

ARTICLE 19. GENERAL PROVISIONS

Rule 1. Operation of Vehicles on the Grounds of the State Board of Health and Special Institutions

410 IAC 19-1-1 Scope of rule

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 1. The purpose of this Rule [410 IAC 19-1] is to expedite the safe and orderly conduct of state and public business, to provide parking facilities and to impose reasonable rules on the operation of motor vehicles, bicycles, and other vehicles on the property under control of the State Board of Health and the Special Institutions, as defined in IC 16-7-3-5 [IC 16-7 was repealed by P.L.2-1993, SECTION 209, effective April 30, 1993.], and shall be enforced as provided herein. (Indiana State Department of Health; HCP 1 Rule 1, Sec 1; filed Apr 26, 1979, 12:00 pm: 2 IR 685; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-2 Definitions

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 2. Definitions. As used in this Rule [410 IAC 19-1]:

(1) "Grounds" mean all of the land adjacent to and under the administrative control of:

- (A) The Indiana State Board of Health in Indianapolis (including SBH Area of Central State Hospital Grounds);
- (B) The Indiana Veterans' Home in Lafayette, Indiana;
- (C) The Indiana School for the Deaf in Indianapolis;
- (D) The Indiana School for the Blind in Indianapolis;
- (E) The Indiana Soldiers' and Sailors' Children's Home in Knightstown; and
- (F) Silvercrest Children's Development Center in New Albany;

(2) "Superintendent" means the Secretary of the Indiana State Board of Health (State Health Commissioner) and the duly appointed head (superintendents) of the Institutions described in (1)(B) through (F) [410 IAC 19-1-2(1)(B) through (1)(F)] of this section.

(3) "Student" means a person who is enrolled in a course of study at one of the Special Institutions.

(Indiana State Department of Health; HCP 1 Rule 1, Sec 2; filed Apr 26, 1979, 12:00 pm: 2 IR 685; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-3 General regulations

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 3. General Requirements:

- (1) All employee, student, or resident vehicles, owned or operated, shall be registered and shall display the appropriate parking tag or decal (registration device) to park in posted parking areas on the grounds;
- (2) Pedestrians have the right-of-way at all times;
- (3) The Superintendent is authorized to designate parking areas, all parking control signs and markings, and traffic control signs and markings;
- (4) The maximum speed limit for motor vehicles on the grounds shall be ten (10) miles per hour, unless otherwise designated and posted;
- (5) The driver of a motor vehicle is responsible for finding a proper parking space. A proper parking space for motor vehicles on the grounds is confined to areas designated for that purpose;
- (6) Any accident involving a motor vehicle on the grounds must be reported to the appropriate agency's business office. Appropriate law enforcement personnel will be called to investigate;
- (7) Parking is prohibited in marked "No Parking Zone", reserved parking areas, on lawns, in construction areas, or any other place which will mar the landscape of the complex, inconvenience or endanger anyone, create a hazard, or interfere with the use of state facilities by others. Violators are subject to having their vehicles towed away at the operator's expense without

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resort to enforcement procedures;

(8) Yellow curbs, yellow hash marks, and "No Parking" signs designate no parking zones;

(9) Vehicle standing is allowed at any loading or service vehicle dock or zone, entrance to buildings, or emergency zone if the operator is in attendance of the vehicle or is in the process of loading or unloading and can be easily located to move the vehicle should the need arise;

(10) Reserved parking areas may be assigned by the Superintendent when appropriate;

(11) Motor bikes, motorcycles, and motor scooters are subject to all regulations and must be operated on streets designated for normal automobile use;

(12) Any vehicle in violation of this Rule [410 IAC 19-1] or any which are apparently abandoned may be towed and stored at the owner's expense. Ultimate action in the case of abandoned vehicles will be in accordance with the Abandoned Vehicle Act (IC 9-9-1) [IC 9-9-1 was repealed by Acts 1981, P.L.128, SECTION 2, effective July 1, 1981.];

(13) The towing charges and service call fee be based on the usual and customary charges for such services in the community wherein the tow occurs;

(14) The towing service called to tow a vehicle is authorized to hold said vehicle until the towing charges are paid to the towing service. In the event the owner of a vehicle appears before the car is towed away, the vehicle will not be released to the owner until payment of the service call fee is made to the driver of the tow truck;

(15) Parking permits issued by the Special Institutions and the State Board of Health shall be mutually recognized so as to authorize parking on any of the grounds with the exception of restricted and metered areas;

(16) A charge of 25 cents per hour is made from 8:00 a.m. to 5:00 p.m., Monday through Friday, or as otherwise posted for parking at metered locations; and

(17) A uniform special or limited time parking pass shall be made available for issuance to specific individuals which will authorize designated day(s) for parking in any parking space with the exception of restricted and metered areas.

