

# MDH POLICY

<https://health.maryland.gov/Pages/mdhpolices.aspx>

OFFICE OF SECRETARY-CENTRAL SERVICES DIVISION

MDH Policy 01.05.01  
EFFECTIVE DATE: FEBRUARY 8, 2018

## MDH (HQ) PARKING POLICY

### I. EXECUTIVE SUMMARY

The Department of General Services (DGS) is authorized by statute to manage the parking lots and garages at the Baltimore State Center. DGS has replaced the old parking permit system with "prox" access technology, providing permanent, full-time State employees who are authorized parking privileges with an upgrade of their employee ID cards that allows access to designated parking areas. DGS has issued a new parking policy to provide operational guidelines to agency Parking Coordinators.

The MDH Parking Program is managed by the MDH Parking Coordinator, who is designated by the Chief of the Central Services Division, Office of Secretary. **The policy will be for State merit employees only (except medical) and used at all headquarter offices when a "prox" or permit system is needed due to reduced parking.** This policy sets forth the general guidelines of the MDH Parking Program including a list of the applicable legal and regulatory documents, a liability disclaimer; program roles and responsibilities; the application process; scoring formula; issuing, monitoring and rescinding/reassignment of parking privileges; enforcement and consequences of non-compliance; special parking arrangements; and an appendix of relevant forms and instructions.

### II. BACKGROUND

DGS allocates "prox" (proximity card) access to parking privileges for MDH and other agencies proportionate to the number of full-time employees at each location. The MDH allotment is sufficient to accommodate approximately one third of the MDH employees at the State Office Center in Baltimore. Within MDH, initial eligibility for parking privileges is determined by evaluation of criteria such as grade, length of State service, work requirements, medical or physical necessity, time of application, and participation in car pools. Continuing eligibility may depend on minimum utilization.

Noncompliance or abuse of parking privileges is not tolerated. Everyone who is authorized parking privileges must comply with all associated rules including the DGS Buildings and Grounds regulations; the State Agency Smoking Policy (which specifically prohibits smoking in State buildings); State laws on government identification; Maryland Motor Vehicle Administration regulations and statutes; the Americans with Disabilities Act of 1990 with 2010 Standards; and the requirements of this policy. Violation of or noncompliance with these directives may result in loss of current parking privileges, parking tickets, denial of future parking privileges, progressive employee disciplinary action, fines and/or imprisonment as stipulated in each respective directive.

This policy version supersedes DHMH HQ Parking Policy 01.05.01 issued September 2, 2014. This version: 1) Updates links and corrects department name; and 2) Makes other minor, routine changes.

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### III. POLICY STATEMENTS

#### A. SCOPE

This policy applies to MDH programs at the State Center in Baltimore; MDH headquarter employees at other locations; employees of other agencies who participate in MDH carpools; MDH HQ visitors and meeting attendees; delivery persons; messengers; etc.

#### B. TABLE OF AUTHORITIES

1. By enacting State Finance and Procurement Article, §4-604, Annotated Code of Maryland, the Maryland Legislature assigned to the Department of General Services (DGS) the overall responsibility for controlling pedestrian and vehicular traffic for parking garages, surface parking lots, roads, and sidewalks that are owned or leased by the State. [http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qsf/4-604.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qsf/4-604.pdf)
2. In COMAR 04.04.02 DGS has recently issued comprehensive rules for the control and use of Security Cards, including prox access. In COMAR 04.05.01.05 DGS sets the rules for use of vehicles on State property.  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=04.04.02.00.htm>  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=04.05.01.05.htm>
3. The DGS Parking Policy, hereby recognized and incorporated into this policy by reference, applies to all parking facilities owned and managed by DGS, including the State Center in Baltimore. In general, the operational directives are applicable to Agency Parking Coordinators.
4. Under Health General Article, §2-102, the Secretary of Health and Mental Hygiene is responsible for the operation of the Department and is authorized to issue policies and procedures to promote the orderly and efficient administration of MDH.  
[http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qhg/2-102.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qhg/2-102.pdf)
5. The Criminal Law Article, §§8-301 to 8-303, Annotated Code of Maryland prohibits the loaning or borrowing, alteration, or fraudulent use of a government-issued identification document, and upon conviction, a person is subject to imprisonment for 6 months or a fine not exceeding \$500, or both.  
[http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qcr/8-301.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qcr/8-301.pdf)
6. Criminal Law Article, §9-704, further mandates that employees turn in their identification badge at the end of employment and that possession of an identification badge after employment ends is subject to imprisonment of 90 days, a fine of \$ 500, or both. [http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qcr/9-704.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qcr/9-704.pdf)
7. Executive Order Number 01.01.1992.20, Executive Agency Policy on Smoking, specifically prohibits smoking or carrying of any lighted tobacco product in State buildings (which includes the O'Connor building garage). Violations may result in loss of current parking privileges, denial of future parking privileges, and other disciplinary actions as specified in the executive order and this policy.  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=01.01.1992.20.htm>

