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LC01570
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2002

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS

Introduced By: Senators Tassoni, Breene, Gibbs, and Iglizzi

Date Introduced: January 30, 2002

Referred To: Senate Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 37-5 of the General Laws entitled "Department of Transportation"
2 is hereby amended by adding thereto the following Section:

3 **37-5-7.1. Parking cash-out programs.** – (a) Each employer of fifty (50) persons or
4 more, including the departments and agencies of the state, who provides a parking subsidy to
5 employees, shall offer a parking cash-out program. "Parking cash-out program" means an
6 employer funded program under which an employer offers to provide a cash allowance to an
7 employee equivalent to the parking subsidy that the employer would otherwise pay to provide the
8 employee with a parking space.

9 (b) A parking cash-out program may include a requirement that employee participants
10 certify that they will comply with guidelines established by the employer designed to avoid
11 neighborhood parking problems, with a provision that employees not complying with the
12 guidelines will no longer be eligible for the parking cash-out program.

13 (c) As used in this section, the following terms have the following meanings:

14 (1) "Employee" means an employee of an employer subject to this section;

15 (2) "Parking subsidy" means the difference between the out-of-pocket amount paid by an
16 employer on a regular basis in order to secure the availability of an employee parking space not
17 owned by the employer and the price, if any, charged to an employee for use of that space.

18 (d) Subdivision (a) does not apply to any employer who, on or before January 1, 2002,
19 has leased employee parking until the expiration of that lease or unless the lease permits the

1 employer to reduce, without penalty, the number of parking spaces subject to the lease.

2 (e) It is the intent of the general assembly, in enacting this section, that the cash-out
3 requirements apply only to employers who can reduce, without penalty, the number of paid
4 parking spaces they maintain for the use of their employees and instead provide their employees
5 the cash-out option described in this section.

6 (f) Any city or town in which a commercial development will implement a parking cash
7 -out program shall grant to that development an appropriate reduction in the parking requirements
8 otherwise in effect for new commercial development. At the request of an existing commercial
9 development that has implemented a parking cash-out program, the city or town shall grant an
10 appropriate reduction in the parking requirements otherwise applicable based on the demonstrated
11 reduced need for parking, and the space no longer needed for parking purposes may be used for
12 other appropriate purposes.

13 SECTION 2. Section 37-6-2 of the General Laws in Chapter 37-6 entitled "Acquisition of
14 Land" is hereby amended to read as follows:

15 **37-6-2. Rules, regulations, and procedures of committee.** – (a) The state properties
16 committee is hereby authorized and empowered to adopt and prescribe rules of procedure and
17 regulations, and from time to time amend, change, and eliminate rules and regulations, and make
18 such orders and perform such actions as it may deem necessary to the proper administration of
19 this chapter and sections 37-7-1 -- 37-7-9. In the performance of the commission's duties
20 hereunder, the commission may in any particular case prescribe a variation in procedure or
21 regulation when it shall deem it necessary in view of the exigencies of the case and the
22 importance of speedy action in order to carry out the intent and purpose of this chapter and
23 sections 37-7-1 -- 37-7-9. The commission shall file written notice thereof in the office of the
24 secretary of state. All filings shall be available for public inspection.

25 (b) The following siting criteria shall be utilized whenever current existing leases expire
26 or additional office space is needed:

27 (1) A preference shall be given to sites designated as enterprise zone census tracts
28 pursuant to chapter 64.3 of title 42, or in blighted and/or substandard areas pursuant to section 45-
29 31-8, or in downtown commercial areas where it can be shown the facilities would make a
30 significant impact on the economic vitality of the community's central business district;

31 (2) Consideration ~~should~~ be given to adequate access via public transportation for both
32 employees as well as the public being served, ~~and, where appropriate,~~ adequate parking and the
33 feasibility of parking cash-out programs pursuant to section 37-5-7.1 to reduce parking
34 requirements and promote the use of public transportation;

1 (3) A site must be consistent with the respective community's local comprehensive plan;

2 and

3 (4) The division of planning within the department of administration shall be included in
4 the evaluation of all future lease proposals.

5 (c) The state properties committee shall explain, in writing, how each site selected by the
6 committee for a state facility meets the criteria described in subsection (b) of this section.

7 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would allow employers to provide parking cash-out programs to employees.
- 2 This act would take effect upon passage.

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