



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Jim Justice
Governor

Thomas J. Smith, P. E.
Secretary of Transportation/
Commissioner of Highways

August 28, 2017

MEMORANDUM

TO: ALL DISTRICT ENGINEERS/MANAGERS

FROM: THOMAS J. SMITH, P. E.
SECRETARY OF TRANSPORTATION/
COMMISSIONER OF HIGHWAYS

SUBJECT: REVISED POLICY ON SAFETY BREAKS
SERVING COFFEE AND SMALL FOOD ITEMS
AT REST AREAS/WELCOME CENTERS

Due to an increasing number of requests some districts are receiving for the use of our rest areas and welcome centers to host safety coffee breaks, it has been determined that additional guidance is needed on the eligibility along with the requirements if an organization is selected.

A. GENERAL

1. Permission may be granted for use *ONLY* during the following holiday weekends (Saturday and Sunday)

New Year's Eve and Day
Easter
Mother's Day
Memorial Day
Father's Day

Independence Day
Labor Day
Thanksgiving
Christmas Eve and Day
1st Day Buck Gun Season

2. Drawings for safety break activities are limited to the above specified dates with the following exceptions:
 - a. When a holiday is on a Sunday, the district is to draw one group for both Saturday and Sunday. Examples: Easter, Mother's Day and Father's Day.
 - b. When the holiday creates a long weekend, the district may elect to draw two groups (Friday/Saturday and Sunday/Monday). Examples: Memorial Day, Labor Day.

- c. Thanksgiving – the district may elect to draw two groups (Thursday/Friday and Saturday/Sunday).
3. As denoted in Item 2, the district should attempt to provide each group with a two-day event. When the holiday is a four-day event, the district should divide the time into two days and select two groups.
4. Any other days with extraordinary high traffic volumes may only be considered with prior written approval of the State Highway Engineer.
5. Organizations are limited to a maximum of two events per year provided, however, that all other eligible organizations have participated in one event.
6. Organizations are not eligible for more than two consecutive years.
7. Food items shall be limited to only small baked goods (cookies, brownies, etc.) and coffee. At no time shall food be prepared on-site nor may any other beverages be offered to visitors.

B. ELIBIBILITY

Organizations that desire to sponsor a safety break activity shall meet all of the following requirements:

1. Groups must be non-profit organizations with identifiable safety programs targeting transportation (i.e., bicycle, automobile, pedestrian, ATV, etc.) or participate in the Adopt-A-Highway Program.
2. Activity must be conducted for the express promotion of safety and not as an advertisement or solicitation for funds for the organization.
3. Only organizations with meeting sites located within the State shall be eligible for participation.

C. SELECTION

- 1. Each district shall provide public notice that the agency will accept written applications in December of year. The notice will include the requirements, the anticipated dates that will be available, et., or where such information may be obtained.**
- 2. Each applicant shall indicate they (a) meet the eligibility requirements; (b) identify the transportation safety program they sponsor; (c) comply with all federal and state regulations, and (d) that the Division shall be held harmless from any incidents that may occur or result from the activity. Organizations must be agreeable to accepting any holiday for which their name is selected.**
- 3. In the application, the organization shall identify the products to be offered. Food items shall be limited to only small pre-wrapped baked goods (cookies, brownies, etc.) and coffee. At no time shall food be prepared on-site nor may any other beverages be offered to visitors.**
- 4. The district shall acknowledge the application and indicate either acceptance or rejection of the letter. If accepted, the response shall include the logistics for the scheduled drawing.**
- 5. The district shall conduct the public drawing of all eligible organizations by the end of January at the county maintenance office closest to the rest area/welcome center.**
- 6. When all holidays have been selected, the district may elect to select two additional organizations to be substitutes.**
- 7. Upon completion of the drawings, all participants will be provided written notice of those organizations selected.**
- 8. Should an organization be unwilling to accept their selected date or find that they cannot provide the activity; a written letter must be submitted 30 days prior to event. Failure to do so will result in the organization receiving written notice that they are prohibited from future selection for a minimum of two years.**

