

Table of Contents

38.04.04 - DIVISION OF PUBLIC WORKS BUREAU OF BUILDING SERVICES CAPITOL MALL PARKING RULES

000. LEGAL AUTHORITY.	2
001. -- 009. (RESERVED).	2
010. ADMINISTRATION.	2
011. -- 099. (RESERVED).	2
100. PARKING LOT LOCATIONS.	2
101. SUPREME COURT PARKING LOT.	2
102. -- 199. (RESERVED).	2
200. SPACE ALLOCATION.	2
201. -- 299. (RESERVED).	4
300. SPACE CHARGES.	4
301. -- 399. (RESERVED).	4
400. HANDICAPPED PARKING.	4
401. -- 409. (RESERVED).	5
410. ELECTED OFFICIALS - DEPARTMENT DIRECTORS.	5
411. -- 419. (RESERVED).	5
420. VANPOOLS.	5
421. -- 429. (RESERVED).	5
430. LEGISLATIVE PARKING.	5
431. -- 439. (RESERVED).	5
440. PARKING PERMITS.	5
441. -- 499. (RESERVED).	5
500. TERMINATION.	5
501. -- 599. (RESERVED).	6
600. LOADING ZONE PARKING SPACES.	6
601. PARKING IN MARKED SPACES ONLY.	6
602. FIRE LANES.	6
603. OVERSIZED VEHICLES.	6
604. -- 649. (RESERVED).	6
650. ENFORCEMENT.	6
651. -- 699. (RESERVED).	7
700. WAIVER OF RULES.	7
701. -- 999. (RESERVED).	7

**IDAPA 38
TITLE 04
Chapter 04**

**38.04.04 - DIVISION OF PUBLIC WORKS
BUREAU OF BUILDING SERVICES
CAPITOL MALL PARKING RULES**

000. LEGAL AUTHORITY.

The following Rules and Regulations are promulgated pursuant to the authority of Section 67-5708, Idaho Code, and Senate Concurrent Resolution No. 135 (1976). (7-1-93)

001. -- 009. (RESERVED).

010. ADMINISTRATION.

The administration of the Capitol Mall parking shall be under the direction of: (7-1-93)

01. Address. Chief, Bureau of Building Services, Division of Public Works, Department of Administration. (7-1-93)

02. Inquiries and Enforcement. All inquiries relating to Capitol Mall parking permits and towing should be directed to the above office. Enforcement of all infractions shall be by the City of Boise. (7-1-93)

011. -- 099. (RESERVED).

100. PARKING LOT LOCATIONS.

State Parking Garage at 550 West State Street. Parking lot located at 7th and Washington Streets. Parking lot located on the north and east sides of the Len B. Jordan Building at 650 West State Street. Parking lot located on the west side of the Hall of Mirrors Building at 700 West State Street. Parking lot located on the north side of the Towers Building at 450 West State. Parking lot located on the north side of State Street between 3rd and 4th Streets. Parking lot located on the south side of State Street adjacent to the State Library. Parking lot located on the east side of the Supreme Court Building at 451 West State Street. Driveway located in front of the State Capitol Building. (7-1-93)

101. SUPREME COURT PARKING LOT.

The Supreme Court parking lot will be allocated to Supreme Court employees, handicapped individuals, visitors, and Justices of the Court. Five (5) spaces will be assigned for use by Supreme Court Justices. The Administrator of the Court shall set aside and mark spaces for visitors and handicapped individuals. The remaining spaces shall be for Supreme Court employees' use on a non-assigned basis. (7-1-93)

102. -- 199. (RESERVED).

200. SPACE ALLOCATION.

01. Assigned Parking. (7-1-93)

a. Space allotments by area will be made to accommodate handicapped employees, elected State officials, Legislators during a legislative session, directors of executive departments, other individuals upon application and payment of a monthly fee for assigned parking, and vanpools. (7-1-93)

b. Assigned parking spaces for vanpools will be provided as necessary. (7-1-93)

c. Assigned parking will be made on the following basis: (7-1-93)

i. "Assigned Parking Spaces" -- Elected State officials, department directors, handicapped employees, individuals paying for assigned parking space, and vanpools. (7-1-93)

ii. "Gold blocks or spaces stenciled with 'Legislator'" -- Legislators. (7-1-93)

iii. "Green blocks" -- State vehicles. (7-1-93)

