

H. B. 2872

(By Delegates J. Nelson, D. Evans, Cooper, Longstreth, L. Phillips,
Butler, Arvon, Ihle, Blair, Kessinger and McGeehan)

[Introduced February 20, 2015; referred to the
Committee on Veterans’ Affairs and Homeland Security then the Judiciary.]

A BILL to amend and reenact §5A-4-5 of the Code of West Virginia, 1931, as amended, relating to regulation of parking at the West Virginia Capitol Complex; requiring that three parking spaces in the West Virginia Culture Center parking lot be designated for use by Purple Heart Medal recipients.

Be it enacted by the Legislature of West Virginia:

That §5A-4-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 4. GENERAL SERVICES DIVISION.

§5A-4-5. Regulation of parking on state-owned or leased property in Charleston; construction of parking garage for general public; penalties; jurisdiction; creation of funds.

(a) It is the intent of the Legislature to provide a parking facility for the general public and to direct the Secretary of the Department of Administration to plan and construct a parking garage at the state Capitol Complex that will provide sufficient and additional parking for the general public.

1 (b) The secretary may regulate the parking of motor vehicles in accordance with the
2 provisions of this section with regard to the following state-owned property in the city of Charleston,
3 Kanawha County:

4 (1) The east side of Greenbrier Street between Kanawha Boulevard and Washington Street,
5 East;

6 (2) The west side of California Avenue between Kanawha Boulevard and Washington Street,
7 East;

8 (3) Upon the state-owned or -leased grounds upon which state office buildings number one
9 (1) through twenty (20) and the Laidley Field complex are located; and

10 (4) Upon any other property now or hereafter owned or leased by the state or any of its
11 agencies and used for parking purposes in conjunction with the state Capitol or any state office
12 buildings.

13 (c) The secretary shall propose legislative rules pursuant to article three, chapter twenty-nine-
14 a of this code relating to parking and to also allocate parking spaces to public officers and employees
15 of the state upon all of the property set forth in subsection (b) of this section: *Provided*, That
16 notwithstanding this or any other provision of law to the contrary, during sessions of the Legislature,
17 including regular, extended, extraordinary and interim sessions, and any other times designated by
18 the Speaker of the House of Delegates and the President of the Senate, parking on the east side of
19 Greenbrier Street between Kanawha Boulevard and Washington Street, East, in the Science and
20 Culture Center parking lot, on the north side of Kanawha Boulevard between Greenbrier Street and
21 California Avenue and on the west side of California Avenue between Kanawha Boulevard and
22 Washington Street, East, and any other areas designated by a joint policy of the Speaker of the House

1 of Delegates and the President of the Senate shall be managed and controlled by the Legislature.
2 Any person parking any vehicle contrary to this section or the rules promulgated under authority of
3 this subsection is subject to a fine as established by rule of the secretary. In addition, a designee of
4 the secretary or the Legislature, as the case may be, may cause the removal, immobilization or other
5 remedy considered necessary, at owner expense, of any vehicle that is parked in violation of the rules
6 or the joint policy between the Speaker of the House of Delegates and the President of the Senate.
7 Magistrates in Kanawha County have jurisdiction of all the offenses.

8 (d) The secretary, the Speaker of the House of Delegates and the President of the Senate may
9 employ persons as may be necessary to enforce the parking rules as provided for under the provisions
10 of this section.

11 (e) There is created in the Department of Administration a special fund to be named the
12 "Parking Garage Fund" in which shall be deposited funds that are appropriated and funds from other
13 sources to be used for the construction and maintenance of a parking garage on the state Capitol
14 Complex.

15 (f) On or before July 1, 2015, the secretary shall designate three Purple Heart parking spaces
16 in the West Virginia Culture Center parking lot for use by recipients of the Purple Heart Medal with
17 a Purple Heart license plate. The parking spaces shall be located next to the accessible parking
18 spaces in the West Virginia Culture Center parking lot and must have a sign in front or adjacent to
19 the accessible parking space designating the parking spaces as "Purple Heart License Plate Parking
20 Only." The secretary shall enforce a fine against the owner of any vehicle parked in a Purple Heart
21 parking space that does not have a Purple Heart license plate.

NOTE: The purpose of this bill is to require that three purple heart parking spaces in the West Virginia Culture Center parking lot be designated for use by Purple Heart Medal recipients.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.