

BUREAU OF CAPITOL POLICE (Modified to reflect statutory name changes as of September 12, 2009)

CHAPTER 42 Rules Relating to Parking on State Property

1. Definitions

- A. "Public way" or "public ways". All roads and driveways on lands maintained for the State Government at the Capitol area or other state controlled locations in Augusta.
- B. "Parking area" or "parking areas". All lands maintained by the State within the City of Augusta which may be designated as parking areas by the DIRECTOR OF General Services or by the SUPERINTENDENT OF AUGUSTA MENTAL HEALTH INSTITUTE, with prior approval of the COMMISSIONER OF PUBLIC SAFETY.
- C. "Curb" The outer edge of a defined sidewalk, on either edge of the route and usually traveled part of the street or public way.
- D. "Loading Zone" A space adjacent to a curb, loading platform or building reserved for the exclusive use of motor vehicles during the loading or unloading of passengers or materials.
- E. "Driver" Every person who is driving or is in actual physical control of a motor vehicle.
- F. "Motor Vehicle" Any self-propelled vehicle not operated exclusively on tracks, including motorcycles, motor driven cycles, mopeds, and snow traveling vehicles.
- G. "Pedestrian" Any person afoot.
- H. "Person" Every natural person, firm, partnership, association. or corporation.
- I. "Police officer" Every sworn officer of the Bureau of Capitol Police or any law enforcement officer authorized to issue process for civil or criminal violations.
- J. "Right of Way" The privilege of the immediate use of the roadway.
- K. "Stop" Complete cessation of movement.

- L. "Time" Whenever certain hours are named herein they shall mean Standard Time or Daylight Time as may be in current use in this State.
- M. "Traffic" Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together, while using ways.
- N. "Traffic Control Devices" All signs, signals, markings and devices, whether immovable or whether manually, electrically or mechanically operated, placed or erected by authority of the DIRECTOR OF General Services or by the SUPERINTENDENT OF AUGUSTA MENTAL HEALTH INSTITUTE, with prior approval of the COMMISSIONER OF PUBLIC SAFETY, by which traffic is alternately directed to stop and proceed or for the purpose of regulating, warning or guiding traffic.
- O. "Individual Parking Space" A portion of the surface of the street or parking area of sufficient length and width to accommodate a motor vehicle to be parking.
- P. "Abandoned Motor Vehicle" A vehicle which has remained parked for more than twenty-four (24) hours on any State-owned parking area without authority of the Bureau of Capitol Police.
- Q. "Travel lane" That portion of a street or parking area designed to allow motor vehicles to pass through.

2. Parking Provisions

- A. "Prima Facie" A vehicle unlawfully parking shall be prima facie evidence of the unlawful parking of the vehicle by the person in whose name the vehicle is registered.
- B. Signs are posted at parking areas prohibiting, restricting, or indicating the length of time that a motor vehicle may remain parked, and no person shall park or allow a motor vehicle to remain standing except as provided on such signs and otherwise in this section.
- C. Each motor vehicle shall be parked wholly within the lines as provided and not otherwise.
- D. No motor vehicle shall be parked or permitted to remain parking in a parking area between the hours of twelve (12) midnight and 6 a.m. without the authorization of the Bureau of Capitol Police.
- E. No motor vehicle shall be parked or allowed to remain standing in a public way or parking area where parking is prohibited as indicated by posted

signs nor shall a motor vehicle be parked in a public way or parking area for a period of time longer than the length of time indicated on the posted signs at the public way or area.

- F. No motor vehicle shall be operated, parked or allowed to remain standing at any time on the grassy portions of Capitol Park or on the grounds of the State House Complex, Blaine House Complex, Augusta Mental Health Institute, District Court or any other State controlled Building in the City of Augusta.
- G. No person shall stop, stand or park a motor vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or at the directions of a police officer or traffic control device, in any of the following spaces:
 - (1) On a sidewalk;
 - (2) within an intersection;
 - (3) Within fifteen (15) feet of a hydrant;
 - (4) Within twenty-five (25) feet of the nearest corner of curbs at an intersection, except as otherwise indicated;
 - (5) Within fifteen (15) feet upon the approach to any traffic control device located at the side of the public way*
 - (6) Alongside or opposite any street excavation;
 - (7) On any public wayside of any motor vehicle stopped or parked at the edge of the curb of a street or public way;
 - (8) Within the travel lanes of any streets or parking area, in such a manner as to prevent the free flow of traffic in or out.
- H. No person shall park a motor vehicle upon a public way or parking area for the principal purpose of advertising or displaying such vehicle for sale; or washing, greasing or repairing such motor vehicle, except repairs necessitated by an emergency.
- I. No person shall stop, stand, or park or leave any motor vehicle in an area designated as a loading zone space except for the purpose of, and while engaged in the unloading or loading of passengers or personal property of any nature.