8. Transportation Article §13-616, Annotated Code, provides approved standards and framework for issuing of medical parking permits for persons with disabilities by the Motor Vehicle Administration. Obtaining MVA Disability tags or placard by providing inaccurate or false information is illegal and is subject to a \$500 fine. [http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qtr/13-616.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qtr/13-616.pdf)
9. The Americans with Disabilities Act of 1990 with 2010 Standards, as amended, sets certain standards for both the physical environment of the buildings, garage and parking lots, as well as guidelines for accommodation of workers and visitors with disabilities to the headquarters workplace and associated areas. MDH, in cooperation with DGS, is committed to compliance with the requirements of this program. <http://www.ada.gov/pubs/ada.htm>
10. Other Federal, State, and agency directives, not specifically mentioned above, may also apply to this policy and the MDH Parking program.

### C. DEFINITIONS

1. A "carpool", for the purposes of this policy, is defined as a group of full-time, permanent State employees whose primary work site is the Baltimore State Center or other headquarter facilities, and who share a vehicle to travel to and from work each day. MDH carpool applicants are entitled to additional points to enhance placement on the parking waiting list, based on a formula that includes the number of participants and whether they are MDH employees. Carpool points are added to the applicant's score. Full participation of the carpool's passengers is expected at least 60 percent of the time, with exceptions allowed for authorized leave. Monitoring of utilization may result in rescinding of parking privileges for non-compliance.
2. "Clearance sheet" means a form used by MDH to recover privileges and items issued to the departing employee
3. "Leased parking spaces" means parking spaces that are rented and paid for by the Department as opposed to State-owned lots.
4. "Medical parking" is now a part of the prox parking system in the O'Connor building garage or the permit system at other headquarter facilities, issued on either a temporary or long-term basis to accommodate a full-time or part-time employee who has a medical disability. As of May 1, 2008, a Maryland Motor Vehicle Administration (MVA) Disability Parking authorization shall be a prerequisite for MDH Medical Parking privileges; applicants shall provide the MDH Parking Coordinator with medical certification of a disability, as explained in the medical parking application instructions. <https://health.maryland.gov/docs/MedInstructions.pdf>

Access to parking is limited to available spaces, on a "first come / first served" basis, and in compliance with all applicable regulations including the Americans with Disabilities Act of 1990 with 2010 Standards, as amended. Any vehicle parked in a designated "Disabled Parking" space, marked with blue paint, requires MVA's disabled tags, or red or blue hang placards per ADA specifications, or else is subject to a ticket and/or other enforcement actions.



5. "Prox Parking" is a system that allocates authorized access to parking to designated permanent State employees by DGS through the MDH Parking Coordinator. Employees in approved vehicles may use their prox-enhanced State ID cards to access a designated parking area during normal working hours. Prox parking replaces the old Parking Permit system.

Access is provided to either the O'Connor building garage (A, B and/or C levels) or to one of the surface lots (E, or F), however a parking place is **not** guaranteed for all vehicles. Parking space is available on a first come/ first served basis because access is over-allocated to accommodate average attendance, thus allowing the maximum number of employees to have parking privileges. At other headquarter facilities, a permit system will be used for parking if a "prox" system is not in place.

Criteria used to grant prox parking include an employee's grade, length of service, work requirements, disability, date of application, and carpool points. Prox parking may be revoked for non-compliance with applicable directives including this policy, or for insufficient utilization.

#### D. DISCLAIMER OF LIABILITY

1. Neither MDH nor DGS are responsible for the loss of property or damage to a vehicle while an employee's vehicle is parked at a State Center parking lot or garage.
2. Neither MDH nor DGS are responsible for the payment of or reimbursement for parking while MDH employees are in a queue for the assignment of parking privileges.

