WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2008

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4147

(By Delegates DeLong and Armstead)

Passed February 8, 2008

In Effect from Passage
AN ACT to amend and reenact §5A-4-5 of the Code of West Virginia, 1931, as amended, relating to legislative parking at the state capitol complex; providing for a joint policy of the Speaker of the House of Delegates and the President of the State Senate on parking; revising parking penalties to incorporate certain rules; allowing the Speaker of the House of Delegates and the President of the State Senate to designate other times and locations for legislative parking; and authorizing the Speaker of the House of Delegates and the President of the State Senate to designate persons for parking enforcement.

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.

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

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

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

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

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

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

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

(e) There is created in the Department of Administration
a special fund to be named the "Parking Garage Fund" in
which shall be deposited funds that are appropriated and
funds from other sources to be used for the construction and
maintenance of a parking garage on the State Capitol
Complex.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 14th day of July, 2008.

Governor
PRESENTED TO THE GOVERNOR

FEB 11 2008

Time 3:25