(Indiana State Department of Health; HCP 1 Rule 1, Sec 3; filed Apr 26, 1979, 12:00 pm: 2 IR 685; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-4 Violations

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 4. The following are considered violations of this Rule [410 IAC 19-1] and subject the violator to the enforcement procedures as provided in this Rule [410 IAC 19-1]:

(1) Parking across lines in designated parking spaces;

(2) Backing into parking spaces where posted. Cars must be parked front first in parking areas that are posted: "Do Not Back In";

(3) Parking against traffic flow;

(4) Parking in posted or marked area; i.e., No Parking, Loading Zone, yellow curbs, fire hydrants, hash marked area, or specifically designated reserved areas including visitor's parking in employee area, employees parking in visitor's areas, or parking in a posted handicapped parking space without specifically designated permit;

(5) Failure to properly display parking tag or decal;

(6) Moving violations, such as exceeding speed limit, failure to observe stop signs, and reckless driving; and

(7) No registration device on vehicle.

(Indiana State Department of Health; HCP 1 Rule 1, Sec 4; filed Apr 26, 1979, 12:00 pm: 2 IR 686; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-5 Enforcement; penalties

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 5. Any person, which includes but is not limited to employees of the State of Indiana, student or resident of the Institutions or visitor found to be in violation of one or more of the traffic or parking offenses specified in Sec. 4 [410 IAC 19-1-4]

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is subject to having that person's vehicle towed away at the violator's expense and restricted from the use of parking privileges. Violations are subject to the following:

- (1) First Violation: Any person who violates any of the subsections contained in Sec. 4 [410 IAC 19-1-4] of this Rule will be notified through the use of the Traffic Violation Notice (Sec. 10 [410 IAC 19-1-10]) by the security officer responsible for that particular area, and a notation, if an employee of the State Board or Special Institutions is the violator, that a copy of the Traffic Violation Notice will be filed with the agency's business office and with the employee's supervisor;
- (2) Second Violation: Any person who violates any of the subsections of Sec. 4 [410 IAC 19-1-4] of this Rule two (2) times in any twelve (12) month period and after the issuance of a Traffic Violation Notice (Sec. 10 [410 IAC 19-1-10]) may have the vehicle towed away at the owner's expense or may be denied parking privileges for a period not to exceed six (6) months as determined by the Superintendent;
- (3) The Superintendent, or his designee, is empowered to authorize the immediate towing of any vehicle which is abandoned as defined by law, any vehicle which is parked or operated in such a manner that it poses a hazard to the safety of others, constitutes an obstruction to traffic, or any vehicle that interferes with the proper and lawful use of the grounds.

(Indiana State Department of Health; HCP 1 Rule 1, Sec 5; filed Apr 26, 1979, 12:00 pm: 2 IR 686; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-6 Parking appeals committee; application for appeal

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 6. A parking appeals committee shall be established in each Institution and in the State Board of Health and shall consist of three employees appointed by the Superintendent and shall consider written appeals for waiving or revoking of the parking citations.

An appeal must be filed with the Institution's/Board's business office no later than seven days after the traffic violation notice was issued.

The time and place of an in-person appeal will be set at the time the application for appeal is received at the business office.
(Indiana State Department of Health; HCP 1 Rule 1, Sec 6; filed Apr 26, 1979, 12:00 pm: 2 IR 686; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 19-1-7 Grounds for appeals; continuances

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 7. Each individual has the right to appeal the issuance of any parking citation to the Appeals Committee. Requirements for filing appeals are:

- (1) Appeals are to be prepared in writing on the "Request for Appeal" form provided by the business office. Written explanations, supporting statements or memoranda must be attached to the "Request for Appeal" form; and
- (2) In order for an appeal to be considered by the Appeals Committee, it must be filed with the applicable business office within seven days after the receipt of the violation notice.

The Appeals Committee will advise the individual, by mail, of the decision on the appeal. The decision of the Committee is to be mailed within ten (10) days after the review date.

Continuances for applicants desiring to appear before the Appeals Committee in person:

- (1) The individual has the right to have the consideration of the appeal postponed to a later date if the individual chooses to appear in person before the Committee;
- (2) Subsequent requests for continuances will be granted only upon showing of good cause;
- (3) Requests for continuances must be communicated by telephone or letter to either the business office or a member of the Appeals Committee before the date that the appeal is scheduled to be considered;
- (4) If a continuance is granted, the individual will be responsible for contacting either of the above to learn the date, time, and place at which the case will be considered unless the date was set at the time of the request.

The decision of the Appeals Committee is final. The Special Institutions/Board of Health have no other due process open to

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appellants where they may request a reappeal of their traffic citation. (*Indiana State Department of Health; HCP 1 Rule 1, Sec 7; filed Apr 26, 1979, 12:00 pm: 2 IR 686; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

410 IAC 19-1-8 Registration of vehicle

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 8. Parking Fees and Registration:

(1) All employees, students, and residents may park on the grounds without charge. However, said person shall register the vehicle with the designated officer of the Board/Institution and display the registration device assigned on the designated vehicle;

(2) Registration devices, as approved by the respective Superintendents, shall be positioned on a vehicle in accordance with the instructions issued with the device when the vehicle is registered. The registration device must be clearly visible from the exterior of the vehicle when affixed in accordance with the instructions issued;

(3) The person whose name the vehicle is registered to is held responsible for all violations by all vehicles displaying that person's registration device. A citation is not excused on the plea that another person was driving the vehicle; and

(4) Any employee, student, resident or any other person who severs relationship with the Board/Institution shall within five (5) days of said separation remove the assigned registration device from the vehicle.