#### E. ROLES AND RESPONSIBILITIES

1. The Maryland Department of General Services (DGS) has been designated by the Legislature to manage parking lots and garages at Baltimore State Center.
2. The Secretary, MDH, has overall responsibility for the Department's operations, and delegates the parking program management authority and oversight responsibility to the Chief of Central Services Division (CSD).
3. The Chief of the Central Services Division (CSD), designates the MDH Parking Coordinator to represent MDH and act as liaison for the parking program between the DGS and MDH employees. The telephone number in CSD for parking issues is 410-767-6809.
4. The Maryland Motor Vehicle Administration is responsible for evaluating disability applications and issuing the State's disability parking tags and placards. As of May 1, 2008, MDH requires documentation of the MVA disability certification as a prerequisite for being issued MDH Medical Parking privileges. MDH also requires medical certification of a disability, in accordance with the Instructions for Applying for MDH Medical Parking. <https://health.maryland.gov/docs/MedInstructions.pdf>
5. The MDH Parking Coordinator is responsible for the following:
  - a. Maintaining accurate, up-to-date MDH parking records;

- b. Overseeing the waiting list;
- c. Processing parking applications and other parking program forms;
- d. Acting as parking liaison with DGS and custodian for the MDH allocation of parking privileges;
- e. Monitoring utilization and compliance with directives;
- f. Revoking or reassigning prox parking, when justified, in accordance with this policy;
- g. Signing the parking section of Clearance Sheets; and,
- h. Coordinating special and contractor parking requests with DGS.

## F. THE MDH PARKING PROGRAM OPERATIONS

### 1. Parking Program Records

- a. The MDH Parking Coordinator shall maintain the MDH parking program records, keeping them accurate and up-to-date.
- b. A listing of all MDH employees authorized to park at the State Center and a prox parking waiting list shall be maintained.
- c. Use of authorized prox access with a different vehicle (such as a rental car) or changes to an authorized vehicle's license plates, must be reported immediately, preferably in advance, to the Parking Coordinator to update the records to avoid ticketing or towing by DGS Police as an unauthorized vehicle.
- d. Employees are required to provide any changes of information relevant to their parking status to the MDH Parking Coordinator within two weeks, (e.g., transfer to another program, or passengers leaving / joining a car pool). The Parking Coordinator shall update the applicable MDH records and submit the appropriate update forms to DGS.
- e. An employee leaving a position at the State Center shall have his/her clearance sheet signed by the MDH Parking Coordinator (or CSD designee). The Office of Human Resources shall not accept a final clearance sheet if the MDH Parking Coordinator or CSD designee has not signed off.
- f. Employees leaving their job are required by law to turn in their State Identification card, thereby terminating their prox parking access.  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qcr/9-704.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qcr/9-704.pdf)

### 2. Application for Regular Prox Parking Privileges

- a. Any permanent, full-time MDH employee may apply for prox parking access by submitting MDH 4576 - Prox Parking Access Application to the MDH Parking Coordinator.  
<https://health.maryland.gov/docs/park-4576app/2014.pdf>
- b. Applicants are to be ranked on a list according to the established scoring system in paragraph 3, below, and prox parking privileges shall be authorized, as available, to the individuals on the waiting list in order of highest to lowest scores.



- c. When more than one individual has the same score, the individual with the longest time in State service shall receive prox parking authorization.
- d. The Office of Human Resources shall verify the employee's grade and tenure stated on the application before privileges are issued.
- e. Notwithstanding paragraph 2b above, employees in grade 22 and higher shall be authorized garage prox access, regardless of time in service, subject to availability and minimum utilization review.

**3. MDH Prox Parking Scoring System**

EMPLOYEE CRITERIA	POINTS
▪ TIME IN STATE SERVICE	(TS): 1/12 POINT FOR EACH MONTH OF SERVICE
▪ GRADE:	(GR): ONE POINT PER PAY GRADE
▪ TIME OF APPLICATION	(TA): 1/12 POINT PER MONTH FROM DATE APPLIED

CARPOOL CRITERIA	CARPOOL POINTS (CP)
▪ FOUR PERSON (ALL MDH)	TWELVE POINTS
▪ FOUR PERSON (MDH & OTHER STATE AGENCY)	TEN POINTS
▪ THREE PERSON (ALL MDH)	EIGHT POINTS
▪ THREE PERSON (MDH & OTHER STATE AGENCY)	SIX POINTS
▪ TWO PERSON	FOUR POINTS

**FORMULA: (TS) + (GR) + (TA) + (CP) = TOTAL SC**

**EXAMPLE:**

Time In Service (TS)	Grade (GR)	Time of Application (TA)	Carpool (CP)	= SCORE
# months x 1/12 of service	current x 1 grade	# of months from x 1/12 application date	car pool points	total points

**4. Issuing and Rescinding of Prox Parking Access Privileges**

a. The MDH Parking Coordinator shall be responsible for issuing all prox parking access privileges provided to MDH employees by DGS.

b. Employees who leave MDH employment are required by law to surrender their ID cards (thus, their prox parking access). The MDH Parking Coordinator, when signing off the Parking Section of departing employees' Clearance sheets, shall determine whether parking privileges are available for reassignment.

