

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

**WAC 200-200-001 Promulgation.** Pursuant to the authority granted by (~~chapters 43.19, 46.08, 46.55, and 79.24~~) RCW 43.19.011, 46.08.150, and 79.24.720, the director of the department of (~~general administration~~) enterprise services hereby establishes the following regulations to govern pedestrian and vehicular traffic and parking upon state lands which are a part of the state capitol grounds. These regulations apply to (~~vehicles owned by the state and any other governmental unit or agency as well as to privately owned~~) all people and all vehicles.

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

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

(1) "Director" defined. The director of the department of (~~general administration~~) enterprise services.

(2) "Impound"/"impoundment" defined. To take and hold an unauthorized vehicle in legal custody at the direction of 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.

(3) "Presiding officer" defined. Pursuant to RCW 34.05.485, a "presiding officer" is an individual(s) who is appointed by the director to preside over administrative hearings and render a decision regarding the suspension or revocation of parking privileges and removal, suspension, or revocation from parking waiting list under this chapter.

(4) "Reviewing officer" defined. Pursuant to RCW 34.05.491, a "reviewing officer" is an individual(s) who is appointed by the director to review the decisions by the presiding officer and is authorized to grant appropriate administrative relief upon review.

(5) "State capitol grounds" defined. Those grounds owned by the state and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, Sylvester Park, the Old Capitol Building and Capitol Lake, ways open to the public and specified adjoining lands and roadways.

(6) "Unauthorized vehicle defined." An "unauthorized vehicle" is a vehicle which is parked for any length of time on state capitol grounds and:

- (a) Does not display the permit required for that area; and/or
- (b) Is not otherwise authorized to park in that area; and/or
- (c) Is parked in a metered parking area for a consecutive period longer than the time permitted for parking in that area; and/or
- (d) Is parked in a metered parking area with insufficient payment to use the space it occupies; and/or
- (e) Is parked in a parking space designated for disabled individuals and such vehicle does not display a valid special license plate or placard; and/or

(f) Is parked in a parking space reserved for use by another vehicle; and/or

(g) Is parked in an area not designated for parking.

(7) "Vehicle" defined. All mechanical transportation devices defined as vehicles in the motor vehicle laws and of the state of Washington including motorcycles and motor-driven cycles.

(8) "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.

(9) "Employee defined." Any person assigned to a state facility, including state employees and the staff of vendors, 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.

(10) "Disabled defined." Any person who has made application to the department of licensing ((in accordance with ~~WAC 308-96A-310,~~) and displays a valid permit ((in accordance with ~~WAC 308-96A-310 and 308-96A-315~~)).

(11) "Visitor defined." Any person parking at a state facility who is not employed at that facility.

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

**WAC 200-200-080 Regulatory signs and directions.** Pedestrians and drivers of vehicles shall obey regulatory signs posted by the director. Pedestrians and drivers of vehicles shall also comply with directions given in the control and regulation of traffic by uniformed state patrol officers and department of ((general administration)) enterprise services parking controllers. No person shall move or alter any sign, barricade or other structure used for traffic and/or parking regulation, including painted stripes or marking utilized in traffic and parking control, without the authorization of the director.

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

**WAC 200-200-175 Skateboarding prohibited.** Skateboarding is prohibited on the state capitol grounds(~~(, as defined in WAC 236-12-015(7),)~~) including, but not limited to, the streets, sidewalks, walkways, walls, raised structural elevations, east capitol campus plaza, parking structures, lots and ramps, other paved surfaces of the state capitol grounds and any other structure or part thereof.

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

**WAC 200-200-180 Violation—Penalty.** Violation of any of the provisions contained in WAC (~~((236-12-160, 236-12-170, 236-12-171, or 236-12-175))~~) 200-200-160, 200-200-170, 200-200-171, or 200-200-175 shall constitute a traffic infraction which is subject to the jurisdiction of the Thurston County district court. Violators shall be ticketed by the Washington state patrol. The fine for violating any of these skateboarding regulations shall be twenty-five dollars.

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

**WAC 200-200-18003 Skating prohibited.** Skating is only permitted on the state capitol grounds on streets and sidewalks as long as the skating activity does not interfere in any manner with efforts to conduct state business or pedestrian and vehicle traffic. Skating, as defined in WAC (~~((236-12-18005))~~) 200-200-18005, is specifically prohibited on stairs, curbs, walls, raised structural elevations, monuments, parking garages, ramps, railings and any structure or part thereof.

Skating activities taking place during the hours of darkness require the skater to wear reflective-type clothing.

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

**WAC 200-200-18007 Violation—Penalty.** Violation of WAC (~~((236-12-18003))~~) 200-200-18003 shall constitute a traffic infraction which is subject to the jurisdiction of Thurston County district court. Violations shall be ticketed by the Washington state patrol. The fine for violating WAC (~~((236-12-18003))~~) 200-200-18003 shall be twenty-five dollars.

