

HB 4147

FILED

2008 FEB 14 PM 4:45

OFFICE OF THE CLERK
SECRETARY OF STATE

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

ENROLLED

2008 FEB 11 PM 4:46
COMMITTEE SUBSTITUTE

FOR OFFICE OF THE SECRETARY OF STATE

H. B. 4147

(BY DELEGATES DELONG AND ARMSTEAD)

⁷
[Passed February 8, 2008; in effect from passage.]

A.D.S.

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.

- 1 (a) It is the intent of the Legislature to provide a parking
- 2 facility for the general public and to direct the Secretary of
- 3 the Department of Administration to plan and construct a

4 parking garage at the State Capitol Complex that will provide
5 sufficient and additional parking for the general public.

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

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

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

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

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

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

46 the rules or the joint policy between the Speaker of the House
47 of Delegates and the President of the Senate. Magistrates in
48 Kanawha County have jurisdiction of all the offenses.

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

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

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



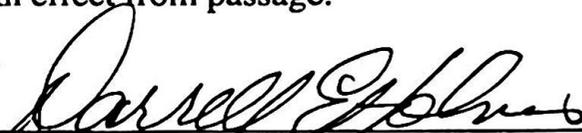
Chairman Senate Committee



Chairman House Committee.

Originating in the House.

In effect from passage.



Clerk of the Senate



Clerk of the House of Delegates

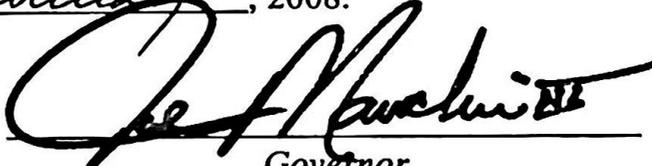


President of the Senate



Speaker of the House of Delegates

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



Governor

PRESENTED TO THE
GOVERNOR

FEB 1 1 2008

Time 3:25