23, *United States Code* section 111(b). **Title 23 U.S.C. section 111(b) is incorporated by reference into and made a part of this rule as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington, D.C. 20402-0001, website: <http://bookstore.gpo.gov> on January 1, 2012. This rule does not incorporate any subsequent amendments or additions to the United States Code in 23 U.S.C. 111(b).** This term [shall] also includes any **commission-designated welcome center** facility [located in Missouri designated as a welcome center or tourist information center by the commission].

AUTHORITY: section 29 of Art. IV, Mo. Const., sections 226.020, 226.150, 226.750–226.790, and 227.030, RSMo 2000, Title 23, United States Code section 111(b), and Title 23, Code of Federal Regulations part 752. Emergency rule filed Jan. 19, 1996, effective Feb. 1, 1996, expired July 29, 1996. Original rule filed Jan. 16, 1996, effective July 30, 1996. Rescinded and readopted: Filed July 2, 2010, effective Feb. 28, 2011. Amended: Filed February 9, 2018.*

**Original authority: 226.020, RSMo 1939; 226.150, RSMo 1939, amended 1977; 226.750–226.790, RSMo 1965; and 227.030, RSMo 1939.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission. Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*