

0210.07 Parking on State Property
Issued January 1, 1994

SUBJECT: Parking on State property.

APPLICATION: Executive Branch Departments and Sub-units.

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.

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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-3504, Contractor Parking Cancellation
DTMB-3503, Inter-account Billed Parking Assignment
DTMB-3505, Inter-account Billed Parking Cancellation

PROCEDURES:

PARKING ON STATE PROPERTY

Filed with the Secretary of State on April 7, 1982. These rules take effect 15 days after filing with the Secretary of State.

(By authority conferred on the director of the Department of Technology, Management and Budget by section 4 of Act No. 51 of the Public Acts of the First Extra Session of 1948, as amended, being §18.4 of the Michigan Compiled laws.)

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) "Carpool" means a carpool or vanpool consisting of 3 or more active State employees who ride in the same vehicle to or from work.

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- (b) "Department" means the Department of Technology, Management and Budget.
- (c) "Designated driver" means the person responsible for a carpool.
- (d) "Director" means the director of the department or his or her designated representative.
- (e) "Non-reserved parking" means a parking space or area within a parking facility which is reserved for a State employee, official, or a carpool without charge.
- (f) "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.
- (g) "Parking unit" means the unit located within DTMB, which is in charge of 1 or more parking facilities as designated by the director.
- (h) "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.
- (i) "Tow away" means the removal or storage, or both, of a motor vehicle from a parking facility.
- (j) "Violation notice" means a form designated by the department to give notice of a rule violation.
- (k) "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, except as provided in R 18.412.
- (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.
- (7) A motor vehicle shall not be assigned to more than 1 reserved parking space.

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.
- (3) A vehicle shall be parked with the front of the vehicle at the front of the parking space.

R 18.407. Reserved parking; parking space occupied.

Rule 7.

- (1) If a reserved parking space is occupied by an unauthorized vehicle, the authorized driver to whom that space has been assigned shall give the name and reserved parking space number to the parking unit.
- (2) The parking unit shall assign a temporary parking space and shall have the unauthorized vehicle removed.

R 18.408. Reserved Parking; reassignment.

Rule 8. The department reserves the right to reassign reserved parking spaces.

R 18.409. Reserved parking; emergency alternate vehicle.

Rule 9. If an unregistered vehicle is driven temporarily, the assignee of a reserved parking space shall, upon arrival at work, call the parking unit and give the parking space number, license plate number, name, and estimated length of time for use of the alternate vehicle.

R 18.410. Reserved parking; additional stickers.

Rule 10. Upon registration with the parking unit, an additional set of stickers may be issued for the reserved parking space if the extra stickers are for other vehicles covered in R 18.412 or for the second family vehicle. Stickers shall be requested on a form provided by the department.

R 18.411. Reserved parking; inter-accounted parking spaces.

Rule 11. An agency shall not inter-account reserved parking spaces, except for authorized motor pool functions.

R 18.412. Reserved parking; carpools.

Rule 12.

- (1) All carpools shall be registered with the department.
- (2) Upon registration with the parking unit, priority may be given in the assignment of reserved parking spaces for carpools, subject to the following conditions:
 - (a) A person shall not be registered in more than 1 carpool.
 - (b) A parking space reserved for a carpool shall be issued subject to cancellation of any previously held reserved parking spaces by carpool members.
 - (c) One person shall be the designated driver and shall assume payroll deduction. All riders shall be registered with the parking unit.
 - (d) One or more sets of stickers may be issued to the reserved carpool parking space depending on the number of cars being driven. Only 1 set of stickers

shall be issued to a vanpool. Only 1 gate entry card shall be issued per carpool or vanpool for facilities using card entry.

- (e) If a carpool member, for any reason, has to discontinue participating in the carpool program, a space or spaces may be issued to a member or members who previously held a registered parking space on a payroll deduction.
- (f) If a carpool becomes less than 3 persons, the designated driver is responsible, within a period of 30 days, to find a third person to be registered with the parking unit. Failure to form a carpool or report to the parking unit shall result in cancellation of the reserved parking space.
- (g) When additional stickers are issued, the designated driver shall be responsible for their correct use.

R 18.413. Reserved parking; extended absence; removal from payroll; annual leave.

Rule 13.

- (1) Reserved parking space is automatically canceled if an employee is removed from the State of Michigan payroll. If a reserved space is canceled during a health-related extended leave, a person may, upon returning, request priority consideration for a reserved parking space from the parking unit.
- (2) Payroll deduction for reserved parking space shall continue to be deducted when an employee is using annual leave credits.

R 18.414. Non-reserved parking generally.

Rule 14.

- (1) A State employee may request a non-reserved parking space on a form provided by the department.
- (2) A non-reserved parking permit allows parking in designated parking areas only. Permits shall not be transferred.
- (3) Non-reserved parking requests shall be assigned in a chronological order as received by the parking unit.
- (4) The non-reserved parking permit allows parking use during the employee's normal work shift. Additional parking time while performing State business is subject to department approval.

R 18.415. Non-reserved parking; written agreement; registration required.

Rule 15.

- (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 non-reserved parking space unless it is registered with the parking unit.

R 18.416. Non-reserved parking, vehicle identification.

Rule 16. A vehicle occupying a non-reserved parking space shall properly display all identification stickers or permits as required by the department.

R 18.417. Non-reserved parking; entrance and exit.

Rule 17.

- (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.
- (3) A vehicle shall be parked with the front of the vehicle at the front of the parking space.

R 18.418. Non-reserved parking; reassignment.

Rule 18. The department reserves the right to reassign non-reserved parking facilities.

R 18.419. Non-reserved parking; emergency alternate vehicle.

Rule 19. If an unregistered vehicle is driven temporarily, the assignee of a non-reserved parking facility shall, upon arrival at work, call the parking unit and give the parking facility location, license plate number, name, and estimated length of time for use of the alternate vehicle.

R 18.420. Non-reserved parking; additional stickers.

Rule 20. Upon registration with the parking unit, an additional set of stickers may be issued for the non-reserved parking area if the extra stickers are for other vehicles covered in R 184.12 or for a second family vehicle. Stickers shall be requested on a form provided by the department.

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. Parking of motor pool cars.

Rule 22.

- (1) State of Michigan-owned vehicles shall park only in designated areas.
- (2) All State cars personally assigned shall have optional parking, shall be considered as a personal car and be assigned parking space through payroll deduction, or shall park in the designated area where such lot is provided.

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) Violation fine increases, if required by inflationary factor, are subject to approval by the department. All vehicles, whether privately or publicly owned, are subject to the fines or penalties in subrule (1) 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 canceled.

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: Customer Service Center, Department of Technology, Management and Budget, 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.

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