

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

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1991 APR -3 PM 3:39
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: Department of Administration TITLE NUMBER: 148

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 6

TITLE OF RULE BEING PROPOSED: Parking

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) Senate Bill 637

SECTION 64-2-7 (b), PASSED ON March 9, 1991

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: APRIL 3, 1991

C. W. Pol

148 CSR 6

TITLE 148
LEGISLATIVE RULES
DEPARTMENT OF ADMINISTRATION

SERIES 6

PARKING

§148-6-1. General.

1.1 Scope.--This Legislative Rule provides for the regulation of parking of motor vehicles by the Secretary of the Department of Administration on property owned by the State of West Virginia in the city of Charleston, Kanawha County, West Virginia, including penalties.

1.2 Authority.--West Virginia Code §5A-4-5.

1.3 Filing Date.--

1.4 Effective Date.--

§148-6-2. Parking Areas.

2.1 General.--Parking on the following property owned by the State of West Virginia in the city of Charleston, Kanawha County, West Virginia shall be subject to these regulations:

(a) East side of Greenbrier Street between Kanawha Boulevard and Washington Street, East;

(b) West side of California Avenue between Kanawha Boulevard and Washington Street, East;

(c) State-owned grounds upon which state office building number three (3) is located;

(d) State-owned grounds upon which state office building number four (4), 112 California Avenue, is located;

(e) Parking garage at 212 California Avenue and upon the state-owned grounds upon which such parking garage is located;

(f) State-owned property at Michigan Avenue and Virginia

Terrace; and

(g) Any other property now or hereafter owned by the State and used for parking purposes in conjunction with the state capitol or state office buildings three (3) and four (4), including the Laidley Field complex.

The Secretary of Administration shall also have the authority to designate any area enumerated in this section as a parking or non-parking area, as he/she determines for the conduct of business at the capitol complex on a daily basis or for special occasions, as they may arise, except as provided in Section 2.2 of this rule.

2.2 Legislative Sessions.--During sessions of the Legislature, including regular, extended, extraordinary and interim sessions, parking in the following areas shall be designated parking for legislators and employees of the Legislature and subject to rules and regulations promulgated jointly by the Speaker of the House of Delegates and President of the Senate:

(a) East side of Greenbrier Street between Kanawha Boulevard and Washington Street, East;

(b) Science and Culture Center parking lot;

(c) North side of Kanawha Boulevard between Greenbrier Street and California Avenue; and

(d) West side of California Avenue between Kanawha Boulevard and Washington Street, East.

§148-6-3. Parking Guards.

The Secretary of Administration shall employ such persons as he/she considers necessary to enforce these parking regulations. The persons employed by the Secretary shall have authority to direct traffic and issue tickets in violation of these regulations, as well as such other authority as determined by the Secretary.

§148-6-4. Metered Parking.

The Secretary of Administration may install parking meters in any areas designated for parking he/she deems prudent to permit convenient parking spaces for visitors to the capitol. The amount to be charged for parking at meters shall be determined by the Secretary.

§148-6-5. Parking for state officers and employees.

Parking for state officers and employees shall be provided to state spending units by the Secretary of Administration in areas and numbers determined by the Secretary for that purpose. The spending unit shall issue individual parking spaces in accordance with the parking allocation policies of the spending unit, subject to these regulations. Fees for each parking space shall be fifteen dollars (\$15.00) per month and payment shall be made through payroll deduction, unless otherwise authorized by the Secretary.

§148-6-6. Violations.

6.1 General.--The owner of any motor vehicle parked in violation of this rule shall be subject to the penalty specified in Section 7 of this rule and shall be responsible for the payment of any fines, penalties or costs assessed, regardless of whether the owner was operating the motor vehicle at the time of the violation. The Secretary may waive such violation and assessed fines, penalties and costs, in his discretion. Further, the Secretary may authorize the removal, at owner expense, of any motor vehicle parked in violation of these regulations.

6.2 Metered Parking.--The owner of a motor vehicle parked at a parking meter with elapsed time during the hours of 9:00 a.m. through 4:00 p.m. Monday through Friday, except holidays, shall be subject to an overtime parking fine in accordance with Section 7 of these regulations. Motor vehicles ticketed between 9:00 a.m. and 12:00 noon may be ticketed again between the hours of 1:00 p.m. and 4:00 p.m., with each ticket containing an overtime parking fine in accordance with Section 7 of these regulations. In no event may a singular vehicle at a single parking meter be ticketed more than twice in one working day.

§148-6-7. Penalties.

7.1 Fines.--Violations of these regulations are subject to the following fines:

Handicapped.	\$25.00
Legislative Parking Area	4.00
Reserved Parking Area.	4.00
Parking in Travel Lane	4.00
Overtime Parking	3.00
No Parking Zone.	3.00
Improper Parking	3.00
Car Pool Area.	3.00
Outside Spending Unit Area	3.00
Other.	3.00

7.2 Payment.--Payment of fines shall be made within seventy-two (72) hours of the time the ticket was issued to either the ticket receipt boxes provided by the Department of Administration or to the address printed on the ticket. Fines not paid within seventy-two (72) hours shall be subject to an additional fine not to exceed five dollars (\$5.00). A summons may be issued for tickets not paid within fourteen (14) days.

7.3 Jurisdiction.--Magistrates in Kanawha County, West Virginia shall have jurisdiction of violations and offenses of these regulations.

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

ROBERT E. WILKINSON
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STATE OF WEST VIRGINIA
SECRETARY OF STATE

Charleston 25305

WILLIAM H. HARRINGTON
Chief of Staff

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1992 FEB - 7 PM 3:04
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE
JUDY COOPER
Director, Administrative Law
DONALD R. WILKES
Director, Corporations
SHEREE COHEN
Special Assistant

(Plus all the volunteer
help we can get)

TO: Diana Stout

AGENCY: Department of Administration

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: January 13, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 6 TITLE: Parking

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Diana Stout

TITLE OF PERSON SIGNING: GENERAL COUNSEL

DATE: 1-27-92

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____