

The State of North Carolina

Rules and Regulations Governing State-Owned Parking Facilities

Effective July 1, 2001

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.”

TABLE OF CONTENTS

I.	Definitions.....	Page 4
II.	Authority.....	Page 5
III.	Department Authority and Responsibility.....	Page 6
IV.	Allocation/Assignment of Parking Spaces.....	Page 7
V.	Visitor Parking.....	Page 8
VI.	Other Designated Parking Spaces.....	Page 9
VII.	Identification of User.....	Page 9
VIII.	Use of Parking Spaces.....	Page 9
IX.	Enforcement/Penalties.....	Page 10
X.	Maintenance.....	Page 12
XI.	Parking Etiquette.....	Page 12

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 ha 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 to the Department Parking Coordinator.
- Q. Vehicle Owner – The person whose name appears as owner of the vehicle title certificate issued by the Department of Motor Vehicles.
- R. Visitor Lot – An area specifically set aside for public use and for which an hourly fee is collected.
- S. Volunteer – An individual who performs services for the State without remuneration and of his or her free will.
- T. Zone 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. Monies: 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. The Chief Fiscal Officer shall report to State Parking Division an accurate count of the number of 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 the written guidelines for parking space distribution shall be provided to the State Parking Division. Should the guidelines be modified or otherwise revised, written notice shall be provided to State Parking Division of such modifications or revisions.

E. The parking coordinator shall have the following responsibilities and duties:

1. Assigns and terminates 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. Ensures that 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. (See exhibit 1)
3. Ensures all forms and applications are properly submitted to payroll coordinators and the State Parking Division.
4. Maintains secure and accurate files of parking assignments and waitlists.
5. Coordination of parking needs with the State Parking Division.
6. Reviews and reconciles any discrepancies on the computerized parking data system within five days of receipt of the end-of-month reports.
7. Collects all funds overdue to State Parking Division by the tenth business day of each month.
8. Requests through the State Parking Division gate access to spaces assigned within gated lots/decks.
9. Ensures transponders are collected and returned to the State Parking Division.

IV. Assignment of Parking Spaces

A. Parking for State Government Officials

- a. All officials of State government who are elected to office by popular vote shall each be allocated one parking space.
- b. Heads of any department, agency, or institution of State government, as designated by the Secretary of Administration, shall be allocated one parking space each.

B. Parking for Downtown-based State Employees

- a. Only employees whose office is located within the downtown state government complex are eligible for parking within a State Parking Division parking facility.
- b. Only benefits eligible employees may be assigned parking.
- c. All employee parking payments must be payroll deducted.
- d. As required by G. S. 143-340 (18) employee parking assignments shall give first priority treatment to the physically handicapped and to carpoolers and vanpoolers, however, first priority shall be given to those on call for duty at a time other than normal working hours.
- e. 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 in the State government complex.
- f. Employees may be assigned parking in either reserved or zoned parking areas depending on parking availability.

C. Parking for Departments

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

D. Responsibilities of the Departmental Parking Coordinators

- a. The department parking coordinator shall have the responsibility of assigning spaces to eligible downtown-based state employees.
- b. Ensure parking spaces are reassigned within two-months of vacancy. Failure to do so will result in loss of the parking space.
- c. A space designated for a specific vacant position may be exempted at the discretion of the Director of State Parking Division provided they are 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.

E. The Director of State Parking Division determines appropriate designations of unallocated spaces.

V. Visitor Parking Facilities

- A. Visitor lots are maintained for use by the public including 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. Advanced reservation of parking spaces by visitors is prohibited.
- D. Buses may only use the lot specifically designated for bus parking. This lot is located at the corner of Blount and Edenton streets.

VI. Other Designated Parking Spaces

- A. Individual parking spaces designated “Service Vehicles” and so marked are reserved for vehicles engaged in the repair and/or maintenance of building service installation and/or office equipment.
 - a. Vehicle must have a company name or logo displayed.
 - b. May be used by Facility Maintenance vehicles.
- B. Individual parking spaces designated as “Handicapped Parking” may be used by the public with appropriate identification as defined by the Americans with Disabilities Act.
- C. Employees may not use these spaces designated as “Handicapped Parking” without authority from the State Parking Division. Employees who are qualified for accessible parking will be accommodated within the employee parking system.
- D. No department or individual may place a sign in a parking space or area without the consent 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. (See Exhibit 2).
- 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. Assigned parking spaces shall not be sublet under any circumstances. Employees found in violation will have their immediately terminated.
- C. Lessees may allow another individual to utilize their parking space when it would otherwise remain unused for short-term periods and not to exceed two weeks per incident.
- D. 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.
- E. 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.
- F. 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 the 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 any space labeled "24 Hour Towing" unless specifically designated to use such space.
- K. No person will park a vehicle in any space designated for handicapped use unless the proper permit for that space is displayed on the vehicle. Such spaces are reserved for public use only and thus are not available for use by State employees assigned to a workstation in the State government complex.
- L. State employees assigned to a workstation in the downtown complex that hold a legally obtained handicapped parking access permit shall provide proof of such to the department parking coordinator. Upon provision of such a parking space is to be assigned that provides reasonable accommodation to the workstation location.
- M. 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. Violations may be reported to either the departmental parking coordinator or directly to State Capitol Police.
- 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 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 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

- A. Vehicles are to be parked parallel to and within the lines that mark a specific parking space. Vehicles parked with a tire clearing a line into an adjacent space are subject to towing per **IX. Enforcement/Penalties**, Section G.
- B. The front wheel of a vehicle shall rest against the parking space concrete bumper (curb stop) when one is provided in the parking space. When no concrete bumper is provided, it is necessary to park within the lines indicating the parking space.
- C. No part of a vehicle shall overhang a grassy area in such a way as to prevent the cutting and maintenance of such an area. No part of a vehicle shall overhang a sidewalk in such a manner so as to impede safe pedestrian flow.
- D. 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.
- E. An employee who is on an extended leave should report their intent to the departmental coordinator. Coordinators shall follow departmental guidelines regarding such situations to make best use of space. Options include terminating the lease agreement and reassigning the space, allowing short-term use by another individual or holding the space for the employee on leave. In cases where the space remains leased to the employee on leave, the employee continues to be liable for timely payment of the lease fee.
- F. If a lessee finds another vehicle illegally parked in the lessee's space, the lessee shall not park in a space assigned to another individual while awaiting removal of the illegally parked vehicle. Under such circumstances and in the case that there is no other legal alternative available, an employee may park in a visitor lot without incurring a parking fee
 - i. providing they advise their departmental parking coordinator who will inform the State Parking Division and
 - ii. contact State Capitol Police to have the illegally parked vehicle removed so they can return to their parking space.
- G. Parking deck safety:
 - 1. Pedestrians are to be given priority over vehicular traffic in all circumstances.

2. Headlights are to be burned to increase safety.
 3. Yield to vehicles backing in or out of parking spaces.
 4. Stop at all 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.
- H. 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.