
154th Congress
1st Session



IN THE CONGRESS OF THE UNITED STATES

April 30th, 2022

Mr. Sullivan of Olympia (for himself,) introduced the following
legislation;

A BILL

*To repeal sections of Title 23, Chapter 1, Section 111 of the US Code, in order to create Rest
Stop Equality between states and relieve State Budgets*

*Be it enacted by the Senate and the House of Representatives of the United States of America
in Congress Assembled,*

Sec. 1. Short Title

1. This legislation may be cited as "The Rest Stop Equality Act of 2022"

Sec.2. Amending Title 23

1. [Title 23, Chapter 1, Section 111](#), Subsection a of the United States Code is amended to read as follows:
“All agreements between the [Secretary](#) and the [State transportation department](#) for the [construction](#) of [projects](#) on the [Interstate System](#) shall contain a clause providing that the [State](#) will not add any points of access to, or exit from, the [project](#) in addition to those approved by the [Secretary](#) in the plans for such [project](#), without the prior approval of the [Secretary](#). ~~Such agreements shall also contain a clause providing that the [State](#) will not permit automotive service stations or other commercial establishments for serving motor vehicle users to be constructed or located on the~~

~~rights-of-way of the Interstate System and will not change the boundary of any right-of-way on the Interstate System to accommodate construction of, or afford access to, an automotive service station or other commercial establishment.~~ Such agreements may, however, authorize a State or political subdivision thereof to use or permit the use of the airspace above and below the established grade line of the highway pavement for such purposes as will not impair the full use and safety of the highway, as will not require or permit vehicular access to such space directly from such established grade line of the highway, or otherwise interfere in any way with the free flow of traffic on the Interstate System. Nothing in this section, or in any agreement entered into under this section, shall require the discontinuance, obstruction, or removal of any establishment for serving motor vehicle users on any highway which has been, or is hereafter, designated as a highway or route on the Interstate System (1) if such establishment (A) was in existence before January 1, 1960, (B) is owned by a State, and (C) is operated through concessionaries or otherwise, and (2) if all access to, and exits from, such establishment conform to the standards established for such a highway under this title.”

Sec.3. Allowing Food Concessions in Rest Areas

1. [Title 23, Chapter 1, Section 111](#), Subsection b is amended —
 - a. by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and
 - b. by inserting after subparagraph (C) the following:

“(D) concessions, including restaurants, food services, and convenience stores.
2. [Title 23, Chapter 1, Section 111](#), subsection b, line 4, is amended by adding at the end the following: “Notwithstanding the preceding sentence, a State may use revenues received from concessions under paragraph (2)(D) to support any program authorized under this title.”

Sec.4. Severability

1. Should any one or more provision, section, subsection, sentence, clause, phrase, word, application of this Act be deemed invalid or unconstitutional for any reason in a court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected.

Sec.5. Enactment

The provisions of this Act shall go into effect immediately upon passage

*Written by (Rep. Dan Sullivan) for Congress' use
Credit for Section 3 of my Act goes to Representative Jim Banks (R-IN). It is taken from his bill, [H.R.1990](#), that was proposed in the 115th United States Congress.*

Thanks to Reason Think Tank for publishing an [Amazing Paper](#) that allowed me to further research and examine this issue. In particular, Part 2 of their paper was very useful in determining which specific section of Title 23, Section 111 was at fault for this horrific regulation.

Other Relevant Articles:

[-As Some States Close Highway Rest Stops, Others See Roadside Revenue](#) (Pew)

[-Why Old-Fashioned Highway Rest Stops are Disappearing](#) (WKYC, OH)

[-Report: Time to end ban on commercial services at Rest Areas](#) (LandLine, A Trucking News Outlet)

I came up with the idea when wondering why southern rest stops were so much worse on my trip from NY to FL on the I-95.

God Bless America.