

The State of North Carolina

Rules and Regulations Governing State-Owned Parking Facilities



RULES AND REGULATIONS GOVERNING STATE-OWNED PARKING LOTS

STATUTORY PROVISION

These rules and regulations are established under authority contained in Chapter 143 of the General Statutes of North Carolina, and in particular, G.S. 143-340 (18) and (19) which read as follows:

“S 143-340 Powers and duties of the Secretary – The Secretary of Administration has the following powers and duties:

(18) To adopt reasonable rules and regulations with respect to the parking of automobiles on all public grounds, subject to the approval of the Governor and Council of State, and to enforce those Rules and Regulations. Any person who violates a rule or regulation concerning parking on public grounds is guilty of a misdemeanor, and upon conviction is punishable in the discretion of the court. Upon the allocation of parking spaces to any agency pursuant to such Rules and Regulations, the agency shall adopt written guidelines governing the individual assignment of such parking spaces by the agency. Such guidelines shall give first priority treatment to the physically handicapped and to car poolers and van poolers; however, first priority shall be given to those on call for duty at a time other than normal working hours. A copy of said guidelines shall be made available for inspection by any person upon request.

(19) Any motor vehicle parking in a state-owned parking lot, when such lot is clearly designated as such by a sign no smaller than 24 inches by 24 inches prominently displayed at the entrance thereto, in violation of “Rules and Regulations Governing State-Owned Parking Lots” dated September 1968 or as amended, may be removed from such lot to a place of storage and the registered owner of that vehicle shall become liable for removal and storage charges. Any person who removes a vehicle pursuant to this section shall not be held liable for damages for the removal of the vehicle to the owner, lien holder, or other person legally entitled to the possession of the vehicle removed; however, any person who intentionally or negligently damages a vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury upon any person in the removal of such vehicle, may be held liable for damages. Any motor vehicle parked without authorization on State-owned public grounds under the control of the Department of Administration other than a designated parking area may be removed from that property to a storage area and the registered owner of the vehicle shall be liable for removal and storage fees.”

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I. Definitions

- A. Carpool – An organized group of three or more State employees who regularly ride together in one vehicle and share the use of a common parking space.
- B. Department Parking Coordinator – The individual in each department of State Government as designated by the department head that is responsible to fulfill the requirements of the Rules and Regulations.
- C. Elected Official – Any person holding an elective office by popular vote by the people of North Carolina.
- D. Fire Lane – Any area specifically marked, striped, signed or designated where vehicles are prohibited from parking, and/or any area in which direct and immediate access to a fire hydrant or fire fighting apparatus would be blocked by a parked vehicle.
- E. Honorees and Appointees – Any person who is to be specifically recognized by the Governor with a mark, token, plaque or gesture of respect or distinction or any person who is appointed by the Governor or the Governor's designee to serve on a Board or Commission in an unpaid status.
- F. Lessee – Any person to whom a parking space is leased.
- G. Loading Zone – Any area designated by signs and proclaimed as use for loading and unloading materials and supplies.
- H. No Parking Area – Any area not specifically marked, striped, or designated for parking. Parallel/angled spaces must be striped on each end of parked vehicle.
- I. Parking Space/Area – Any space or area specifically set aside, marked or assigned by State Parking Division for the parking of vehicles, either permanently or temporarily.
- J. Service Personnel – Any person who is an employee of the State and whose duties include repair, maintenance or installation of equipment necessary for the continued operation of state buildings or offices or any person who have a contractual arrangement with the State for the same. Such person may remain on the premises only until such time as the requested services are completed.
- K. Service Vehicle – Any vehicle whose operator is engaged in the repair and maintenance of building service installations and/or office equipment and State Government vehicles.
- L. State – The State of North Carolina
- M. State Employee – Any person employed by the State of North Carolina or any agency or department thereof other than elected officials.
- N. State-Owned Public Grounds – All grounds owned or maintained by the State in the City of Raleigh, but does not mean any grounds which a State agency other than the Department of Administration is required by law to care for and maintain.

