



Highway Maintenance Manual
Chapter 08 Roadside Facilities
Section 05 Rest Area Maintenance
Subject 01 Restricted and Permitted Uses

Bureau of Highway Maintenance
September 2026

1.0 General Policy

Roadside sites are provided for the safety, comfort, convenience and enjoyment of the traveling public. Vehicle parking at these sites is allowed for a reasonable length of time when using the facilities (restrooms, picnic tables, pet walking areas and drinking fountains). Activities, which are not safety-related, are not compatible with the intended use of the roadside site.

2.0 Restricted Uses

1. Camping on Highway

Under Wisconsin Statutes, section 86.025, it is unlawful for any person to camp on public highways or adjacent lands.

2. Sale or Serving of Food, Beverages, Products and Services

Due to state statute limitations (Wisconsin Statutes, section 84.25 (11)), Federal rules (23 CFR Chapter 1, Part 752.5), the limited parking capacity and other accommodations at safety rest areas and waysides, and the question of liability for incidents or damages resulting from various activities, permission will not be granted to any individuals or groups to provide for the sale of food, beverages, products or services to motorists in any roadside site, except in the following cases.

a. Exception: Safety Break Program

Authorization may be given, by permit from the Region Maintenance Office, to nonprofit organizations to organize safety breaks and serve free non-alcoholic beverages (coffee, soft drinks, etc.) to the traveling public. The specific activity must relate to highway safety. Distribution of safe driving literature is allowed. Each request to conduct a safety break is considered on an individual basis. Permits are issued on a first-come, first-served basis. Permits will not be issued to any permitted for more than four (4) consecutive days per permit. Applications must be submitted within 30 days of the desired dates. Such activities should only be permitted at rest areas and waysides that can accommodate the activity safely without overcrowding or disrupting the facility or the parking, sidewalk or lawn areas. Organizations may accept unsolicited donations from the public for the safety break service. The safety break activity may be advertised only in its immediate area, i.e. at the safety break table or booth and not in advance of the entrance.

Frequently, a number of other conditions govern each proposed activity. It is the responsibility of the party obtaining the permit to conform to all specific limitations.

Copies of the "Application/Permit to Serve Refreshments in Roadside Sites Safety Breaks" (Form No.DT1815) (Replaces EM1001) are available from the DOT Region Maintenance Office. (A sample of the permit application follows this policy.) The Region Office shall provide the Bureau of Highway Maintenance with a copy of the approved permit for each occurrence.

b. Exception: Vending Machine Operation

Vending machines are installed at rest areas under an interagency agreement between the Department and the Department of Workforce Development (DWD). Refer to Guideline 08-05-05 for further discussion of vending machines. This agreement is reviewed every five years by the Bureau. For the purpose of this policy, "vending machine operation" shall include machines for the sale of beverages, snacks, or other articles as the department determines are appropriate and desirable.

c. Coexistence of Vending Machines and the Safety Break Program

When the vendor and the safety break group are able to reach a cooperative agreement to coexist at a site, then they both are allowed to continue.

If a cooperative agreement is not reached, at sites where:

- Vending machines are now being operated and safety breaks have not occurred, safety breaks will be permitted;
- Vending machines are now being operated and safety breaks have occurred, safety breaks will be permitted to continue;
- Vending machines are not being operated and safety breaks have occurred after the date of the original vending machine agreement with the Department of Health and Social Services (August 20, 1990), safety breaks will be permitted to continue; and
- Vending machines are not being operated and safety breaks have not occurred prior to August 20, 1990, safety breaks will be permitted until vending machines are installed at the site.

d. Exception: Newspaper Vending Machines

Newspaper vending machines may be allowed in rest areas. Newspaper vending machines may be allowed at other, non-controlled access roadside sites, such as waysides or park/ride lots provided the location does not present a safety hazard. Refer to Guideline 08-05-05 for further discussion of newspaper vending machines.

e. Exception: Distribution of State Products

The distribution of free edible, non-alcoholic Wisconsin products (such as milk, cheese, cranberry juice, etc.) at safety rest area or waysides is allowed by permit (Form No. DT1815) from the Region Maintenance Office.

3. Geocaching

Geocaching is considered an adventure game for GPS users and exists in many different variations but can be separated into two general categories: traditional geocaching and virtual geocaching.

With traditional geocaching, the basic idea is to have individuals or organizations set up “caches” in various places and share the locations of these caches on the Internet. The caches are often small metallic or plastic boxes placed in less than obvious places on a site. While caches may not appear to pose a threat, do not assume any such item found is harmless. Contact authorities to secure and remove such items from the site.

With virtual geocaching, there is not a physical item called for or required to be placed at any location. The “cache” is completely digital and can only be accessed via the internet.

At roadside facilities, traditional geocaching is not permitted due to the risk of property damage when the cache is placed on site, and the risk of injury from people placing or seeking the cache. Any traditional geocaching activity already initiated must be terminated immediately at all roadside facilities.

Virtual geocaching at roadside facilities is not permitted without prior approval from the Bureau of Highway Maintenance (BHM). This approval is completed by BHM on a case-by-case basis. The request for virtual geocaching approval must include at least the following six pieces of information:

- a. The topic of the virtual cache and why a roadside facility was used as the location of the virtual cache.
- b. Duration of how long the virtual cache will remain in place.
- c. Online location where the virtual cache will be accessed.
- d. Description of how this activity will not interfere with the normal use of the roadside facility by the travelling public.

- e. Confirmation that this activity will not place any physical item at the roadside facility.
- f. Confirmation that if a person is directed or encouraged to visit the roadside facility to find out more about the topic of the virtual cache, the location the person will need to go is located within the regularly maintained areas of the roadside facility.

4. Recreational Metal Detecting:

The recreational use of metal detectors by the public at a roadside facility is not allowed. The recreational use of metal detectors is not a safety-related activity and is not compatible with the intended use of the roadside facility.

3.0 Emergency Phone Numbers

Emergency numbers, 911 or otherwise, should be posted in noticeable locations in the rest area lobbies or on information boards in waysides.

4.0 Information Boards

Maps, posters and travel information will be provided and/or authorized by the Bureau of Highway Maintenance for posting in map cases or on information boards. The posting of travel information by local groups such as a local tourism promotion committee is considered on a case-by-case basis. Groups may submit copies of their proposed postings and, if approved, only post generic travel information. No commercial advertising is allowed.