

0210.07 Parking on State Property

Issued: January 1, 1994
Reviewed: December 22, 2011
Revised: April 3, 2013

PURPOSE

To establish standardized parking rules which govern property, owned or leased by the State under the jurisdiction of the Department of Technology, Management and Budget, designated for parking motor vehicles.

APPLICATION

Executive Branch Departments and Sub-units.

CONTACT AGENCY

Department of Technology, Management and Budget (DTMB)
Cybersecurity and Infrastructure Protection (CIP)

Telephone: 518-373-1836

Fax: 517-241-4658

SUMMARY

The following are the promulgated rules concerning this subject.

APPLICABLE FORMS

DTMB-0631 Employee Parking Assignment
DTMB-0632 Employee Parking Cancellation
DTMB-0672 Parking Violation
DTMB-3502 Contractor Parking Assignment
DTMB-3503 Inter-account Billed Parking Assignment
DTMB-3504 Contractor Parking Cancellation
DTMB-3505 Inter-account Billed Parking Cancellation

PROCEDURES

PARKING ON STATE PROPERTY

This rule-set was filed with the Office of the Great Seal on November 27, 2012, this rule will take effect 7 days after filing as specified in the rule. The effect date is December 4, 2012.

(By authority conferred on the department of technology, management and budget by sections 4 of 1948 PA 51, section 31 of 1969 PA 306, sections 131 and 227 of

1984 PA 431 and Executive Reorganization Order 2009-39, MCL18.4, 24.231, 18.1131 and 18.1227 and 18.441.)

R 18.401. Scope.

Rule 1. These rules shall apply to real property owned or leased by the State under the jurisdiction of the DTMB designated for the parking of motor vehicles.

R 18.402. Definitions.

Rule 2. As used in these rules:

- (a) "Department" means the Department of Technology, Management and Budget.
- (b) "Director" means the director of the department or his or her designated representative.
- (c) "Parking facility" means real property owned or leased by the State and under the jurisdiction of the department designated for the parking of motor vehicles.
- (d) "Parking unit" means the unit located within DTMB, Cybersecurity and Infrastructure Protection which is in charge of 1 or more parking facilities as designated by the director.
- (e) "Reserved parking space" means a designated parking space or area within a parking facility which is assigned to a specific State employee, a carpool, a member of the public, or any other approved individual for which a fee is charged.
- (f) "Tow away" means the removal or storage, or both, of a motor vehicle from a parking facility.
- (g) "Violation notice" means a form designated by the department to give notice of a rule violation.
- (h) "Violator" means a person who operates a motor vehicle or acts in such a manner as to be in violation of these rules.

R 18.403. Reserved parking generally.

Rule 3.

- (1) A State employee or any other approved individual may request a reserved parking space from the parking unit on the designated form as required by the department.
- (2) A reserved parking space agreement authorized parking in the assigned space or area. Permits or gate cards shall not be transferred and remain the property of the department. Lost gate card replacement cost will be determined by the department.

- (3) Reserved parking space requests shall be assigned in a chronological order as submitted.
- (4) When a new State government facility is constructed or obtained by the department, initial reserved parking space assignments for that facility shall be determined by the department.
- (5) The reserved parking permit allows use of that space during the employee's normal work shift. Additional parking time while performing State business is subject to department approval.
- (6) All payments for reserved parking shall be biweekly payroll deductions only, unless otherwise specified by the department.

R 18.404. Reserved parking; written agreement; registration required.

Rule 4.

- (1) A written agreement on a permit form provided by the department shall be signed by the State employee, official, or designated driver and by the parking unit.
- (2) A vehicle shall not use a reserved parking space unless it is registered with the parking unit.

R 18.405. Reserved parking; vehicle identification.

Rule 5. A vehicle occupying a reserved parking space shall properly display all identification stickers or permits as required by the department.

R 18.406. Reserved parking; entrance and exit.

Rule 6.

