

**11—101.11 (8A) Enforcement.**

**101.11(1)** Peace officers assigned to the Iowa state patrol district 16 shall be primarily responsible for the enforcement of these rules.

**101.11(2)** The Iowa state patrol peace officers may in their discretion enforce these rules by:

- a.* Issuing oral or written orders or directions to an owner or operator.
- b.* Issuing a citation.
- c.* Removing a vehicle or causing a vehicle to be removed in accordance with subrule 101.11(6).

**101.11(3)** The director may rescind the privilege to park on the capitol complex for any vehicle for which there is a delinquent parking ticket.

**101.11(4)** The director may rescind the privilege to park on the capitol complex for any vehicle of a habitual violator.

**101.11(5)** Removal of vehicles.

*a.* A vehicle may be removed for nonpayment of all parking fines whether or not the vehicle is illegally parked at that time, when there are delinquent parking fines for the vehicle or registration plates.

*b.* A peace officer shall have the right to remove from the capitol complex the vehicle of a habitual violator.

**101.11(6)** If a peace officer determines that a vehicle is to be removed, the peace officer shall have the vehicle removed by the use of state equipment or by a private towing firm or contractor.

**101.11(7)** The director may contract with an individual or firm to provide services for removing (towing) vehicles found in violation of these rules or state law and to store such vehicles until claimed by the owner or disposed of as abandoned vehicles.

**101.11(8)** A peace officer, upon impounding a vehicle, shall give notice in person, by telephone or by ordinary mail to the owner of the vehicle. The notice shall state the specific violation or other reason for which the vehicle was impounded, its location and the fee for the removal, storage and notice. The towing firm or individual shall release the vehicle to the owner upon notification by the department of administrative services that the owner or operator has paid all outstanding citations and after the service fee has been paid to the towing firm or individual. The amount of this fee will be determined by the agreement between the director and the individual or firm.

**101.11(9)** If an owner or operator returns to the vehicle prior to its removal, but after the towing contractor has been summoned, the peace officer may require that the vehicle remain on the capitol complex until the towing contractor arrives. Upon the towing contractor's arrival, the vehicle may be allowed to be moved after the operator pays the towing contractor the cost of the service call and after the department of administrative services notifies the peace officer that all delinquent parking fines have been paid. The towing firm or individual shall issue a receipt for payment of the cost of the service call to the owner or operator.

**101.11(10)** An operator who enters a parking lot in a manner not consistent with usual parking lot access procedures shall be subject to a parking citation and possible charges for damages. Access to parking lots inconsistent with usual access procedures includes, but is not limited to: closely following another vehicle into a parking lot in a manner that prevents the gate from closing between vehicles; opening a gate for unauthorized persons with another operator's access card; driving over the curb or around the gate; driving through a gate that is not fully raised; or lifting a parking gate without authorization.

**101.11(11)** In addition to any enforcement action taken under this rule, charges may be filed under other criminal statutes if appropriate.