[http://imgaleq.maryland.gov/2010RS/Statute Web/qcr/9-704.pdf](http://imgaleq.maryland.gov/2010RS/Statute%20Web/qcr/9-704.pdf)

c. If the departing employee was authorized prox parking, the Parking Coordinator shall prepare a DGS Parking Prox Access Survey form to reassign the parking allotment to the next person on the waiting list, and enter the allocation data on the MDH 4576 Prox Parking Access Application form for the person with the highest score. The employee will then be scheduled to have their ID updated by DGS with prox access.

[https://health.maryland.gov/docs/park-4576appl\\_2014.pdf](https://health.maryland.gov/docs/park-4576appl_2014.pdf)

d. A MDH employee who transfers to a program outside the State Center shall relinquish parking privileges the same as an employee leaving MDH. That parking allocation shall then be issued to the person on the waiting list with the highest score.

Except as noted below, in paragraph 7, for Discretionary Parking, an employee who transfers programs within MDH at the State Center is allowed to retain his or her existing prox access if the employee notifies the Parking Coordinator of the transfer within two weeks to have his or her records updated.

**5. Waiting Lists**

**a. Surface Lots:**

- When Grade 21 and lower employees submit an application for prox parking, their point score is calculated and their names are inserted into the waiting list for surface lot prox access according to their current score.

**b. Garage:**

- When Grade 22 and above employees submit an application for prox parking, their point score is calculated and their names are placed on the waiting list for garage prox access according to their current score.
- When Grade 21 or lower employees are allocated access for one of the surface lots, their names are automatically placed on the waiting list for garage prox access according to their current point score. There is no need for the employee to reapply for garage access.

**c. Leased Spaces:**

- Allocations of leased parking spaces are assigned the same as garage lot allocations.

**d. Medical Spaces:**

- Medical parking applicants are placed on this list according to a disability priority rating of one, two, three, or four which is determined by a physician's evaluation of the medical report at the time of application, and then, within each priority according to the time of application on a first come/ first served basis.
- An employee who has been allocated medical parking access with a lower priority rating may be displaced by a higher priority applicant if all the medical parking spaces have been allocated.
- If a medical space becomes available and there is no waiting list, the space is held open for the next medical applicant



e. **Discretionary Spaces:**

- Certain job positions at MDH are automatically allocated parking due to the requirements of the position. If one of these positions is vacated by the employee, the associated parking allocation is held open for the next person to fill the position. There is no waiting list for discretionary parking.

f. **List Updates**

- Since each applicant's parking point score is based partially on their number of months of State service and partially on the number of months that their application has been on file, both of which increase incrementally monthly, the parking lists are therefore updated quarterly to keep the point scores current.
- Since the point score is also based on the applicant's grade, it is in the best interest of the applicant to keep the Parking Coordinator apprized of any changes.

6. **Medical Parking**

a. As of May 1, 2008, documentation of an approved Maryland Motor Vehicle Administration (MVA) Disability tag and/or placard is a prerequisite for eligibility for MDH Medical Parking access. Prior to applying to MVA, contact the MDH Parking Coordinator for instructions.  
<https://health.maryland.gov/docs/MedInstructions.pdf>

b. An applicant for Medical Parking access must provide the Parking Coordinator with documentation of medical certification of a disability, in accordance with the application instructions. If necessary, medical parking allocations shall be prioritized on a scale of one (1) to four (4) by a consulting physician with one (1) being the highest priority and four (4) being the lowest priority.

c. The medical parking allocation for MDH is 5 percent of the MDH parking total. When the medical parking allocations are all assigned, qualified applicants shall be placed on a medical parking waiting list according to the assigned priority. Within each priority on the medical parking waiting list, applicants are ranked by the time of application, first come/ first served.

d. Providing false or misleading information in order to obtain an MVA disability permit is prohibited by law and is subject to prosecution and a \$500 fine. Providing misleading, false, or altered documentation to MDH/DGS may further result in loss of current and future parking privileges as well as other disciplinary actions.  
[http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qtr/13-616.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qtr/13-616.pdf)

e. MDH employees with prox access to the garage and surface lots, including medical parking, are not guaranteed actual parking spaces, but are subject to first come / first served availability.



f. A vehicle parked in a designated "Disabled Parking" space, marked with blue paint must display MVA disabled tags, or red / blue hang placards per ADA specifications, or else is subject to being ticketed and/or towed.  
[http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qtr/21-1006.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qtr/21-1006.pdf)

g. An individual issued an MVA disability permit as a driver of a person with a disability, shall only qualify for MDH medical parking when both the disabled person and driver are MDH headquarters employees.

h. Medical parking issued prior to May 1, 2008 when the MVA disability tag/placard becomes a prerequisite, shall remain in effect until expiration or until the employee's disability status changes.

