

WSR 21-06-017
PERMANENT RULES
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed February 19, 2021, 12:43 p.m., effective April 1, 2021]

Effective Date of Rule: April 1, 2021.

Purpose: The purpose of these rules are to clarify the authority of the director to put in place enforceable parking restrictions anywhere on the capitol campus roadways and parking areas. Other changes were made to (1) distinguish between rules which apply to employees parking on the capitol campus and all other parkers, and (2) address the ability of the department's visitor services program to issue parking permits to event sponsors holding campus use permits for vehicles parking on the capitol campus.

Citation of Rules Affected by this Order: New 3; and amending 10.

Statutory Authority for Adoption: RCW 43.19.125, 46.08.150, and 43.19.011.

Adopted under notice filed as WSR 20-24-132 on December 2, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 3, Amended 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 10, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 2, 2021.

Chris Liu
Director

OTS-2773.2

AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-015 Definitions. As used in this chapter, the following terms shall mean:

(1) "Building and grounds," "state capitol grounds," "capitol campus" defined. Those buildings and grounds over which the department of enterprise services exercises custody and control under RCW 43.19.125, 46.08.150, 79.24.300 through 79.24.320, and 79.24.710, which includes, but is not limited to, the west capitol campus, the east capitol campus, Sylvester Park, the Old Capitol Building, Capitol Lake, Marathon Park, Heritage Park, Centennial Park, ways open to the public, and adjoining lands and roadways, including the portion of Deschutes Parkway adjoining state lands.

(2) "Director" defined. The director of the department of enterprise services and any designee of the director.

(3) "Disabled" defined. Any person who has made application to the department of licensing and displays a valid permit under chapter 46.19 RCW.

(4) "Employee" defined. Any person assigned to a state facility, including state employees, vendors and their staff, concessionaires, contractors and consultants, who are performing duties that are similar to the duties of state employees or that are in direct support of the state agency functions performed at the facility.

(5) "Impound"/"impoundment" defined. To take and hold a vehicle, consistent with law, at the direction of a law enforcement officer((7)) or the director or designee, subject to the procedures outlined in this chapter and in chapter 46.55 RCW. Such definition includes towing of an unauthorized vehicle.

(6) "Permit" defined. A written authorization to park on the capitol campus. Permits may be in the form of, but are not limited to, a sticker, a receipt issued by a parking meter, or other official document clearly indicating authorization to park on the capitol campus.

(7) "Vehicle" defined. Vehicle is defined the same as RCW 46.04.670 as amended by chapter 170, Laws of 2019, which includes bicycles among other vehicles.

((7)) (8) "Visitor" defined. Any person parking on the capitol campus or visiting a state facility who is not employed by the state or any employee whose primary duty station not located on the capitol campus at that facility.

((8)) (9) "Way open to the public" defined. Any road, alley, lane, parking area, parking structure, path, or any place private or otherwise adapted to and fitted for travel that is in common use by the public with the consent expressed or implied of the owner or owners, and further shall mean public play grounds, school grounds, recreation grounds, parks, park ways, park drives, park paths.

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-015, filed 2/12/20, effective 3/14/20. Statutory Authority: RCW 43.19.011, 43.19.620, 43.19.985, 43.19.742, 43.19.769, 39.26.080, 39.26.090, 39.26.251, 39.26.255, and 39.26.271. WSR 15-23-062, § 200-200-015, filed 11/13/15, effective 12/14/15. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-015, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 46.08.150. WSR 96-13-001, § 236-12-015, filed 6/5/96, effective 7/6/96. Statutory Authority: RCW 46.08.150 as amended by ESB 5873 in 1995. WSR 95-16-107, § 236-12-015, filed 8/1/95, effective 9/1/95. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-015, filed 1/30/92, effective 3/1/92.]

AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-085 Marking. The marking of streets, parking lots and garages shall include, but not be limited to, the following:

(1) Yellow areas—No standing.

(2) White areas with hash marks or stripes—Crosswalks (no stopping in crosswalks) and no parking (~~(stalls (no stopping in parking stalls without a permit or payment of fee))~~) or stopping areas.

(3) White areas (~~(with hash marks or stripes (ADA stall permitted use only))~~)—Parking stalls. May be marked with specific restrictions limiting use.

