**R131. Capitol Preservation Board (State), Administration.**

**R131-14. Parking on Capitol Hill.**

**R131-14-1. Purpose and Authority.**

(1) The purpose of this rule is to define and implement Board policy regarding parking at the Utah State Capitol Hill Complex.

(2) This rule is promulgated pursuant to Section 63O-2-301, Utah Code.

**R131-14-2. Parking Assignments.**

(1) Parking assignments on Capitol Hill is the responsibility of the Capitol Preservation Board's (CPB) Executive Director or designee.

(2) The identification and assignment of reserved parking spaces shall:

(a) meet the statutory requirements of Section 36-5-1 and any delegation by the Legislative Management Committee; and

(b) all remaining parking shall be distributed between all other Elected Officials, their staff and departments with preference going to the Elected Officials and their staff.

**R131-14-3. Disabled Parking Assignments.**

(1) The Capitol Preservation Board maintains accessible parking spaces as specified by the Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines (ADAAG). The number and placement of public reserved and accessible parking spaces were established in agreement with the Utah State Building Official. All provisions of this rule shall be interpreted consistent with the ADA and applicable Federal law. In case of conflict, the provisions of the ADA and applicable Federal law shall supersede the provisions of this rule.

(2) Due to the limited number of available spaces, the assignment of reserved accessible spaces shall be made as follows:

(a) Agencies shall give first priority to individuals who have qualified for a parking accommodation pursuant to the Americans with Disabilities Act.

(b) Agencies shall give second priority to individuals who have a "permanent disabled parking placard" from the Utah State Tax Commission Division of Motor Vehicles.

(c) Agencies shall give third priority to individuals with "temporary disabled parking placards" from the Utah State Tax Commission Division of Motor Vehicles for the duration of their temporary condition as determined by their healthcare provider, if a space is available.

(d) Individuals who have disabled parking placards and do not receive a reserved accessible parking space may park in available non-assigned accessible parking spaces located on the East side of the Capitol Hill Grounds.

(e) Unassigned, reserved accessible spaces in the underground parking plaza may be assigned to non-disabled Elected Officials or employees; however, when a request for an accessible space is made by an Elected Official or employee with a disabled parking placard, any available accessible parking space shall be relinquished to the Elected Official or employee with an accessible parking placard in accordance with the above-described priorities.

(f) In the event an accessible space is not available, employees may request individualized accommodations through their ADA coordinator who will conduct a confidential individualized assessment with the employee and/or Elected Official. If a parking accommodation is not granted at the agency level, parking accommodation appeals shall be directed to the ADA coordinator within the Division of Risk Management (801.538.9560), who will review the assessment with the employee and/or Elected Official and work with the CPB to implement reasonable accommodations if appropriate.

**R131-14-4. Assignment Process and Procedures.**

(1) Subject to Section 36-5-1, the CPB Executive Director will oversee and approve the number of parking spaces assigned to the legislature, executive and judicial branches of government. The CPB Executive Director may assign and designate areas of parking by departments, divisions or agencies of the executive and judicial branches. The CPB Executive Director shall provide space numbers to employees/Elected Officials of the legislative, executive and judicial branches, issue parking tags, personal data sheets and written agreements for each assigned individual to fill out and return to the CPB. The CPB Executive Director may require those assigned a parking space to execute a legal agreement protecting the State of Utah and the CPB, in accordance with a form reviewed by the Utah Attorney General's Office and the Division of Risk Management. The identification of persons with particular spaces shall be kept confidential by the CPB, the Department of Public Safety and any other State officials that receive such information in the course of State business, because the release of such information creates security and property risks.

(2) Upon the completion and signature of the personal data sheet and the written agreement, the space will be assigned, and parking privileges will be added to the employee or official's access card. Those with disabilities assigned to an accessible space will need to provide a copy of the placard to the CPB Executive Director.

(3) Because of a limited number of parking spaces on the Capitol Hill Complex, it is necessary to transition parking for both Legislative Sessions and Interim Legislative Sessions. Notices to employees may be sent out from the CPB as a courtesy. However, it is the responsibility of the individual to know which days they may and may not have a reserved parking space as identified in their signed agreement.

(4) Any executive or judicial branch employee who intentionally violates their signed parking agreement may lose the privilege to park in the space identified in the parking agreement as well as have any entrance card or device deactivated, as determined by the CPB Executive Director. Any determination by the CPB Executive Director may be appealed to the Chair of the Board Operations and Budget Development Subcommittee. However, such determination by the Chair shall be final. The designation of a parking space in the Capitol Hill Complex is a privilege and not a right.

(5) Any violation of this rule may also be prosecuted under Section 63O-2-301(2), Utah Code.

**KEY: parking spaces Capitol Hill Complex**

**Date of Last Change: November 4, 2024**

**Notice of Continuation: September 30, 2024**

**Authorizing, and Implemented or Interpreted Law: 63O-2-301**