**7. Discretionary Parking**

a. Approximately forty-two fixed positions at MDH are automatically allocated discretionary parking based on their job requirements. The Chief of CSD or designee may approve additional discretionary parking based on job requirements when the employee would not otherwise qualify for access to parking.

b. Requests for discretionary prox parking access are to be submitted in writing to the Chief of the Central Services Division (CSD) along with a completed MDH 4576 - Prox Parking Access Application form. The Chief of CSD or designee shall have final approval authority over all discretionary parking.

c. An employee with discretionary parking who is reassigned must relinquish parking privileges at the time of transfer, notifying the Parking Coordinator and obtaining his/her signature on the Transfer Clearance Sheet. Typically, a discretionary parking allocation is held by Central Services Division for reassignment to the next person to fill that position.

d. Discretionary parking is monitored for utilization and is subject to reassignment if not used at least 60 percent of the time.

**8. Carpools**

a. Carpool incentive points are awarded to permanent, full-time employees under the condition of compliance with the following requirements. Carpool members must be State employees whose primary place of work is the Baltimore State Center, with at least one from MDH.

b. MDH employees forming a new car pool shall submit a MDH 4576 Prox Parking Access Application form to CSD. Carpool passengers shall also sign MDH 4576-2 Carpool Passenger Acknowledgement Form.  
[https://health.maryland.gov/docs/park-4576appf\\_2014.pdf](https://health.maryland.gov/docs/park-4576appf_2014.pdf)  
<https://health.maryland.gov/docs/MDH4576-2.pdf>

c. A MDH employee who is issued carpool parking privileges must be present when his/her State ID card is used to gain access to a building or

parking lot. Employee ID cards shall not be borrowed, loaned, or used by others – violation of this requirement is a criminal offense, and is subject to enforcement. <http://mqaleq.maryland.gov/2018RS/StatuteWeb/qcr/9-704.pdf>

d. When the member of a carpool who has the prox privilege for a carpool's parking is scheduled to be absent, the prox privilege may be transferred to another carpool member's ID by submitting a DGS Alternate Driver form to the Parking Coordinator. The prox privilege will revert back to the original person upon their return to work. This will happen automatically based on the dates submitted on the original Alternate Driver form. There is no need to submit a second form. Please submit the form at least 72 hours in advance of the primary prox holder's absence.  
<https://health.maryland.gov/docs/AltDriverRequest.pdf>

e. The MDH employee who is authorized carpool access must notify the Parking Coordinator of any changes in membership to the carpool within two weeks of the change. If the change involves the addition of a new member, that name must be added using form 4576 and the new passenger must sign a Carpool Passenger Acknowledgement Form.  
<https://health.maryland.gov/docs/MDH4576-2.pdf>

f. When membership in a carpool is reduced to a single MDH employee that employee must notify the Parking Coordinator immediately and the prox parking privileges will be rescinded. Continued use of the prox parking privileges by only one MDH employee is a violation of the conditions under which the privilege was issued and will result in the loss of future parking privileges and/or disciplinary action. The rescinded parking privilege will be issued to the MDH employee on the surface lot waiting list who has the highest score. A MDH employee who is required to turn in their parking privilege due to the lack of passengers will have their name returned to the surface lot waiting list with a recalculated score.  
[https://health.maryland.gov/docs/park-4576appl\\_2014.pdf](https://health.maryland.gov/docs/park-4576appl_2014.pdf)

g. When an employee who is authorized carpool parking access leaves MDH Headquarters or State service, the carpool prox access may be reassigned to one of the MDH carpool passengers or to a new member provided the recalculated score is eligible for approval, and at least two people (a driver and passenger) remain in the carpool. All carpool members are required to use the carpool or remove their names from the MDH 4576 on file at CSD.

h. Carpools must enter into their assigned lot with passengers in place. Carpool privileges shall be monitored and evaluated for adequate and correct utilization.

#### 9. Monitoring Utilization of Parking

a. In order to maintain one's parking privileges, the employee must utilize his/her parking access at least 60 percent of the work days (e.g., 3 days a week) with exceptions provided for authorized leave.



1) An employee will first be notified by the Parking Coordinator that his/her parking access has been underutilized over a three month period and that unless utilization is justified or improved, the allocation is subject to being rescinded and reassigned.

2) If, after receiving notification, an employee's parking access continues to be underutilized over an additional three month period without adequate justification, the employee's response shall be evaluated by the Parking Coordinator to determine if the access should be rescinded and reassigned.