D. OPERATION

- 1. During the safety break, no more than six members may be present at any given time. If members are under the age of eighteen, an additional two adults must be present for supervision.**
- 2. The activity must be conducted within the confines of the rest area property. The activity cannot be located inside the building and must be at least one hundred feet (100') from the entrance to the rest area structure. The organization shall not impede the traffic flow into the facility or obstruct the use of any amenities provided at the facility including vending machines, telephones, etc. The specific location for the activity shall be established by the responsible district personnel.**
- 3. Members shall stay within the confines of the immediate activity and may not advertise nor solicit drivers from the highway.**
- 4. All signs (a) shall be located within the immediate area of the activity and (b) must state the organization and that all products are free. A discreet donation basket is allowed.**
- 5. No alcoholic beverages/illegal substances may be present and no members shall be present if they are under the influence of such items.**
- 6. Organization shall provide plastic bags for trash disposal. The organization shall dispose of any debris only at places designated by district personnel.**
- 7. Upon completion of the break, the organization shall remove all signs, etc. indicating that the activity occurred.**
- 8. Division personnel shall have the right to immediately close the break for violation of the policy.**
- 9. With written notification, the District Engineer/Manager shall have the sole discretion to either invoke a temporary suspension or permanently bar an organization for continued or egregious conduct or violation of the policy.**

ALL DISTRICT ENGINEERS/MANAGER

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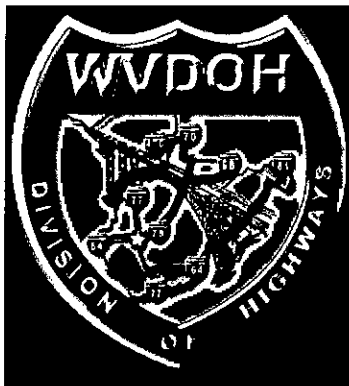
E. DOH ACTIVITIES

- 1. The only mainline signing permitted announcing the activity shall be installed by the DOH.**
- 2. Personnel will monitor the site for compliance and have the authority to immediately close the activity with the approval of the District Engineer/Manager.**

The District Engineer/Manager shall have sole discretion to assure the safety of the traveling public.

TJS:Bj

cc: AC, CH, CHH, HO, OM



SAFETY BREAK APPLICATION

1. NAME OF ORGANIZATION: _____

CIVIC & NON-PROFIT ORGANIZATION ☐ YES ☐ NO
(Applicant must qualify as both civic & nonprofit)

2. OFFICIAL MEETING LOCATION: _____

3. SAFETY PROGRAM SPONSORED: _____

DATE & LOCATION OF PROGRAM: _____

4. IF SELECTED, ITEMS PROPOSED TO BE OFFERED: _____

(No food items may be prepared on site. Food items are limited to *only* small pre-wrapped baker goods and coffee.)

By submission of this application, the applicant acknowledges that the organization will comply with all federal and state laws and that the Division of Highways shall be held harmless from any and all claims occurring or arising out of this event.

Furthermore, by submission, the organization indicates agreement to any date selected by the Division of Highways and is agreeable to the terms and conditions of the "Policy on Safety Breaks Serving Coffee & Small Food Items at Rest Areas/Welcome Centers."

Contact Information

Telephone: _____

DOH DISTRICT CONTACT INFORMATION

DISTRICT	COUNTIES	ADDRESS	TELEPHONE
1	BOONE, CLAY, MASON, KANAWHA, PUTNAM	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS 1340 SMITH STREET CHARLESTON, WV 25301-1492	(304) 356-3001
2	CABELL, LINCOLN, LOGAN, MINGO, WAYNE	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS PO BOX 880 HUNTINGTON, WV 25712-0880	(304) 528-5625
3	CALHOUN, JACKSON, PLEASANTS, RITCHIE, ROANE, WIRT, WOOD	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS 624 DEPOT STREET PARKERSBURG, WV 26101	(304) 420-4595
4	DODDRIDGE, HARRISON, MARION, MONONGALIA, PRESTON, TAYLOR	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS PO BOX 4220 CLARKSBURG, WV 26302-4220	(304) 842-1500
5	BERKELEY, GRANT, HAMPSHIRE, HARDY, JEFFERSON, MINERAL, MORGAN	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS PO BOX 99 BURLINGTON, WV 26710-0099	(304) 289-3521
6	BROOKE, HANCOCK, OHIO, MARSHALL, TYLER, WETZEL	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS 1 DOT DRIVE MOUNDSVILLE, WV 26041-01605	(304) 843-4008
7	BARBOUR, BRAXTON, GILMER, LEWIS, UPSHUR, WEBSTER	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS PO BOX 1228 WESTON, WV 26452-1228	(304) 269-0400
8	PENDLETON, POCAHONTAS, RANDOLPH, TUCKER	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS PO BOX 1516 ELKINS, WV 26241-1516	(304) 637-0220
9	FAYETTE, MONROE, GREENBRIER NICHOLAS, SUMMERS	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS 146 STONEHOUSE ROAD LEWISBURG, WV 24901	(304) 647-7450
10	MCDOWELL, MERCER, RALEIGH, WYOMING	SAFETY BREAK COORDINATOR WV DIVISION OF HIGHWAYS 270 HARDWOOD LANE PRINCETON, WV 24740	(304) 487-5228