

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4262

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[Introduced January 25, 2016; Referred
to the Committee on Veterans' Affairs and Homeland
Security then the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

1 That §5A-4-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted
 2 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.**

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

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

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

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

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

14 (4) Upon any other property now or hereafter owned or leased by the state or any of its
 15 agencies and used for parking purposes in conjunction with the State Capitol or any state office

16 buildings.

17 (c) The secretary shall propose legislative rules pursuant to article three, chapter twenty-
18 nine-a of this code relating to parking and to also allocate parking spaces to public officers and
19 employees of the state upon all of the property set forth in subsection (b) of this section: *Provided,*
20 That notwithstanding this or any other provision of law to the contrary, during sessions of the
21 Legislature, including regular, extended, extraordinary and interim sessions, and any other times
22 designated by the Speaker of the House of Delegates and the President of the Senate, parking
23 on the east side of Greenbrier Street between Kanawha Boulevard and Washington Street, East,
24 in the Science and Culture Center parking lot, on the north side of Kanawha Boulevard between
25 Greenbrier Street and California Avenue and on the west side of California Avenue between
26 Kanawha Boulevard and Washington Street, East, and any other areas designated by a joint
27 policy of the Speaker of the House of Delegates and the President of the Senate shall be managed
28 and controlled by the Legislature. Any person parking any vehicle contrary to this section or the
29 rules promulgated under authority of this subsection is subject to a fine as established by rule of
30 the secretary. In addition, a designee of the secretary or the Legislature, as the case may be, may
31 cause the removal, immobilization or other remedy considered necessary, at owner expense, of
32 any vehicle that is parked in violation of the rules or the joint policy between the Speaker of the
33 House of Delegates and the President of the Senate. Magistrates in Kanawha County have
34 jurisdiction of all the offenses.

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

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

42 (f) On or before July 1, 2016, the secretary shall designate three Purple Heart parking
43 spaces in the West Virginia Culture Center parking lot for use by recipients of the Purple Heart
44 Medal with a Purple Heart license plate. The parking spaces shall be located next to the
45 accessible parking spaces in the West Virginia Culture Center parking lot and must have a sign
46 in front or adjacent to the accessible parking space designating the parking spaces as "Purple
47 Heart License Plate Parking Only." The secretary shall enforce a fine against the owner of any
48 vehicle parked in a Purple Heart 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 a heading or the present law and underscoring indicates new language that would be added.