

ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
ADMINISTRATIVE CODECHAPTER 220-1-4
GENERAL PROVISIONS PARKING ON PROPOERTY UNDER THE CONTROL OF THE
DEPARTMENT

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220-1-4-.01 **Purpose.**

The purpose of this chapter is to establish rules for regulating the parking of motor vehicles on property under the control of the Department of Conservation and Natural Resources for the protection of the health, safety, and welfare of the public and natural resources of this state and to implement Act 2019-442.

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.02 **Definitions.**

(1) Boating Access Area. A state-owned, leased, and/or operated boat launching and/or landing access area, parking lot, ramp, pier, and any real or personal property within the boundaries of said areas under the jurisdiction of the Department of Conservation and Natural Resources.

(2) Commissioner. The Commissioner of the Department of Conservation and Natural Resources.

(3) Department. The Department of Conservation and Natural Resources, including any division thereof.

(4) Motor vehicle. Every vehicle which is self-propelled and every vehicle which is propelled by electric power, and every vehicle

that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

(5) Property under the Control of the Department. Property, and any roads or streets on the property, including but not limited to, state parks property; boating access areas, including associated parking lots; wildlife management areas; public fishing lake property; any property controlled, owned, leased, or managed by the department or any of its divisions or the Forever Wild Land Trust.

(6) Special Officer. A person designated by the Commissioner to enforce Act 2019-442; to issue Uniform Traffic Ticket and Complaint forms for parking violations; and to represent the Department in district courts in matters related to parking violations.

(7) Unattended Motor Vehicle. A motor vehicle that is unoccupied.

(8) UTTC. Uniform Traffic Ticket and Complaint.

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.03 Enforcement.

(1) All law enforcement officers employed in any division and/or section of the Department are authorized to enforce Act 2019-442; to issue UTTCs for parking violations listed in Rule 220-1-4-.04; and to represent the Department in district courts in matters related to parking violations.

(2) The Commissioner may by letter appoint individuals who are not law enforcement officers to serve as special officers of the Department for purposes of enforcement of Act 2019-442; to issue UTTCs for parking violations listed in Rule 220-1-4-.04; and to represent the Department in district courts in matters related to parking violations. Such appointments shall become effective upon the date of the letter and shall remain effective until revoked by the Commissioner, or until the special officer is no longer employed with the Department or the contract with the special officer, who is not an employee of the Department, expires or is terminated.

(3) If a person is observed violating a parking rule, a law enforcement officer or special officer may issue a UTTC directly to the violator. If a motor vehicle is parked in violation of rule 220-1-4-.04 and is unattended, a law enforcement officer or special officer may issue a UTTC in the name of the registrant of the motor vehicle and place it on the front windshield of the

motor vehicle. A copy of each UTTC issued to the registrant shall be mailed, by regular mail, to the registered owner of the motor vehicle.

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.04 Parking Violations.

A UTTC may be issued for the following parking violations on any property under the control of the Department:

(1) No person shall park a motor vehicle upon a street or road in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

(2) No person shall park any motor vehicle upon a street or road in such a manner or under such conditions as to block or obstruct the free movement of vehicular traffic.

(3) No person shall park a motor vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the alley for free movement of vehicular traffic and no person shall leave a motor vehicle unattended within an alley in such a position as to block an entrance or exit.

(4) Where parking stalls or spaces are designated by appropriate markings, a motor vehicle shall be parked wholly within such stall or space unless such vehicle is too large, in which case such vehicle may use two (2) or more parking stalls or spaces as necessary. Notwithstanding the foregoing, recreational vehicles shall be parked in spaces designated for such use.

(5) No person shall park or leave standing any motor vehicle, whether attended or unattended, in such manner that any portion of such vehicle is located on the paved or improved or main traveled portion or right of way of Alabama Highway 182 through Gulf State Park property.

(6) No person shall park or leave standing any motor vehicle within any designated fire lane.

(7) No person shall park a motor vehicle in those spaces that are marked as designated for vehicles with an attached boat trailer in public boating access areas, unless the person is parking a vehicle to which a boat trailer is attached.

(8) No person shall park a motor vehicle in such a way that blocks access to or interferes in any way with the use of any part of a boat ramp or pier.

(9) No person shall park a motor vehicle in a public boating access area that is not designated for parking.

(10) No person shall park a motor vehicle in an area that requires a fee to park, without paying such fee. If there is a parking meter in use and it is of the type that issues a ticket or token, the vehicle must display proof of payment whether it be a meter ticket or token, yearly pass, or tear off from envelope on day permits.

(11) No person shall park a motor vehicle in such way that inhibits entrance or exit through any gate.

(12) No person who does not have a distinctive special long-term access or long-term disability access license plate or placard, or a temporary disability placard duly issued to such person and currently in effect, shall park a motor vehicle in a parking place designated for individuals with disabilities on any property under the control of the Department.

(13) No person shall park a motor vehicle in any area or space where parking is prohibited by a posted sign, a street marking, or a traffic control device.

(14) No person shall park a commercial motor vehicle overnight unless such person has received prior written consent or has a placard issued by the Department displayed in a location which is visible from the outside of the commercial motor vehicle.

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.05 **Fines.**

(1) The fine for parking in a handicapped parking space in violation of rule 220-1-4-.04 shall be two hundred fifty dollars (\$250).

(2) The fine for any other parking violation listed in rule 220-1-4-.04 shall be fifty dollars (\$50).

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.06 Removal Of Motor Vehicles.

A motor vehicle parked in violation of Act 2019-442 and/or Rule 220-1-4-.04 may be removed as provided in Section 32-13-2, Code of Ala. 1975.

Author: Christopher M. Blankenship

Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.

220-1-4-.07 Procedure For Issuance And Adjudication Of UTTCs.

(1) The procedures for the issuance and resolution of UTTCs shall be consistent with Rule 19 of the Alabama Rules of Judicial Administration except as otherwise provided by Act 2019-442, with district courts having exclusive jurisdiction over parking violations.

(2) Any fine collected from disposition of a parking violation shall be paid to the clerk of the district court, who shall disburse the funds as provided in Act 2019-442.

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Statutory Authority: Act No. 2019-442, Ala. Acts 2019.

History: New Rule: Filed August 6, 2019; effective September 20, 2019.