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

**WAC 200-200-290 Parking fees.** (1) The fees for rental parking shall be set by the director (~~((of the department of general administration))~~).

(a) Adjustments to the fees may be made at the discretion of the director (~~((of the department of general administration))~~).

(b) The director will establish a fee schedule for parking spaces/areas and will (~~((keep such fee schedule on file in the director's office of the Department of General Administration, P.O. Box~~

~~41000, Olympia, Washington 98504-1000 and will)) make it available ((to any person upon request)) on the department's web site.~~

(2) In determining whether to adjust rental parking fees, the director will consider one or more of the following factors:

- (a) Parking facility costs;
- (b) Available commuting alternatives;
- (c) Change in the demand for parking facilities;
- (d) Transportation demand management requirements;
- (e) Market rates of comparable privately owned or leased property; and
- (f) Other circumstances as determined by the director, whereby a change in parking fees is necessary.

(3) The director shall provide notice to state agency stakeholders and capitol campus parkers no later than sixty days prior to any proposed rental parking fees adjustment and provide a thirty-day comment period about the proposed parking fee increases. The director shall consider the comments in adopting adjustments to the rental parking fees.

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

**WAC 200-200-300 Monthly parking fee payments.** Agencies and non-state personnel will be billed by the parking office. Employee rental parking fees and any and all employee parking permit fees shall be by payroll deduction. ~~((The director will designate a form which will be completed and submitted to the Office of Parking Services, P.O. Box 41025, Olympia, Washington 98504-1025.))~~ 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.

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

**WAC 200-200-361 Suspension and/or revocation of parking privileges.** Repeated use of assigned parking spaces by 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 and/or being a repeat offender as defined in WAC ~~((236-12-360))~~ 200-200-360 may result in the suspension or revocation of 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.

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

**WAC 200-200-370 Hearing rights—Suspension and/or revocation of parking privileges or removal, suspension, or revocation from parking waiting list.** Any person or entity seeking to contest suspension and/or revocation of parking privileges or removal, suspension, or revocation from parking waiting list has a right to a hearing to contest the validity of those actions. Such request must be made in writing and received in the office of parking services within twenty days of the date of notice or effective date of action or such right to a hearing is forfeited. Hearing requests must be submitted to:

Office of Parking Services  
Department of ((General Administration)) Enterprise Services  
P.O. Box 41025  
Olympia, WA 98504-1025

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

**WAC 200-200-371 Hearing procedure—Suspension and/or revocation of parking privileges and removal, suspension, or revocation from parking waiting list.** (1) Contested hearings held pursuant to WAC ((236-12-370)) 200-200-370 shall be conducted as brief adjudicative proceedings according to RCW 34.05.482, 34.05.485, 34.05.488, 34.05.491 and 34.05.494.

(2) Upon receipt of a written request for a hearing, the presiding officer shall provide the contesting party an opportunity to be informed of the agency's view of the matter and an opportunity to explain the contesting party's view of the matter.

(3) Within ten days of this opportunity, the presiding officer shall serve upon the contesting party and the agency, a brief written statement of the reasons for the decision. Such statement shall include notice that the contesting party may request an agency administrative review of that decision. The contesting party must request such review either orally or in writing within twenty-one days of service of the written statement. Service is deemed to be completed upon deposit in the United States mail as evidenced by the postmark.

(4) If no agency review is so requested by the contesting party, the agency may, on its own motion, review the brief written statement of the presiding officer. Action less favorable to the contesting party may not be taken by the reviewing officer without notice to that party and an opportunity to explain that party's view of the matter.

(5) If no review is taken by the agency or by the contesting party, then the brief written statement of the presiding officer becomes the final order and no further administrative or judicial review is available.

(6) If review is requested, the reviewing officer shall give the contesting party and the agency an opportunity to present their respective views of the matter. Within twenty-one days of receipt of the request for review, the reviewing officer shall issue a final order which includes a brief statement of the reasons for the decision. The

final order shall include notice of any judicial review available under the Administrative Procedure Act, chapter 34.05 RCW.

(7) Any of the time limits set forth in this hearing process may be waived by the contesting party.

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

**WAC 200-200-435 Camping on state capitol grounds.** Camping on the state capitol grounds is prohibited unless permitted by the director (~~(of the department of general administration)~~). Camping means arranging any type of structure, shelter or bedding, or parking a vehicle, for purposes of habitation.

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

**WAC 200-200-440 Permits for demonstrations, parades, processions.** In order not to disrupt the orderly flow of pedestrian or vehicular traffic on the state capitol grounds, a person or group of persons desiring to conduct a demonstration, parade or procession of seventy-five or more people on the state capitol grounds shall apply to the department for a permit using the process outlined in chapter (~~(236-17)~~) 200-200 WAC.