- O. State Parking Division – The division within the Department of Administration responsible for enforcing the Rules and Regulations Governing State-Owned Parking Lots, departmental parking space allocations, collecting and accounting for all monies garnered through assessment of parking fees for leased space and hourly visitor lots, TTA and CAT subsidy programs, transportation/ parking signage and the maintenance of State-owned parking facilities for which the Department of Administration is responsible.
- P. State Parking Division Director – The person in State Government who is responsible to fulfill the requirements of these rules and regulations and to allocate parking spaces.
- Q. Vanpool – A group of employees who arrange to commute to work in a Triangle Transit Vanpool.
- R. Vehicle Owner – The person whose name appears as owner of the vehicle title certificate issued by the Department of Motor Vehicles.
- S. Visitor Lot – An area specifically set aside for public use and for which an hourly fee is collected.
- T. Volunteer – An individual who performs services for the State without remuneration and of his or her free will.
- U. Zone/Unreserved/Unassigned Parking – A parking lot or area where parking is not individually assigned and parkers must display an appropriate parking permit.

II. Authority

- A. As provided by North Carolina General Statute Chapter 143-340 the Secretary of Administration on the authority of the Governor and the Council of State adopts these Rules and Regulations Governing State-Owned Parking Lots.
- B. The Director of State Parking Division, acting pursuant to the authority vested by the Governor, Council of State and the Secretary of Administration, will exercise discretion and authority to assure the proper conduct of the necessary business of the State of North Carolina and the effective utilization and control of the available parking areas and facilities on the State government Complex for the benefit and maximum convenience of employees and visitors.
- C. The Director of State Parking Division is authorized to issue exceptions to regulations and to issue temporary regulations to allow for the benefit and maximum convenience of employees and visitors. The Director of State Parking Division retains the right to authorize or deny the use of or closing of State parking facilities. The Director of State Parking Division retains the right to remove vehicles from closed parking facilities. Exceptions to regulations and temporary regulations are valid only for when and how specified, and will not be considered precedent for future situations.

- D. Liability: The State of North Carolina assumes no liability or responsibility for damage or theft of any vehicle parked or in operation on the properties leased or under the control of the State of North Carolina.
- E. The provisions of Rules and Regulations Governing State Owned Parking Lots will apply to all State employees, visitors, vendors and contractors, as well as the operators of all vehicles whether public or private, and they will be enforced 24 hours a day except as herein provided. It will be unlawful for any operator to violate any of the provisions except as otherwise permitted in the Rules and Regulations Governing State-Owned Parking Lots or the General Statutes of North Carolina.
- F. The operator of any vehicle will obey the lawful instruction of any law enforcement officer and any official traffic signs or control devices appropriately placed and in accordance with the provisions of these regulations. Whenever such regulations do not state that signs are required, such regulations will be in effect without signs being provided.
- G. Nothing in these regulations will be deemed to prohibit authorized vehicles of the State, or its agents, or any public utility company from making such stops as the establishment and maintenance of streets, grounds, water supply, and utility lines require. It is unlawful to drive or park a motor vehicle on sidewalk, grass, or shrubbery unless such areas are designated for parking.
- H. The State Parking Division is a receipts supported agency. Any monies collected pursuant to these regulations will be used for staffing of State Parking Division Division, planning for services, parking operations, consultants, construction and maintenance of parking facilities, and such other purposes as deemed necessary by the Secretary of Administration to carry out the parking programs of the State of North Carolina.

III. Department Authority and Responsibility

- A. It shall be the responsibility of the department head in each department of State government (or an individual appointed by the department head) to serve as parking coordinator.
- B. Each department head shall report to State Parking Division an accurate count of the number of benefits-eligible employees assigned to workstations in the State government complex no later than 30 days after the start of each fiscal year. Failure to do so may result in a reduction of the total departmental parking space allocation.
- C. Each department is required by G.S. 143-340 (18) to “adopt written guidelines governing the individual assignment of such parking spaces” allocated to the department. Such guidelines must ensure that it encompasses all requirements of **IV. Assignment of Parking Spaces**.
- D. A copy of these written guidelines for parking space assignment and waitlist management shall be provided to the State Parking Division. Should the guidelines be modified or otherwise revised, an update version shall be provided to State Parking Division.