3) Employees whose parking access has been rescinded for underutilization may reapply for parking if their needs change.

b. In order to maintain eligibility, carpool participants are to ride in the carpool at least 3 days per week (60 percent of the time) except for authorized leave. After notification and an opportunity to reach compliance, insufficiently utilized carpool parking privileges may be revoked and reassigned. Each utilization case shall be evaluated by the Parking Coordinator on an individual basis.

#### 10. Lost or Stolen State ID Card

a. Lost or stolen State ID cards shall be reported immediately to the DGS Security Office at 410-767-4793, and also the Parking Coordinator in Central Services Division at 410-767-6809.

b. Employees seeking replacement ID's are required to pay the fees set by the DGS Police. Employees shall obtain the replacement ID card applications online or through the OHR Identification Card Liaison, 410-767-6414.

c. Parking access shall not be restored until an employee's ID card is replaced.

d. Employees are legally responsible for safeguarding and protecting their ID cards and parking privileges from unauthorized use. Possession or use of a State ID by an unauthorized person, including a person who is not a State employee, is prohibited by law.

[http://mqaleg.maryland.gov/2018RS/Statute\\_Web/qcr/8-301.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/qcr/8-301.pdf)

### G. ENFORCEMENT / PENALTIES FOR NONCOMPLIANCE

#### 1. Unauthorized Parking

a. Unauthorized vehicles or vehicles parked in unauthorized areas are subject to being ticketed and/or towed at the owner's or operator's expense, if the vehicle is parked:

- Without valid prox access authority;
- Without MVA Disabled Parking tags or properly displayed placard if in a designated disabled parking space;

- In any reserved space without proper authorization;
- In a fire lane;
- In any driving or access lane;
- In more than one space;

b. Unauthorized parking by operators who have prox access may result in revoking current access and denial of future parking privileges.

2. The DGS Buildings and Grounds Regulations, COMAR 04.05.01 are applicable to the parking lots and garages in the State Center. Careful, safe driving in compliance with signage and direction of guards is mandatory, and blocking entrances, driveways, walks, or loading platforms is not permitted. Parking without authority, or in unauthorized locations or locations reserved for others is prohibited. <http://www.dsd.state.md.us/comar/comarhtml/04/04.05.01.05.htm>

3. Maryland law prohibits State employees from loaning, borrowing, or allowing other persons to use their State ID cards. Building / parking lot access and security systems are monitored by DGS and MDH. Possible abuse of parking privileges or misuse of State ID cards will be investigated and appropriate enforcement action taken. [http://mqaleg.maryland.gov/2018RS/Statute\\_Web/gcr/8-303.pdf](http://mqaleg.maryland.gov/2018RS/Statute_Web/gcr/8-303.pdf)

4. The Executive Agency Policy on Smoking, Executive Order Number 01.01.1992.20, specifically prohibits smoking or carrying of any lighted tobacco product in State buildings, which includes the O'Connor building garage. In addition to the disciplinary actions called for in the Executive Order, noncompliance may result in the termination of parking privileges. <http://www.dsd.state.md.us/comar/comarhtml/01/01.01.1992.20.htm>

5. When noncompliance or a violation is discovered or suspected by MDH or DGS, the appropriate authority shall be notified and requested to investigate. If a violation is determined, the responsible employee's parking access may be revoked and other disciplinary actions as allowed and in accordance with the above directives or this policy may be imposed. See below:

Violation	Penalty
Utilizing parking privileges less than 60% of time worked	First Occurrence E-mail stating non-compliance with warning of loss of privileges for future non-compliance Second Occurrence Loss of privileges, can be reinstated after 3 months with new submitted application (though original application date stays the same) Verification of utilization after reinstatement - non-compliance Loss of privileges and loss of original application date - can reapply after 6 months
Non-notification within 2 weeks of one carpooler exiting from carpool with at least one remaining carpooler	First Occurrence Loss of privileges, can be reinstated (depending on points) after 3 months with new submitted carpool application (though original application date stays the same) Second Occurrence Loss of privileges and loss of original application date - can reapply after 6 months as an individual



Non-notification within 2 weeks of all carpooler(s) exiting from carpool with no remaining carpooler	Loss of privileges and loss of original application date - can reapply after 3 months as an individual
Utilizing state vehicle pool permit to provide garage access for personally owned vehicle	Loss of MDH parking privileges for entire employment
Misuse of State-issued ID badge-either utilizing another employees badge to access parking or allowing your badge to be utilized by another employee to access parking	Loss of MDH parking privileges for entire employment
Falsifying vehicle entry and exit times by swiping badge with no vehicle entry or exit	Loss of MDH parking privileges for entire employment
Smoking in vehicle in garage	Loss of privileges, can be reinstated after 3 months with new submitted application (though original application date stays the same)
Failure to obey a lawful order, signal or direction of a DGS Capitol Police Officer	Loss of MDH parking privileges for entire employment

6. In cases where DGS unilaterally discovers or determines a violation and/or rescinds a parking privilege for other reasons, the employee may request of the Chief of CSD or designee that MDH review the decision with DGS.