d. Assigned Parking Areas: The following areas shall be marked and set-aside for assigned parking. Vehicles parking in these areas shall display permits with "Reserved" printed thereon and shall park in the space assigned to that permit. The assigned parking areas are: (7-1-93)

i. The first floor of the State Parking Garage marked with a stenciled name or numbered block with "assigned parking" stenciled on the block or such other places as the Director of the Department of Administration may designate. (7-1-93)

ii. Designated parking spaces next to the Hall of Mirrors Building, the Towers Office Building, and the Len B. Jordan Office Building. (7-1-93)

iii. The following area shall be assigned for vanpool vehicles: Assigned parking spaces will be made on the first floor of the State Parking Garage. (7-1-93)

e. The following areas shall be assigned for Legislative parking. Vehicles parking in these areas shall display permits imprinted "Legislator": (7-1-93)

i. Those parking spaces in the State Parking Garage that are marked with gold concrete blocks labeled "Legislator" or spaces stenciled with "Legislator" and only during any regular or special session of the Legislature. (7-1-93)

ii. During the time the Legislature is not in session, Legislators may park in any non-assigned parking spot. (7-1-93)

f. The following areas shall be assigned for State vehicles displaying permits imprinted "State Vehicle": (7-1-93)

i. Those parking spaces on the top floor of the State Parking Garage that are marked with "green" cement blocks. (7-1-93)

ii. Any non-assigned parking space as defined in Rule 200.02. (7-1-93)

02. Non-Assigned Parking. All other State employees will be eligible for parking permits in non-assigned parking areas within the Capitol Mall through a payroll deduction plan. State employees participating in this plan will be issued employee permits. Employee parking permits shall be valid in any non-assigned space on the first, second, third, fourth, and fifth floors of the State Parking Garage; the parking lot on 7th and Washington Streets; the parking lot adjacent to the State Library; parking lot located on the north side of State Street between 3rd and 4th Street, and the parking lot located north of the Towers Building. Designated spaces in the State Parking Garage are assigned to Legislators when the Legislature is in session. (7-1-93)

03. Visitor Parking. Short term daily parking areas for visitors on official State business will be set aside on the north and east sides of the Len B. Jordan Building; the east section of the parking lot on the north side of the Towers Office Building; spaces with parking blocks designated as "Visitor" in the south side of the lot adjacent to the State Library; and designated spaces in the Supreme Court parking lot on a no-charge basis to accommodate the general public. It shall be a violation of this rule for a vehicle registered in the Capitol Mall parking system to be parked in a visitor space. Visitor parking shall be limited to two (2) hours. Non-Capitol Mall State vehicles qualify for visitor parking. It shall be a violation of this rule for State employee working in the Capitol Mall to park in a visitor parking space for any period of time between 8:00 a.m. and 5:00 p.m., Monday through Friday. (7-1-93)

04. Special Visitor Permits. The Director of the Department of Administration, or his authorized deputies, may issue "Special Visitor" parking permits to persons on official State business. Vehicles displaying a valid "Special Visitor" parking permit attached to the lower left-hand corner of the rear window may park in any non-assigned parking space as defined in Rule Subsection 200.02. Special contractor permits may be issued to contractors working in the Capitol Mall which would allow the contractor to park his vehicle in a visitor parking space. Only the Director or his authorized deputies may issue "Special Visitor" parking permits. The Director may revoke a deputy's authority to issue permits at any time. (7-1-93)

201. -- 299. (RESERVED).

300. SPACE CHARGES.

01. Charges. The charge for a parking permit shall be established by the Department of Administration. Assigned parking for employees who are not Department Directors is available and may be obtained upon application. Two fees will be charged: one for non-assigned space, and one for assigned space. The monthly parking fee will not exceed twenty-five dollars (\$25), and the fee will not be changed more often than annually. Capitol Mall employees shall be charged on a payroll deduction basis. Parking permits will not be issued to vehicles registered outside the state of Idaho; unless the vehicle is owned by a state employee whose domicile and permanent residence is in another state. (7-1-93)

02. Legislators. Legislators shall pay the non-assigned space fee for every month that the Legislature is in session. (7-1-93)

03. Elected Officials. The Governor, Lieutenant Governor, Secretary of State, Attorney General, State Auditor, State Treasurer, Superintendent of Public Instruction, President Pro-Tem of the Senate, Speaker of the House, and five Supreme Court Judges shall be provided assigned parking spaces at no charge. (7-1-93)

04. State Agency Vehicles. Vehicles belonging to State agencies leasing office space from the Division of Public Works in the Capitol Mall shall receive parking permits imprinted "State Vehicle" for a non-assigned space monthly fee. (7-1-93)

05. State Employees. Parking permits shall be issued to employees working in the Capitol Mall and State agencies leasing office space from the Division of Public Works. (7-1-93)

301. -- 399. (RESERVED).