- E. The parking coordinator shall have the following responsibilities and duties:
1. Assign and terminate individual parking spaces to eligible State employees within their respective department in compliance with the written departmental guidelines governing the individual assignment of such spaces.
 2. Ensure all lessees read and sign the lease agreement form. This form is to be held by the parking coordinator until such time as the lessee terminates the lease or the lease is terminated by State Parking Division by just cause.
 3. Ensure all forms and applications are properly submitted to payroll coordinators and the State Parking Division.
 4. Maintain secure and accurate files of parking assignments and waitlists.
 5. Coordinate parking needs with the State Parking Division.
 6. Review and reconcile any discrepancies on the computerized parking data system within five days of receipt of the end-of-month reports.
 7. Collect all funds overdue to State Parking Division by the tenth business day of each month.
 8. Request through the State Parking Division gate access to spaces assigned within gated lots/decks.
 9. Ensures transponder are collected and returned to the State Parking Division.

IV. Assignment of Parking Spaces

A. Parking for State Government Officials

1. All officials of State government who are elected to office by popular vote shall each be allocated one parking space.
2. Heads of any department, agency, or institution of State government, as designated by the Secretary of Administration, shall be allocated one parking space each.
3. Parking spaces remaining after allocation of spaces as provided in A and B will be allocated to departments of State government for their employees who have assigned workstations within the Downtown State Government Complex.

B. Parking for Downtown State Employees

1. Only employees whose office is located within the Downtown State Government Complex are eligible for parking within a State Parking Division parking facility, unless approved by the State Parking Director.
2. Only benefits eligible employees may be assigned parking.
3. Employees in formal carpools, TTA vanpools, approved for accessible parking or on call for duty at a time other than normal work hours shall receive priority over other employees within a department.
4. Interns, pages, volunteers, temporary and contract employees are not eligible for parking assignments.
5. With the exception of the initial or final payment, all employee parking payments must be payroll deducted. Employees are responsible for monthly parking fees until their space is terminated with the State Parking Division.
6. Employees may be assigned parking in either a reserved or unreserved parking facility, depending on parking availability.
7. An employee who plans to take extended medical leave for up to 3 months may continue to lease their space until they return, or allow that space to be leased to another employee until they return. An employee on medical leave for longer than

3 months must terminate their parking space. Their department should give them priority for reassignment when they return.

C. Parking for Handicapped State Employees

1. Employees who complete the *Accessibility Request Form* and are determined eligible for parking based on their need for accessibility, must be given priority by departments.
2. The parking needs of these employees must be met within their department's parking allocation if the State Parking Division does not have an appropriate space available.
3. An accessible space granted by the State Parking Division to meet the employee's needs must be returned to the State Parking Division when that employee terminates their lease.
4. Employees who receive accessible parking will pay the comparable rate as an employee who is not assigned accessible parking.

D. Parking for Departments

1. Departments may not assign a parking space in their inventory for departmental use or vehicles without the approval of the State Parking Division.
2. Parking assigned to departments will be billed on an annual basis between July 1 and June 30, unless otherwise approved by the State Parking Division.
3. Departments may not designate visitor parking. Visitors shall be directed to one of the hourly visitor lots.

E. Departmental Parking Allocations and Vacancies

1. Any parking space allocated to a department which is left unassigned for two months will be returned to the general inventory managed by the State Parking Division.
2. A space designated for a specific vacant position may be exempted from the two-month limitation at the discretion of the Director of State Parking Division provided it is at a director level or above and the exemption is requested in writing. The department is responsible for payment of the space if it is vacant at any time. Vacancy cannot exceed three (3) months or the space will be reclaimed by the State Parking Division.
3. Departments who fail to report a parking termination in a timely manner may be required to compensate the State Parking Division for any lost revenues.

F. The Director of State Parking Division determines appropriate designations and reallocation of parking spaces.

V. Visitor and Bus Parking

- A. Visitor lots are maintained for use by the public and state employees housed outside the State government complex on a first come first served basis. All persons using these facilities are expected to render payment or appropriate visitor pass upon exit.
- B. Visitor parking lot operations are 7:00 A.M. – 7:00 P.M.
- C. Reservation of visitor parking spaces is not permitted.