(4) Red areas—Emergency parking only and fire lanes (no stopping in emergency parking and fire lanes).

(5) Green areas—Electric vehicle stalls for charging purposes in accordance to RCW 46.08.185.

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-085, filed 2/12/20, effective 3/14/20. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-085, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 46.08.150. WSR 78-05-006 (Order 78-3), § 236-12-085, filed 4/7/78; Order 12, § 236-12-085, filed 12/19/73.]

AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-186 Parking time limits in metered areas or areas subject to a time restriction. (1) No person or entity shall park any vehicle on the state capitol grounds or in any area designated as metered parking for a consecutive period of time longer than that period of time for which parking is (~~(permitted)~~) authorized in such areas, irrespective of the amount of time for which parking has been paid.

(2) Vehicles moved from one parking space to another or from one lot to another shall be assumed to have been parked continuously from the time they are initially parked in any time restricted area.

(3) A showing that the time period between when a vehicle is twice found parked in any time restricted area on the same day is more than the time allowed for parking in time restricted areas shall constitute a prima facie presumption that the vehicle has been parked in violation of this section.

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-186, filed 2/12/20, effective 3/14/20. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-186, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-186, filed 1/30/92, effective 3/1/92.]

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-200-189 Service and delivery vehicles. Service or delivery vehicles may park in specifically designated areas on the state capitol grounds (~~(, provided,)~~). A parking permit is ((obtained)) required before parking in such areas.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-189, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-189, filed 1/30/92, effective 3/1/92.]

NEW SECTION

WAC 200-200-193 Parking restrictions on the state capitol grounds. (1) No vehicle shall be parked or remain parked at any place on the state capitol grounds where official signs, curbs, and/or ground markings prohibit parking in such place or at such time. Violators shall be subject to towing. Such signs or markings include, but are not limited to, "no parking" (with or without additional restrictions), "tow zone," "fire zone," and "parking prohibited."

(2) The director or its designee may install/erect permanent, temporary signs, or emergency barricades, paint marks, and other structures or directions upon the streets, curbs, and parking areas within the state capitol grounds. Drivers shall obey the signs, barricades, structures, markings, and directions.

(3) Parking spaces may not be used for other purposes such as the conduct of private business or the storage of personal property.

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AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-200 Authorization for issuance of employee permits. All employee parking on state capitol grounds shall be authorized through the issuance of valid parking permits unless otherwise authorized. These permits shall be issued by the director to state officials, state employees, state agencies for official cars, and to such other individuals as determined by the director to require parking to aid in carrying out state business. These permits shall not be transferred from one vehicle to another except as authorized by the director. All employee parking subject to permit on state capitol grounds shall be for official purposes only. (~~Parking spaces may not be used for other purposes such as the conduct of private business or the storage of personal property.~~)

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-200, filed 2/12/20, effective 3/14/20. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-200, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-200, filed 1/30/92, effective 3/1/92. Statutory Authority: RCW 46.08.150. WSR 85-19-001 (Order 85-02), § 236-12-200, filed 9/5/85; Order 12, § 236-12-200, filed 12/19/73; § 15, filed 8/19/64.]

NEW SECTION

WAC 200-200-210 Display of permits. All permits shall be clearly displayed in the location indicated at the time of issuance or, if no location is indicated, in the front windshield of the vehicle.

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AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-220 Allocation of employee parking permits. Employee parking permits shall be allocated by the director in such manner as will best achieve the objectives of these regulations. Unless in the director's opinion the objectives of these regulations would otherwise be better served, the director shall observe the following priorities in the issuance of employee parking permits:

- (1) Disabled state employees and officials;
- (2) Car pools consisting of three or more persons per vehicle;
- (3) Other state employees, state officials, state agencies, and nonstate parkers.

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-220, filed 2/12/20, effective 3/14/20. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-220, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-220, filed 1/30/92, effective 3/1/92. Statutory Authority: RCW 46.08.150. WSR 78-05-006 (Order 78-3), § 236-12-220, filed 4/7/78; Order 12, § 236-12-220, filed 12/19/73; § 17, filed 8/19/64.]

