

DEPARTMENT OF Personnel and Administration

Division of Central Services

CAPITOL COMPLEX PARKING RULES

1 CCR 103-2

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Preamble

Unless otherwise noted in a specific provision, the Division of Central Services Capitol Complex Parking Rules were adopted and made effective by the Executive Director on October 28, 2005.

This version reflects rulemaking by the Executive Director of the Department of Administration as follows: to modify Rule 2.1, definition of "Agency"; modify Rule 2.2, definition of "Assignee"; modify Rule 2.4, modify definition of "Carpooler"; create Rule 2.5 to define "Downtown Denver area"; and renumber rules 2.6 and 2.7; modify Rules 3.1 and 3.2 regarding "Application"; modify Rule 4.1 regarding the circle drive; modify Rule 4.3 regarding parking for heads of principle departments; modify Rule 4.5 regarding "Scooters"; modify Rule 4.6 regarding public safety; modify Rule 4.8 regarding subleasing; modify Rule 4.9 weekend parking; modify Rule 4.10 regarding leasing of spaces outside normal business hours; modify Rule 5.2 regarding billing; modify Rule 5.4 clarifying terminology; modify Rule 6.1a, d and e regarding reduced parking rates; modify Rule 6.3 regarding carpool discounts; modify Rules 7.2 regarding access devices; modify Rules 8.1-8.2 regarding violations; add Rule 8.3 regarding penalty schedule; modify Rules 9.1 – 9.6 regarding enforcement of violations.

1.0 Generally

1.1 The Department of Personnel & Administration (DPA), Division of Central Services, is responsible for the management, maintenance, and administration, including the establishment of rules, regulations, rental fees, and charges, regarding all State-owned parking facilities in the Capitol Complex, including:

- State Capitol circle drive at 201 E. Colfax Avenue
- Parking structure at 1350 Lincoln Street
- Parking lot at 1325 Sherman Street
- Parking lot at 1520 Lincoln Street (including alley)
- Parking lot at 1530 Sherman Street
- Parking lot at 1570 Grant Street
- Any other parking lots or facilities within the Capitol Complex.

1.2 The State-owned parking facilities at 690/700 Kipling Boulevard, 1881 Pierce Street, 1001 E. 62nd Avenue, 780 Grant Street, and the State Office Building in Grand Junction also shall be managed by DPA pursuant to these rules, except that rules 5, 6, 8, and 9 shall not apply. All other State-

owned parking facilities shall be managed by the primary agency using the facility, and shall not be subject to these rules.

2.0 Definitions

- 2.1 "Agency space" means a location assigned to a state agency or institution for the placement of agency fleet vehicles. Agency spaces may not be used for the placement of personally-owned vehicles, or issued by agencies for use by individual employees.
- 2.2 "Assignee" means an agency or individual state employee who has been assigned a parking space.
- 2.3 "Capitol Complex" means the area encompassing state-owned buildings and grounds within the area bounded by 16th Avenue, Broadway, 11th Avenue, and Logan Street in the City and County of Denver.
- 2.4 "Carpooler" means a person registered as a driver or passenger in a carpool or vanpool, and working in the Downtown Denver Area.
- 2.5 "Downtown Denver Area" means the area within a 1.2 mile radius of the Colorado State Capitol Building.
- 2.6 "Individual space" means a location assigned to a particular state employee for his or her personal use.

2.7 "Waiting list" means those employees who have applied for, but not yet received, individual parking spaces in a State-owned parking facility.

3.0 Applications

3.1 The head of each state agency or institution, or his delegee, may request in writing agency spaces to be used for agency fleet vehicles, in accordance with rule 2.1.

3.2 Any state employee who works at least half-time may apply for an individual space using the approved form. It is an employee's continuing responsibility, while either on the waiting list or assigned a parking space, to update the contact and/or vehicle information by submitting a Parking Information Update Form to the Capitol Parking Authority within five (5) working days of any change.