400. HANDICAPPED PARKING.

01. Capitol Mall Handicapped Employee Parking. (7-1-93)

a. Long Term Disability: Handicapped employees who have a permanent or long term disability (i.e., six months or more) shall have parking spaces assigned for them at an appropriate location within the Capitol Mall. The employee will be issued a parking permit imprinted "Handicapped" and shall have an assigned space in the parking area closest to his work station upon payment of a non-assigned space monthly fee. (7-1-93)

b. Short Term Disability: Employees who suffer from a short term disability (i.e., six months or less) shall be issued a "Special" parking permit which will allow them unlimited parking in their assigned parking space in the Capitol Mall upon payment of a non-assigned space monthly fee. Said special permit shall be limited in duration to the term of the disability. Employees claiming a disability will be required to submit a statement from a physician stating the duration of and extent of the disability. (7-1-93)

02. Non-employee Handicapped Parking in the Capitol Mall. (7-1-93)

a. Sufficient spaces shall be set aside and designated as "Visitor Handicapped" parking. Vehicles parking in "Visitor Handicapped" spaces must have a special license plate for the handicapped or a special card issued by the Idaho Transportation Department designating that the owner/driver of the vehicle has a disability. (7-1-93)

b. Vehicles with special handicapped license plates or cards, as provided for in Title 49, Chapter 6, Idaho Code, shall be entitled to unlimited parking in any visitor handicapped parking space for the purpose of conducting business with the State. Any vehicle parking in a "Visitor Handicapped" parking space which does not have either a special license plate or special card designating that the owner/driver is handicapped or is not conducting State business may be towed, impounded or ticketed. All towing charges shall be at the owner/driver's expense. (7-1-93)

401. -- 409. (RESERVED).

410. ELECTED OFFICIALS - DEPARTMENT DIRECTORS.

Elected officials, department directors, and other individuals approved by the Director of the Department of Administration shall have assigned parking spaces. The Chief of the Bureau of Building Services shall issue a parking permit and assign a space to each director, elected official, and other approved individuals who make application and pay a monthly fee for an "assigned" space. (7-1-93)

411. -- 419. (RESERVED).

420. VANPOOLS.

Sufficient space on the first floor of the State Parking Garage shall be assigned for vanpools. Upon application for a permit, all vanpool vehicles shall be assigned parking spaces for vanpool parking. "Vanpool" is defined as any vehicle that carries six or more State employees who work in the Capitol Mall on a daily basis. There will be no charge for this space. (7-1-93)

421. -- 429. (RESERVED).

430. LEGISLATIVE PARKING.

01. Legislature in Session. When the Legislature is in session, sufficient parking spaces will be assigned for Legislators. Legislators shall receive assigned parking spaces in the State Parking Garage or other appropriate location. The Chief of the Bureau of Building Services shall calculate the number of parking spaces needed by Legislators and reserve the appropriate number of spaces in the State Parking Garage. (7-1-93)

02. Violations. It shall be a violation of this rule to park in a parking space reserved with a gold concrete block or labeled with "Legislator" when the Legislature is in session unless the vehicle has a parking permit imprinted with "Legislator". These parking spaces shall be classified as non-assigned parking after the Legislature adjourns. (7-1-93)

03. Legislator Parking Permits. Legislators may participate in this parking program and purchase "Legislator" imprinted parking permits by paying the non-assigned space charge for each month that the Legislature is in session. During the time period that the Legislature is not in session, vehicles with "Legislator" imprinted parking permits may park in any non-assigned parking space within the Capitol Mall. (7-01-93)

431. -- 439. (RESERVED).

440. PARKING PERMITS.

Any employee may be issued a maximum of two parking permits. Each permit issued to an employee will be charged the appropriate parking fee. In the event that a permit is lost or destroyed, the employee must sign a statement to that effect prior to a new permit being issued. There is a one-time replacement charge for a new permit. Parking permits must be attached to the vehicle rearview mirror. Failure to properly display a valid Capitol Mall parking permit shall be a violation of this rule. (7-1-93)

441. -- 499. (RESERVED).