- (1) Access to, and egress from, a parking facility shall be designated by the department.
- (2) Drivers of motor vehicles in a parking facility shall observe and obey all traffic control signs, signals, devices, and markings, as posted, painted, or installed by the department.

R 18.407. Rescinded.

R 18.408. Reserved Parking; reassignment.

Rule 8. The department reserves the right to reassign reserved parking spaces where necessary to accommodate maintenance, repair, redesign, or alteration of the parking facility.

R 18.409. Rescinded.

R 18.410. Rescinded.

R 18.411. Rescinded.

R 18.412. Rescinded.

R 18.413. Rescinded.

R 18.414. Rescinded.

R 18.415. Rescinded.

R 18.416. Rescinded.

R 18.417. Rescinded.

R 18.418. Rescinded.

R 18.419. Rescinded.

R 18.420. Rescinded.

R 18.421. Visitors' parking.

Rule 21. Visitors, including handicapped visitors, may use visitors' parking spaces, at the scheduled rate, while conducting business with the occupants of State office buildings.

R 18.422. Rescinded.

R 18.423. Violations.

Rule 23.

- (1) Violators of these parking rules will be subject to cancellation of present parking privileges or future parking privileges, or both; fine; or vehicle tow-away; according to the following schedule:
 - (a) Unregistered vehicle:
\$10 fine or tow-away or both.
 - (b) Registered vehicle stickers displayed, but not displayed in designated location:
\$5 fine or tow-away or both.
 - (c) Registered vehicle parking in wrong space without permission of parking officer:
\$5 fine or tow-away or both.
 - (d) Vehicle parking in a "no parking" area:
\$5 fine or tow-away or both.
 - (e) Traveling against indicated traffic direction:
\$5 fine or tow-away or both.

- (f) Speeding or reckless driving for parking conditions:
\$5 fine.
 - (g) Not parking vehicle within confines of parking space:
\$2.50 fine.
 - (h) Parked in designated fire lane:
\$10 fine or tow-away or both.
 - (i) Parking in driveway aisle:
\$5 fine or tow-away or both.
 - (j) Failure to pay fine within 10 working days from date of issue:
Cancellation.
 - (k) All other violations of these rules.
\$5 fine.
- (2) All vehicles, whether privately or publicly owned, are subject to the fines or penalties in subrule of this rule. Drivers of State vehicles are held responsible. If the driver cannot be identified, then the person who requisitioned the vehicle from a State motor pool is responsible.

R 18.424. Parking violation; appeal upheld.

Rule 24. If a violation which is being appealed is upheld, all fines shall be paid within 10 working days from the date of appeal decision. If an employee fails to pay the fine, the parking space will be cancelled.

R 18.425. Cancellation.

Rule 25.

- (1) When an individual has a parking space canceled due to violation of the parking rules, the cancellation shall remain in effect for 1 calendar year from the date of the infraction.
- (2) After the calendar year has ended, the individual may reapply for a parking space. An individual will be placed on the parking space assignment list in the chronological order in which requests are submitted.

R 18.426. Appeal Process.

Rule 26.

- (1) A person appealing a parking violation notice shall submit, in writing, within 10 working days after receiving the notice, the reasons why the penalty should be modified or canceled. The appeal shall include all of the following information:
 - (a) Name and work unit of applicant.
 - (b) Number of violation notice.

- (c) A concise statement of the reasons the appeal should be granted.
- (d) The relief requested.
- (2) The appeal shall be submitted to: DTMB Parking Appeals, John A. Hannah Building, 608 W. Allegan Street, Lansing, MI 48933.
- (3) A written decision shall be made within 5 working days of receipt of the appeal and shall be forwarded to appellant.
- (4) An appellant who is aggrieved by the decision may appeal to the director of the department or his or her designee within 5 working days of receipt of the decision. The appeal shall include a copy of the decision and written reasons why the decision was in error.
- (5) The director or his or her designee shall, within 10 working days after receipt of the appeal, issue a written decision affirming, reversing, or modifying the decision.