7. Employees may appeal both parking enforcement and compliance actions within the prescribed timelines, through the merit system employee grievance process.

## H. OTHER BALTIMORE STATE CENTER PARKING GUIDELINES

### 1. Parking After Normal Business Hours

Any permanent MDH employee whether they have regular prox parking privileges or not, may apply to the Parking Coordinator for prox privileges to park his/her vehicle in the O'Connor Building garage from 4:00 p.m. until 9:00 p.m., Monday through Friday. This is provided he/she is working during these hours and has a valid State ID card. The employee's normal work hours must on a routine basis extend beyond 5:00 PM. The employee must submit a DGS "After 4:00 PM Parking Survey" to the Parking Coordinator. <https://health.maryland.gov/docs/After4Prox.pdf>

**2. State Vehicles**

- a. State vehicles may be parked in the O'Connor Building garage overnight and on weekends.
- b. State vehicles that are not authorized to be parked in the garage during regular business hours will be removed from the garage by 8:00 a.m. of any normal business day.

**3. Private Parking Facilities**

- a. DGS may at times allocate to MDH parking spaces leased from private vendors. Because these parking spaces are leased, the Department cannot guarantee their permanent availability.
- b. Allotments of these spaces to MDH employees are to be made from the surface lot waiting list according to the provisions of this policy. Names of employees who choose not to accept a permit for private parking facilities remain on the waiting list.
- c. In the event that the Department is required to relinquish any or all of these private spaces, individuals assigned to park there shall be returned to their approximate former position on the surface lot waiting list, if spaces on the surface lots are not available.
- d. Provisions of the parking policy dealing with misuse or abuse of parking privileges shall apply equally to DGS-leased parking at private parking facilities, as well as State-owned parking.

**4. Visitor Parking**

- a. Visitor parking is available at the State Center for meetings and special events. The MDH Secretary is allocated 15 parking spaces per day in the garage. Requests for special parking must be made to the MDH Parking Coordinator via <https://health.maryland.gov/centralservices/Pages/Preston-Street-Garage-Daily-Parking-List-Request-Form.aspx> by 2:30 PM the work day prior to the meeting or event. Central Services Division shall contact DGS for authorization and to have the visitors' names placed on the special parking list.
- b. Special parking requests shall include the following:
  - Requesting Agency
  - Name of driver
  - Make, model, year, and color of vehicle
  - License plate number of vehicle;
  - Date, location and nature of the event or meeting;
  - Estimated time of arrival and anticipated duration of event
  - Phone/contact number of requestor
- c. For requests made with at least two days notice the requestor will receive e-mail confirmation at least 24 hours prior to event or meeting. For



requests with less than two days notice the requester will receive e-mail confirmation by 3:30 PM the prior to the event or meeting.

d. MDH employees who work at the State Center are prohibited from using visitor parking privileges for their own vehicles.

**5. Visitors, Contractors, Deliveries, Messengers and Couriers**

a. Visitor parking is available for a fee on B-lot, located adjacent to 300 West Preston St. Metered and unmetered on-street parking in the surrounding area may also be available on a first come/ first served basis.

b. Private contractors working for MDH at the State Center may request parking on the A Lot (Contractor's Lot) by submitting a request to the MDH Parking Coordinator who will forward the request to DGS for the contractor to be placed on an A Lot list. Lot access is obtained by pressing the button at the lot call box and confirming identity with DGS Police. The gate will then be remotely raised by DGS Police.

c. All vendor deliveries shall be made to the loading dock.

d. Food delivery persons are required to check in and wait at the Courtyard entrance guard station for the employee to pick up their order.

e. Short-term parking is available for messengers and couriers at the O'Connor Building loading dock.

**6. Trucks / Vans**

Rules that apply to automobiles also apply to trucks and vans except that vehicles too large to enter the O'Connor Building garage may be parked on surface lots.

**7. Bicycles / Motorcycles**

a. Permanent State employees may park bicycles in racks in the garage or in front of 300 and 301 West Preston Street.

b. Permanent State employees may park motorcycles in aisle six of the O'Connor building garage, levels A, B, and C.

c. The privilege of parking bicycles or motorcycles in the garage is subject to availability of parking space in the racks or aisle six. State ID cards must be presented to use the garage parking areas for bicycles and motorcycles.