- J. The operator of a motor vehicle shall bring said motor vehicle to a stop, yielding the right of way to all motor vehicles or pedestrians and other conveyances approaching from either direction on the intersecting public way, immediately before entering or crossing an intersection at which a traffic control device has been erected, provided, however, that when an officer is stationed at such an intersection said officer shall have the right to regulate traffic at that intersection.
- K. The DIRECTOR OF General Services and the SUPERINTENDENT OF AUGUSTA MENTAL HEALTH INSTITUTE, with prior approval of the COMMISSIONER OF PUBLIC SAFETY shall have the power to designate public ways or parts thereof as subject to one-way traffic, such designation to be effective only if suitable signs are conspicuously placed on or about the entrance to and from the effected areas, in the event of an emergency requiring such one-way traffic for the avoidance of traffic congestion which would be prejudicial to the safety, health and welfare of the public or property of the State located therein. In addition to the emergency conditions, the following occasions shall be proper for the application of the foregoing power to designate temporary one-way traffic in areas affected by such occasion;

- a. Excavation or other repairs to public ways or streets
- b. Parades or Commemorative Services

All signs designating one-way traffic shall be removed at the termination of the emergency or occasion listed above.

- L. No person shall remove from any motor vehicle a traffic violation ticket, notice of citation placed on or in such motor vehicle by a police officer, except for the purpose of answering such notice or citation as required therein.
- M. No person shall abandon or illegally park any vehicle of any kind upon any of the State-owned parking areas. The Bureau of Capitol Police may authorize the removal of such abandoned or illegally parked vehicle from said State owned premises or parking areas at the owner's expense. Neither the State nor political subdivisions thereof, nor the officer, shall be liable for any damage that may be caused by such removal.
3. Required obedience to Traffic Regulations
- A. Sworn officers of the Bureau of Capitol Police, or such other officers as are assigned by the COMMISSIONER OF PUBLIC SAFETY, are hereby authorized to direct all traffic by voice, hand or any other signal in conformance with traffic laws, provided that in the event of a fire or other

emergency, or to safeguard pedestrians, they may direct traffic as conditions may require notwithstanding the provisions of these rules and regulations.

B. No person shall willfully fail or refuse to comply with a lawful order or direction of a police officer.

4. Parking Violations

A person charged with a violation of parking regulations may waive court action by making payment of appropriate fee. Appropriate parking violation fees will be set at the following:

Parking in Legislative area	\$15.00 fee
Parking in Handicapped area	\$25.00 fee..
Parking in Reserved area	\$14.00 fee.
Parking in Travel lane	\$12.00 fee.
Overtime parking	\$10.00 fee.
Improper parking	\$10.00 fee.

No Parking zone \$10.00 fee.
All other violations will carry a \$10.00 fee.

All fees not paid within seventy-two (72) hours of date of issue will increase violations fee charge by \$5.00. Parking fees are due and payable within 14 days of receipt of a ticket by the violator. Failure to pay such fees within the applicable specified time without approval of the CHIEF OF CAPITOL POLICE may void the waiver of court action provision of this article and the penalties stipulated under 25 M.R.S.A. Section 2910 shall be invoked.

5. Penalties

Any person found guilty of violating any rule made pursuant to sections 2904 to 2907 shall, upon conviction, pay a fine of not less than \$50.00 for each offense.

6. Unlawful Parking

Any vehicle unlawfully parked shall subject the owner or operator, or both, to the penalties provided for in Section 5.

AUTHORITY: 25 M.R.S.A. Sec. 2906

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