4.0 Assignments

4.1 Spaces in the State Capitol circle drive are allocated by joint resolution of the General Assembly pursuant to § 2-2-321, C.R.S. By H.JR. 05-1054, the General Assembly allocated 124 spaces to the legislative branch, 25 spaces to the Office of the Governor, and charged DPA with the administration of the remaining spaces for the use of other elected officials, the Colorado State Patrol, disabled employees working in the State Capitol, loading, facilities maintenance, and other purposes. Authorized individuals parking in the State Capitol circle drive shall not be subject to rule 3.

4.2 All parking spaces other than those allocated in accordance with rule 4.1 shall be allocated by DPA pursuant to § 24-82-103, C.R.S. If an employee is offered a space but declines, the employee will be moved to the end of the waiting list.

4.3 Heads of principal departments shall each be provided one space in the Lincoln Street parking structure without charge. Additional spaces will be provided in accordance with rule 3.1 and billed for in accordance with rule 5.2.

4.4 An employee requesting disabled access parking must provide a copy of either the disabled access permit card issued by the Division of Motor Vehicles, or the registration showing that the vehicle has disabled access license plates.

4.5 Motorcycles and scooters may be parked in the Lincoln Street parking structure and the parking lot at 1325 Sherman Street. Another type of vehicle, such as a car or truck, may not be parked in a motorcycle/scooter space. However, employees that have been assigned a regular space may use that space to park a motorcycle or scooter. Only scooters and bicycles may be parked without charge at any bicycle rack provided at a State parking facility.

4.6 DPA reserves the right to retain, eliminate, or reassign parking spaces, or to change public access upon 30 days' notice, or without notice due to security measures determined necessary by DPA or the Department of Public Safety. A displaced agency or individual parking customer shall have a preference when another space becomes available.

4.7 All vehicles are parked in state facilities at the risk of the owners, drivers, and passengers. Neither the State of Colorado, nor any of its agents or employees, shall have any liability or obligation to anyone for any damage or loss with respect to any vehicle or its contents while parked at any state facility.

4.8 Neither agencies nor employee assignees may reassign or sublease parking spaces. Agency spaces may not be used for the placement of personally-owned vehicles, nor may agency spaces be issued by agencies to individual employees.

4.9 A state agency space is reserved at all times, and an individual space is reserved during normal state business hours. On Saturdays, Sundays, and holidays, a state employee with an assigned individual space is guaranteed a space in their assigned facility, but not necessarily their particular reserved space.

4.10 The Executive Director of DPA may authorize the lease of all or a portion of the spaces in any parking facility to local governments or private entities in connection with community, civic, or commercial purposes outside of normal state business hours. Every such lease shall contain provisions requiring the lessee to, without reservation, indemnify and hold harmless the State of Colorado, DPA, and all state officers and employees.

5.0 Fees

5.1 Each year, DPA conducts a survey of similar parking facilities surrounding the Capitol Complex, and uses that information to set parking rates, pursuant to § 24-82-103(2), C.R.S.

5.2 DPA will bill for agency spaces on a current basis within the same month as the accounting period through an internal exchange transfer through the Colorado Operations Resource Engine (CORE). An agency must provide any changes in billing information to the Capitol Parking Authority by the first business day of each month.

5.3 An employee must authorize a monthly payroll deduction to pay for an individual parking space before the space will be assigned. Individual parking fees are deducted from the same month's salary.

5.4 All refunds are made through the payroll system and will be pro-rated based upon the number of calendar days in the month in which parking is commenced or terminated. The termination date used will be the date the Authority receives the parking permit and remote facility opener, if applicable.

5.5 All fees, penalties, or other funds received pursuant to these rules shall be deposited pursuant to § 24-82-103, C.R.S.