- D. Buses may only use the lot specifically designated for bus parking on a first come basis located at the corner of Blount and Edenton streets. Automobiles and vans with less than a 15-passenger capacity are not permitted in the bus lot. No vehicle idling is permitted.

VI. Other Designated Parking Spaces

- A. Individual parking spaces designated “Service Vehicles” and so marked are reserved for Facility Maintenance Division vehicles or contractor vehicles approved by Facilities Maintenance Division.
- B. Individual parking spaces designated as “Handicapped Parking” in visitor lots may be used by visitors with appropriate identification as defined by the Americans with Disabilities Act. These individuals will be expected to pay the appropriate hourly fee when exiting the visitor lot.
- C. Any space designed for a specific use or user must be authorized by the State Parking Division.
- D. No one may block or close a space(s) without the approval of the State Parking Division.
- E. No department or individual may place a sign in a parking space or facility without the approval of the State Parking Division.

VII. Identification of User

- A. Spaces assigned to elected officials and/or department heads of State government shall only be designated by State Parking Division.
- B. All parking lots and decks are identified by signage located at each entrance of the facility.
- C. Spaces assigned to State employees shall be designated by space number only in lots where spaces are individually assigned.
- D. All signs in State-owned parking facilities in the State Government complex must be consistent with other signage and approved by the Director of State Parking Division.
- E. Names of individual lessees shall remain confidential and shall be for the use of State Parking Division and departmental parking coordinators only.

VIII. Use of Parking Spaces

- A. Parking spaces shall not to be traded or exchanged without the approval of the State Parking Division.
- B. Employees may not sublet their parking assignment under any circumstances. Employees found in violation will have their parking assignment immediately terminated.
- C. Only employees assigned to gated parking facilities will be given access to the facility.

- D. With the exception of spaces in gated parking facilities, lessees may allow another individual to utilize their parking space when it would otherwise remain unused for up to two weeks per incident.
- E. Another individual may not utilize parking spaces in the absence of the assigned lessee without prior consent of the lessee. To do so may result in the vehicle being towed at the owner's expense.
- F. Parking assignments may be temporarily or permanently suspended when construction or repairs require a space, lot, deck or a portion thereof to be vacated. Under such circumstances State Parking Division will make a good faith attempt to provide alternate parking for the affected individuals.
- G. Parking spaces may not be used for the storage of vehicles or equipment.

IX. Enforcement/Penalties

- A. Enforcement of parking assignments is between the hours of 7:00 A.M. and 5:00 P.M. Monday through Friday. During official State holidays: New Years Day, Martin Luther King Jr's. Birthday, Good Friday, Memorial Day, Independence Day, Veteran's Day, Thanksgiving and Christmas parking assignments are not enforced.
- B. Fire lanes, no parking areas and other parking infractions as noted herein shall be enforced 24 hours a day, seven days a week.
- C. All parking spaces, unless otherwise designated, shall be available for public use outside of the normal enforcement days/hours.
- D. It shall be unlawful for any person to park a vehicle on the state complex in any area or lot except in spaces marked or designated for parking. This includes drive lanes and driveways, intersections, landscape area, and blocking of any pedestrian route or handicapped accessible route.
- E. Vehicles that appear to be "stored" in a parking lot will be towed at the owner's expense if the owner cannot be contacted or if they refuse to move the vehicle. A vehicle will be considered "stored" if it remains in a parking space for fourteen consecutive days.
- F. Notes left on vehicles or vehicles with flashers on will not exempt the vehicle from enforcement.
- G. This does not apply to the stopping of a vehicle, while actually loading or unloading passengers, yielding to an emergency vehicle, yielding to pedestrians or other traffic, following direction of a traffic sign, signal or other device, the stopping of a public conveyance or by instruction of a law enforcement officer, so long as said vehicle does not obstruct any crosswalk, disabled access point, walkway or intersection.
- H. A vehicle must always be parked in the manner and direction indicated by the parking markings and within the confines of the parking space. A vehicle may not park its wheels

into another space. Vehicles parked in such a manner are subject to towing at the owner's expense.