500. TERMINATION.

01. Delinquent Permits. The Bureau of Building Services may terminate any delinquent parking permit. A parking permit will become delinquent if any one of these events occurs: the monthly fee is not paid by the 20th of each month for which the charge is made; a permit holder violates the rules on vanpool parking; a permit holder transfers the permit to a non-registered or non-owned vehicle; or a permit holder violates any other parking regulation. (7-1-93)

02. Reactivation of Permit. Any parking permit holder may reactivate the permit. This can be done by reapplying for the deduction plan through the Bureau of Building Services and paying for delinquent parking fees.

(7-1-93)

03. Violation of Vanpool Parking Rules. Any employee who has a parking permit terminated for violating the vanpool parking rules or for transferring a parking permit without registering the vehicle may have the permit (parking privileges) terminated for a six-month (6) period. (7-1-93)

04. Parking Permit Termination Procedure. The following procedure must be used if a Capitol Mall employee wishes to terminate his parking privileges: (7-1-93)

a. The employee must submit a request for termination to the Bureau of Building Services and surrender his parking permit(s). Any person terminating employment or participation in the parking system shall be required to surrender all Capitol Mall parking permits. The Bureau of Building Services will issue an authorization for termination to the employee's payroll clerk to effect a cessation of the monthly parking fees. All payroll clerks shall obtain an authorization for termination from the Bureau of Building Services prior to terminating the parking fee from the employee's payroll deduction schedule. No refund will occur after a monthly payroll deduction has been made. (7-1-93)

b. Any employee subscriber who has been cited for two (2) violations of these rules and has been convicted or paid the penalty for the infraction may have his parking privileges revoked for a period of up to six (6) months. (7-1-93)

c. Any employee who does not have a valid Capitol Mall parking permit may have his car impounded if it has been cited for two or more violations of these rules, and the employee has not contested or paid the penalty for the infractions. There will be a service fee for releasing all impounded vehicles. Impounding a vehicle means attaching a device to the vehicle so that it cannot be moved. (7-1-93)

d. Any person parking in an unauthorized space or in a no parking area will have his vehicle towed or impounded. Any expenses for towing or impound fees will be paid by the violator. (7-1-93)

501. -- 599. (RESERVED).

600. LOADING ZONE PARKING SPACES.

Certain parking spaces in the Capitol Mall shall be designated for short term parking. These spaces shall be appropriately marked and shall be used for pick-up and delivery purposes only. It shall be a violation of this rule to park in these spaces for longer than the designated time allowed which shall be clearly marked at the parking space. (7-1-93)

601. PARKING IN MARKED SPACES ONLY.

It shall be a violation of these rules to park a motor vehicle, including motorcycles, in a location that is not marked as a parking space within the Capitol Mall. This shall include, but not be limited to, parking in a driveway, sidewalk or common driving area of any parking lot, or parking one (1) vehicle in more than one (1) space. (7-1-93)

602. FIRE LANES.

It shall be a violation of these rules to park a motor vehicle in any posted "Fire Zone" within the Capitol Mall. Violation of this section shall constitute a misdemeanor. Idaho Code Section 67-5708. Also, any vehicles so parked may be removed (towed) at the owner's expense. (7-1-93)

603. OVERSIZED VEHICLES.

The Bureau of Building Services shall reserve adequate parking spaces for oversized vehicles (i.e., campers) in parking lots other than the State Parking Garage. Spaces shall be assigned by the Chief of the Bureau of Building Services and clearly marked as assigned parking. (7-1-93)

604. -- 649. (RESERVED).

650. ENFORCEMENT.

It shall be the Bureau of Building Services' responsibility to leave notice at or on any vehicle parked in violation of these rules and regulations. This notice shall bear the date and hour of leaving the same at or upon the vehicle. It shall

be the Bureau of Building Services' responsibility to leave at or upon such vehicle a separate notice for each hour thereafter that such vehicle remains parked in violation of these rules. All infractions issued by the Bureau of Building Services shall be forwarded to the City of Boise for collection and/or prosecution. (7-1-93)

651. -- 699. (RESERVED).

700. WAIVER OF RULES.

Pursuant to I.C. 67-5708, the Administrator for the Division of Public Works may waive any or all of the provisions of these rules if it can be found the rules cause discrimination among employees; or the circumstances presented are such that no rule could have been written to address a unique condition, or no person could have anticipated the need or requirement for special consideration or waiver, provided the imposition of the rule would cause hardship, discrimination or an unintended result. (7-1-93)

701. -- 999. (RESERVED).