

**Board Policy No. 437****Vehicle Parking at District Facilities****ADOPTED:** 10/10/1990**RECENT AMENDMENT:** TBD**SEE ALSO:** 437A**SUBJECT CATEGORY:** SECTION 400, OPERATIONS**SUBSECTION:** FACILITIES, PARKING, VEHICLE USE**CONTROL DEPARTMENT:** OPERATIONS**I. PURPOSE**

The purpose of this policy is to establish directives for overall use of AC Transit's parking structures/lots at District facilities.

II. PERSONS AFFECTED

This policy applies to anyone who parks in AC Transit's parking structures/lots at District facilities.

III. DEFINITIONS

"Authorized Person" means any Board member, Board Officer, designated union official, or employee who is authorized to park in a District parking structure/lot. To the extent that visitor spaces are available, authorized persons may include visitors who have business at the District and will be on the premises for not more than three hours unless an exception is granted by the General Manager. Consultants and/or contractors are not eligible to receive an assigned parking space.

IV. POLICY**A. General Rules Applicable to All Parking Structures/Lots****1. Parking Privileges:**

- a. Only authorized persons may park in a District parking structure/lot. Authorized persons who abuse the privilege to park as set forth in Administrative Regulation 437A may be subject to suspension or loss of parking privileges. Authorized persons who have an assigned parking space on the date of this policy amendment shall retain their parking privileges until such time as the authorized person terminates employment, promotes into a position not eligible to receive a parking space, loses their parking privileges or if the General Manager determines the space can no longer be provided due to operational needs. The District reserves the right to revoke parking privileges for any reason it deems appropriate. Authorized persons are prohibited from renting or subleasing their assigned space. Under no circumstances may an authorized person allow anyone other than a District employee use of his/her parking space.
- b. Vehicles must have valid registration with the Department of Motor Vehicles.
- c. Flammable and/or hazardous fluids and materials, firearms and weapons shall not be stored in vehicles.

2. Insurance Requirements:

Authorized persons are required to have auto liability insurance with limits no less than \$15,000 per person/\$35,000 per incident/\$15,000 in property damage and shall furnish proof upon request.

3. Indemnification:

By parking in a District parking structure/lot, authorized persons agree to indemnify, defend and hold the District harmless for any and all claims and/or lawsuits filed as a result of the authorized person's use of a District lot/parking structure. Said duty includes paying for all damages, losses, expenses, settlements, judgments, attorneys' fees, court costs, litigation/claims expenses and the cost of any appellate proceedings unless due to the District's gross negligence or willful misconduct.

4. General Use:

- a. Authorized persons are required to observe all posted safety warnings, including speed and stop signs.
- b. Authorized persons are not permitted to park in any other space other than their assigned space and must park correctly in order to not obstruct other vehicles that need to park in adjacent spaces.
- c. Authorized persons park at their own risk and shall ensure their vehicle is locked. Valuables and/or personal property are not be stored in the vehicle. The District is not responsible for damage to, or theft of, a vehicle or its contents.

5. Hours of Use:

District parking structures/lots may only be used while the authorized person is at work or on District business. No overnight or extended parking is permitted without prior approval of the General Manager or the Board President if use is by a Board member. Unauthorized vehicles parked for an extended period of time may be towed at the owner's expense.

6. Accidents:

In the event an accident occurs on District property between one or more vehicles, vehicle owners shall be responsible for reporting the incident to their respective insurance companies for resolution. By parking in a District parking structure/lot, authorized persons agree that the District has no responsibility or liability for any accidents that occur between their personal vehicle and the structure or another vehicle unless the accident was due to the District's gross negligence or willful misconduct.

Any accident involving the parking structure/lot or other District property and/or vehicles shall be immediately reported to the Operations Control Center and the Risk Management Department.

B. Parking Rates (General Office Facility Only)

1. Rates:

The parking rate shall be \$75 per month and is subject to adjustment every five years in accordance with the Review Schedule adopted by the Board.

2. Rate Exceptions:

There will be no parking charges for district owned vehicles, and, per Board discretion, authorized Board Officers.

- a. In accordance with Transit District Law, the Board cannot adjust their compensation to offset parking expenses, but instead must provide for reimbursement to members of the Board for expenses incurred in the conduct of District business. Therefore, parking charges shall be waived for members of the Board.

C. Parking Revenue Generated at the General Office Facility

Unless otherwise required by law or other District policies, parking revenue may be used to support programs designated by the General Manager provided it is allocated to support activities at the General Office where the revenue is being collected.

V. AUTHORITY

A. Board Authority

The Board of Directors shall be responsible for setting parking rates.

B. General Manager's Authority

The General Manager shall issue any and all necessary administrative regulations required to implement this policy, including, but not limited to, the designation of visitor, employee, and non-revenue vehicle spaces; the assignment of parking spaces; procedures and remedies for suspension or loss of parking privileges; and the designation of a parking administrator to oversee parking at District facilities, including this policy and any administrative regulations related to it.