6.0 Carpool and Vanpool Discounts

6.1 A driver of a carpool or vanpool is eligible for a reduced parking rate based on the number of passengers, and by meeting all of the following requirements:

- (a) The driver who has been assigned the space must be a state employee.
- (b) All carpoolers must ride to and from work together at least four days per week excluding sick, annual, or other approved leave time.
- (c) No person may be claimed in more than one carpool or vanpool, nor may any person be assigned an individual space while participating in a carpool or vanpool.
- (d) All carpoolers must complete the approved Carpool/Vanpool form, and complete an updated confirmation of the information at least bi-annually.
- (e) All carpoolers must work in the Downtown Denver area, as verified on the required carpool/vanpool forms.

6.2 The amount of the reduced parking rate depends upon the number of persons participating in the carpool or vanpool. With two carpoolers, a 25% discount shall apply. With three carpoolers, a 50% discount shall apply. With four carpoolers, a 100% discount shall apply.

6.3 Should the carpool or vanpool fail at any time to comply with the requirements of rule 6.1, the assignee will no longer qualify for reduced parking rates.

7.0 Permits and Parking Access Devices

7.1 A numbered parking permit in the form of a plastic tag indicating facility, and a parking access device (if required) will be issued for each assigned space. The permit must be displayed in the front windshield so that the number is in plain view. When an assignee leaves state employment, the permit and parking access device must be returned to the Capitol Parking Authority. Parking permits and parking access devices must be returned whenever an assignee changes or relinquishes a space.

7.2 A charge of ten dollars (\$10.00) will be assessed to replace a lost, stolen, broken, or unreturned parking permit tag. A charge of twenty-five dollars (\$25.00) will be assessed to replace a lost, stolen, broken, or unreturned parking access device. Payments for permits and parking access devices must be made in cash or by personal check payable to the Capitol Parking Authority. No refund or credit will be made for the return of a lost, stolen, broken, or previously unreturned permit or parking access device after a new permit or device has been issued. If a permit or device that has been reported lost or stolen is found in use, the individual using the permit or device may be subject to appropriate civil, criminal, and personnel action.

8.0 Violations

8.1 Administrative penalties will be assessed for each of the following violations:

- (a) Failure to display a valid permit
- (b) Parking in a loading zone
- (c) Improper parking so as to hinder vehicle or pedestrian traffic
- (d) Unauthorized parking in an assigned space
- (e) Failure to maintain current assignee or passenger information, if applicable
- (f) Double parking
- (g) Parking in or blocking a crosswalk
- (h) Parking in or blocking a driveway
- (i) Parking in a prohibited zone
- (j) Falsification, duplication, fabrication, or alteration of a parking permit
- (k) Unauthorized parking in a disabled access space (pursuant to 42-4-1208 C.R.S. [2014]).

8.2 The owner of any vehicle found to be in violation of any of the above shall be responsible for the payment of any administrative penalty and towing or storage charges, if applicable.

8.3 The administrative penalty schedule for these violations will be published on the Capitol Complex Web site. Administrative penalties will comply with existing state and local statutes, and shall not exceed the fees or penalties described therein.

9.0 Enforcement 9.1 Only authorized DPA personnel may issue citations or authorize the towing of vehicles at state facilities for violations of these rules.

9.2 Each citation will include a date and time for the respondent to appear before an administrative law judge at the Office of Administrative Courts. A respondent not wishing to contest a citation may pay the assessed penalty by sending a check made payable to the Capitol Parking Authority at 1525 Sherman Street, B-15, Denver, Colorado 80203. An additional fee of twenty dollars (\$20.00) will be added for any check returned for insufficient funds.

9.3 A respondent may contest an assessed penalty by appearing personally or through legal counsel at the date and time specified on the citation at the Office of Administrative Courts, 1525 Sherman Street, Fourth Floor, Denver, Colorado, 80203. A hearing fee of twenty dollars shall be assessed, which shall be waived if the respondent prevails at the hearing. If the respondent fails to appear for the hearing, the judge will enter a final decision against the respondent.

9.6 A citation that remains unpaid for thirty days after issuance, or in the case of a contested citation, for thirty days after an unappealed decision of an administrative law judge or the Division Director, shall be deemed delinquent. When a citation becomes delinquent, the amount due shall double and be referred to the Office of Central Collections for further action.

Editor's Notes

History