NEW SECTION

WAC 200-200-265 Parking permits for events taking place on the capitol campus. (1) A vehicle may be issued a permit to park in a restricted parking area or other area for the purpose of participating as a vendor or sponsor of an event or providing transportation to an event permitted under chapter 200-220 WAC. Parking permits shall only be issued to the registered vehicle owner or operator who is participating as an event vendor or sponsor and shall:

- (a) Identify the parking location;
 - (b) Specify the duration parking is allowed;
 - (c) Whether overnight parking is allowed;
 - (d) Clearly display the parking permit from the front windshield of the vehicle.
- (2) Violators shall be subject to towing.

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AMENDATORY SECTION (Amending WSR 15-23-062, filed 11/13/15, effective 12/14/15)

WAC 200-200-300 Monthly parking fee payments. Agencies and non-state personnel will be billed by the parking office. State employee rental parking fees and any and all state employee parking permit fees shall be by payroll deduction. The person to whom the permit is issued, upon termination of use of such permit, shall notify the parking office prior to such termination of use.

[Statutory Authority: RCW 43.19.011, 43.19.620, 43.19.985, 43.19.742, 43.19.769, 39.26.080, 39.26.090, 39.26.251, 39.26.255, and 39.26.271. WSR 15-23-062, § 200-200-300, filed 11/13/15, effective 12/14/15. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-300, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 46.08.150 and 46.08.172. WSR 92-04-037, § 236-12-300, filed 1/30/92, effective 3/1/92. Statutory Authority: RCW 46.08.150. WSR 78-05-006 (Order 78-3), § 236-12-300, filed 4/7/78; Order 12, § 236-12-300, filed 12/19/73; § 25, filed 8/19/64.]

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-200-320 Responsibility of person to whom permit is issued. Any person or any governmental or private entity to whom a permit is issued pursuant to these regulations shall be responsible for all violations of these regulations involving that person's or entity's vehicle or permit: Provided, however, that such responsibility shall not relieve other persons or entities who violate these regulations.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-320, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-320, filed 1/30/92, effective 3/1/92. Statutory Authority: RCW 46.08.150. WSR 78-05-006 (Order 78-3), § 236-12-320, filed 4/7/78; Order 12, § 236-12-320, filed 12/19/73; § 27, filed 8/19/64.]

AMENDATORY SECTION (Amending WSR 20-05-042, filed 2/12/20, effective 3/14/20)

WAC 200-200-361 Suspension and/or revocation of employee parking privileges. Repeated employee use of assigned parking spaces (~~(by)~~) for unauthorized vehicles or for nonofficial purposes or for the storage of personal property and/or the repeated transfer of parking permits from one vehicle to another as defined in WAC 200-200-360 may result in the suspension or revocation of the employee's parking privileges. Violations may result in suspension and/or revocation of any permits issued to the violator and/or removal, suspension, and/or revocation from the parking waiting list for parking on state capitol grounds.

[Statutory Authority: RCW 43.19.125, 46.08.150, 43.19.011, and 46.08.020. WSR 20-05-042, § 200-200-361, filed 2/12/20, effective 3/14/20. Statutory Authority: RCW 43.19.011, 43.19.620, 43.19.985, 43.19.742, 43.19.769, 39.26.080, 39.26.090, 39.26.251, 39.26.255, and 39.26.271. WSR 15-23-062, § 200-200-361, filed 11/13/15, effective 12/14/15. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-361, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 46.08.150. WSR 96-13-001, § 236-12-361, filed 6/5/96, effective 7/6/96. Statutory Authority: RCW 46.08.150 as amended by ESB 5873 in 1995. WSR 95-16-107, § 236-12-361, filed 8/1/95, effective 9/1/95. Statutory Authority: Chapters 46.08, 43.19, 46.55 and 79.24 RCW. WSR 92-04-036, § 236-12-361, filed 1/30/92, effective 3/1/92.]

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-200-500 Violations unlawful. A violation of any of these regulations is unlawful. All violators are subject to removal from the state capitol grounds by the Washington state patrol (~~capitol detachment~~).

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-200-500, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 43.17.060, 43.19.125 and 46.08.150. WSR 99-19-022, § 236-12-500, filed 9/7/99, effective 10/8/99. Statutory Authority: RCW 46.08.150. WSR 78-05-006 (Order 78-3), § 236-12-500, filed 4/7/78.]