- I. Any vehicle parked in a "visitor parking lot" by anyone other than a true visitor of the State government complex shall be subject to towing at the owner/operator's expense.
- J. No person shall park a vehicle in spaces designated as "24 Hour Towing" unless specifically designated to use such spaces.
- K. No person may park a vehicle in any space designated for handicapped use unless the proper permit and/or NCDMV handicapped placard/plate is displayed on the vehicle.
- L. State Capitol Police shall be responsible for responding to any illegally parked vehicles subject G. S. 143-340 (19) and/or in violation of the policies set forth in these Rules and Regulations Governing State-Owned Parking Lots.
 - 1. Violations may be reported to either the departmental parking coordinator or directly to State Capitol Police.
 - 2. Displaced employees may park in an hourly visitor lot until their space has been cleared.
 - 3. The employee may exit the lot without paying a fee only if authorized by the State Parking Division.
- M. The State Parking Division may authorize a vehicle to be towed if the vehicle is parked illegally in a visitor lot or employee parking area, or in a space that is not leased or closed due to construction.
- N. Payment of towing and storage fees for vehicles removed from a parking facility due to infractions of these rules and regulations shall be the responsibility of the vehicle owner/operator.
- O. When a call is made for towing services and the operator returns to the unattended vehicle prior to actual towing, the vehicle operator shall be subject to paying a drop fee or a service fee to the towing company before the vehicle will be released.
- P. Violation of rules within the Rules and Regulations Governing State-Owned Parking Lots should be reported to the State Parking Division. It shall be the responsibility of the State Parking Division under the authority of the Director to enforce the Rules and Regulations Governing State-Owned Parking Lots as defined herein.
- Q. All of the traffic laws of the State of North Carolina and traffic ordinances of the City of Raleigh apply to the operation of a motor vehicle in State Government parking facilities.

X. Maintenance

- A. It shall be the responsibility of State Parking Division to adequately maintain all parking facilities in the State government complex within which parking spaces are leased, and that contribute to the revenue base of the parking fund.

- B. Maintenance of State-owned or leased parking facilities that do not contribute to the parking fund shall be the responsibility of the owning or leasing department.

XI. Parking Etiquette and Safety

- A. Vehicles parked in the following situations shall be subject to towing:
 - 1. Parked with a tire clearing a line into an adjacent space
 - 2. Parked in a drive lane, pedestrian access or otherwise deemed as impeding traffic flow or pedestrian safety.
 - 3. Parked in an area designated as “No Parking”.
 - 4. Parked on a landscape area.
 - 5. Parked without authorization or appropriate permit, including the Bus Parking Lot.
- B. Personal articles found in a parking facility should be turned in to the State Capitol Police. Inquiries concerning lost articles should be made to State Capitol Police.
- C. Parking lot and deck safety:
 - 1. Pedestrians are to be given priority over vehicular traffic in all circumstances.
 - 2. Headlights are to be burned in parking decks to increase safety.
 - 3. Yield to vehicles backing in or out of parking spaces.
 - 4. Stop at all lot or deck level intersections.
 - 5. Obey posted speed limit. If the speed limit is not posted, it is assumed at 5 MPH.
 - 6. Moving vehicles are to remain to the right of the centerline except when accessing a parking space. Note: Most decks levels provide for two-way traffic.
 - 7. Do not block vehicles attempting to exit a parking space.
- D. For safety, motorcycles and bicycles should not attempt to enter or exit gated employee parking facilities.
- E. If another vehicle is accidentally bumped, call the State Capitol Police to determine if an accident report is necessary and to have the owner contacted.
- F. Avoid opening vehicle doors into adjacent vehicles.
- G. Report all fluid leaks from vehicles to State Parking Division to ensure timely clean up prior to runoff activity that may damage other vehicles or create environmental concerns.
- H. To ensure employee safety, State Capitol Police are available to provide escorts for employees arriving early, leaving late, working alternate shifts or who have concerns in regards to walking alone.
- I. All suspicious activity within any of the State-owned parking facilities should be reported to the State Capitol Police.