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**IDAPA 26
TITLE 01
CHAPTER 36**

26.01.36 - RULES GOVERNING THE WINTER RECREATIONAL PARKING PERMIT PROGRAM

000. LEGAL AUTHORITY.

These rules are promulgated by the Idaho Park and Recreation Board pursuant to Idaho Code Section 67-5201, et seq. and Idaho Code Section 67-4223, and are intended to further define and make specific the provisions of Idaho Code Section 67-7115 et seq. The purpose of the act is to provide designated winter recreational parking locations established and maintained with funds acquired from the cross-country skiing recreation account through the sale of winter recreational parking permits. (7-1-93)

001. TITLE AND SCOPE.

01. Title. The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.36, "Rules Governing the Winter Recreational Parking Permit Program." (4-11-15)

02. Scope. This chapter establishes fees for and rules governing the winter recreational parking permit program administered by the Department, and establishes procedures for obtaining a winter recreational parking permit. (4-11-15)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (4-11-15)

003. APPEALS.

Any person who may be adversely affected by a final decision, ruling, or direction of the director may appeal the decision, ruling, or direction as outlined under IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board." (4-11-15)

004. INCORPORATION BY REFERENCE.

No documents have been incorporated by reference into these rules. (4-11-15)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

01. Office Hours. Central office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (4-11-15)

02. Mailing Address. The mailing address for the central office is Idaho Department of Parks and Recreation, PO Box 83720, Boise, ID 83720-0065. (4-11-15)

03. Street Address. The Central office of the Idaho Department of Parks and Recreation is located at 5657 Warm Springs Ave., Boise, ID 83716-8700. (4-11-15)

006. PUBLIC RECORDS ACT COMPLIANCE.

Any records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (4-11-15)

007. -- 049. (RESERVED)

050. LOCATION OF PERMIT ON VEHICLE.

The annual winter recreational parking permit shall be permanently affixed on the front window of the vehicle nearest the driver's seat and the temporary three-day permit shall be displayed on the vehicle's dashboard with the dated side displayed to the front of the vehicle in such a manner that it is completely visible and shall be kept in legible condition at all times. No person shall transfer or attempt to transfer an annual winter recreational parking permit decal or a temporary three-day permit from the vehicle upon which it was legally permitted and placed. (4-11-15)

051. -- 099. (RESERVED)

100. PERMIT COST, EXPIRATION.

The fee for an annual winter recreational parking permit shall not exceed thirty dollars (\$30). The fee for a temporary winter recreational parking permit shall not exceed ten dollars (\$10). The annual winter recreational parking permit is valid until the expiration date printed on the decal. The temporary winter recreational parking permit is valid for only the three (3) consecutive days written on the permit. (4-11-15)

101. -- 149. (RESERVED)

150. USER EXCEPTION.

Snowmobilers shall be allowed to park their transportation vehicles in a designated parking area without displaying a parking permit when the snowmobiles have current snowmobile validation stickers. (4-11-15)

151. -- 199. (RESERVED)

200. COMPLIANCE WITH ADDITIONAL PERMIT REQUIREMENTS.

No person shall file or attempt to file for a duplicate annual winter recreational parking permit unless the original permit was stolen or destroyed. A temporary three (3) day winter recreational parking permit which is lost, stolen, or destroyed will not be reissued. (7-1-93)

201. -- 249. (RESERVED)

250. PARKING RESTRICTIONS.

No person shall park a vehicle in a designated winter recreational parking location in such a manner as to deprive other users of reasonable access to all or part of the remainder of that parking area. (7-1-93)

251. -- 299. (RESERVED)

300. EQUIPMENT TO REMAIN PROPERTY OF STATE OF IDAHO.

Any cross-country ski trail grooming equipment purchased through the cross-country skiing recreation account or the Symms National Recreational Trails Fund Act will remain the property of the state of Idaho. Individual winter recreational parking area local advisory committees or clubs may contract to use said equipment on a yearly basis from the Idaho Department of Parks and Recreation. (7-1-93)

301. -- 349. (RESERVED)

350. PENALTIES FOR VIOLATIONS.

The owner of a vehicle failing to comply with these rules, or conditions of Title 67, Chapter 71, Idaho Code has committed an infraction and is subject to the penalties provided in Idaho Code Section 18-113A. (7-1-93)

351. -- 399. (RESERVED)

400. DESIGNATION OF PRIMARY USE AREA.

A skier, when purchasing a permit, will be allowed to designate on the appropriate form, a primary winter recreational parking use area. The full portion of fees not allocated to the vendor or the department shall be apportioned to the designated use area. Should a skier fail to designate a primary use area, those fees will be apportioned to a use area determined by the department. (7-1-93)

401. -- 449. (RESERVED)

450. PUBLIC USE, NONDISCRIMINATION.

Facilities constructed or maintained with, and programs supported by cross-country skiing recreation account monies shall be available for public use without discrimination and shall comply with requirements as set out in the Americans with Disabilities Act. (7-1-93)

451. -- 999. (RESERVED)

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