**8. Overnight Parking**

Employees who do not have prox parking access and who want to leave their vehicle at the State Center overnight while away on business may request permission to park in the O'Connor Building garage. Requests are to be made to the MDH Parking Coordinator/representative, 410-767-6809, at least 24 hours in advance.

9. Escorts

Upon request to DGS Police, an employee may obtain an escort to his/her vehicle if the vehicle is parked on a State surface lot, or is parked in a public area within a reasonable distance from the State Center. This service is available to employees working after 5:00 PM October through March and after 7:00 PM April through September. The employee should call 410-767-4793 to make the request and should allow sufficient time for DGS Police to arrange the escort.

IV. REFERENCES

- State Finance and Procurement Article §4-604, Annotated Code of Maryland.  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qsf/4-604.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qsf/4-604.pdf) (Item 8)
- Health General Article 2-102, Secretary of Health and Mental Hygiene  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/ghq/2-102.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/ghq/2-102.pdf)
- Executive Order 01.01.1992, 20, Executive Agency Policy on Smoking  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=01.01.1992.20.htm>
- COMAR 04.04.02 DGS Security of State Real Property, Security Cards  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=04.04.02.00.htm>
- COMAR 04.05.01.05, DGS Buildings and Grounds Regulations, Vehicular Traffic  
<http://www.dsd.state.md.us/comar/getfile.aspx?file=04.05.01.05.htm>
- (ID Cards) Criminal Law Article, Section 9-704, Annotated Code of Maryland  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qcr/9-704.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qcr/9-704.pdf)
- (ID Cards) Criminal Law Article, Section 8-303, Annotated Code of Maryland  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qcr/8-303.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qcr/8-303.pdf)
- (ID Cards) Criminal Law Article, Section 8-301, Annotated Code of Maryland  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qcr/8-301.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qcr/8-301.pdf)
- Transportation Article 13-616, Annotated Code of Maryland  
[http://mgaleg.maryland.gov/2018RS/Statute\\_Web/qtr/13-616.pdf](http://mgaleg.maryland.gov/2018RS/Statute_Web/qtr/13-616.pdf)
- The Americans with Disabilities Act (ADA) of 1990 with 2010 Standards, Titles I, II, III - as amended  
<http://www.ada.gov/pubs/ada.htm>

V. APPENDIX

A. MDH Standard Forms Page – Parking

[https://health.maryland.gov/Pages/sf\\_app.aspx](https://health.maryland.gov/Pages/sf_app.aspx)

B. FORMS

- DGS Parking Prox Access Survey  
<https://health.maryland.gov/docs/park-GS-1.pdf>
- DGS After 4:00 Parking Survey  
<https://health.maryland.gov/docs/After4Prox.pdf>

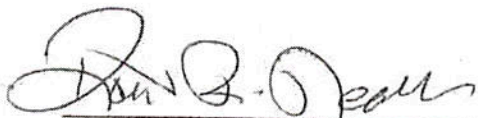


- DGS Alternate Driver Advance Notice Request Form  
<https://health.maryland.gov/docs/AltDriverRequest.pdf>
- DGS Parking Pass Request for State Pool Vehicle  
<https://health.maryland.gov/docs/park-GS-4.pdf>
- MDH 4576 Prox Parking Access Application  
[https://health.maryland.gov/docs/park-4576appl\\_2014.pdf](https://health.maryland.gov/docs/park-4576appl_2014.pdf)
- MDH 4576-1 MDH Medical Parking Application  
<https://health.maryland.gov/docs/MDH4576-1.pdf>
- MDH 4576-2 Carpool Passenger Acknowledgement Form  
<https://health.maryland.gov/docs/MDH4576-2.pdf>
- MDH 4576-3 Acknowledgement Form for Medical Parking Applicants  
<https://health.maryland.gov/docs/MDH4576-3.pdf>
- MDH 4576-4 Coversheet for Faxing Medical Parking Forms  
<https://health.maryland.gov/docs/MDH4576-4.pdf>
- MVA VR-210 Disability Parking Application  
<http://www.marylandmva.com/Resources/VR-210.pdf>

C. INSTRUCTIONS

- Instructions for Applying for MDH Medical Parking  
<https://health.maryland.gov/docs/MedInstructions.pdf>
- MVA Disabilities Website – Everything You Need To Know  
<http://www.marylandmva.com/AboutMVA/DISABILITIES/default.htm>

APPROVED:

  
Robert R. Neall, Secretary

February 8, 2018  
Effective Date