(*Indiana State Department of Health; HCP 1 Rule 1, Sec 8; filed Apr 26, 1979, 12:00 pm: 2 IR 687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

410 IAC 19-1-9 Authorized parking prohibitions

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 9. In an emergency, such as inclement weather and parking lot alterations and, after notification, the Superintendent reserves the right to place uniform conditions upon the right of any person to park in the parking facilities offered. The authorized prohibitions shall include, but are not limited to, the following:

(1) Assignment of marked or numbered parking spaces to certain qualified employees; or

(2) Authorization to park based upon compliance with car pool requirements whereby said owner has, as passengers, two or more other Board/Institution employees.

(*Indiana State Department of Health; HCP 1 Rule 1, Sec 9; filed Apr 26, 1979, 12:00 pm: 2 IR 687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

410 IAC 19-1-10 Traffic violation notice

Authority: IC 16-19-11-2; IC 16-19-11-3

Affected: IC 16-19-11

Sec. 10. Traffic Violation Notice.

☐ INDIANA STATE BOARD OF HEALTH

☐ INDIANA VETERANS' HOME

☐ INDIANA SCHOOL FOR THE BLIND

☐ INDIANA SCHOOL FOR THE DEAF

☐ INDIANA SOLDIERS' AND SAILORS' CHILDREN'S HOME No. _____

☐ SILVERCREST CHILDREN'S DEVELOPMENT CENTER

TRAFFIC
VIOLATION
NOTICE

This traffic Violation Notice is issued for the violation of the State Board of Health's and the Special Institutions' traffic regulation (HCP-1) as specified below:

You are directed to appear at the Business Office of the above checked institution within five (5) days of the date shown hereon to either acknowledge the receipt of this Violation Notice or to file an appeal.

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Failure to appear in person or appeal this Notice of Violation within the five (5) day period will result in the vehicle being towed without notice for any subsequent violation.

NAME _____ ADDRESS _____
CITY _____ STATE _____
REGISTRATION DEV. NO. _____
VEH. LIC. NO. _____ STATE _____ YEAR _____
MAKE _____ STYLE _____ COLOR _____

DATE _____ TIME _____
LOCATION _____

VIOLATION COMMITTED OF SECTION 4 of RULE HCP-1

- | | |
|---|--|
| <input type="checkbox"/> NO VALID PERMIT | <input type="checkbox"/> ON CURB |
| <input type="checkbox"/> BACKED INTO SPACE | <input type="checkbox"/> ON CROSSWALK |
| <input type="checkbox"/> LINE STRADDLING | <input type="checkbox"/> METER VIOLATION |
| <input type="checkbox"/> NO REGISTRATION DEVICE | <input type="checkbox"/> YELLOW CURB |
| <input type="checkbox"/> MOVING VIOLATION | <input type="checkbox"/> DOUBLE-PARKED |
| <input type="checkbox"/> IMPROPER REGISTRATION DEVICE DISPLAYED | <input type="checkbox"/> POSTED AREA |
| <input type="checkbox"/> FIRE HYDRANT | <input type="checkbox"/> BLOCKING DRIVE |
| | <input type="checkbox"/> OTHER |

REMARKS: _____

SECURITY OFFICER: _____

DISTRIBUTION:

ORIGINAL: Traffic Violator

COPY: Security Officer's File

Business Office

Division Director

(Indiana State Department of Health; HCP 1 Rule 1, Sec 10; filed Apr 26, 1979, 12:00 pm: 2 IR 687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

Rule 2. Choke-Saving Methods Placards

410 IAC 19-2-1 Definitions

Authority: IC 16-31-9-3

Affected: IC 16-31-9

Sec. 1. Definitions. As used in this rule [410 IAC 19-2]:

(a) "Board" means the State Board of Health.

(b) "Commissioner" means the State Health Commissioner of the State Board of Health.

(Indiana State Department of Health; 410 IAC 19-2-1; filed Oct 11, 1979, 4:45 pm: 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234) NOTE: Authorizing statute not effective until Jan 1, 1980.

410 IAC 19-2-2 Approval of proposed placards

Authority: IC 16-31-9-3

Affected: IC 16-31-9

Sec. 2. The Commissioner may delegate to appropriate staff members the responsibility for evaluating the appropriateness and completeness of placards containing or displaying one (1) or more choke-saving method(s) for use in "food service establishments," as defined in IC 16-1-41-2 [IC 16-1 was repealed by P.L.2-1993, SECTION 209, effective April 30, 1993.]. Upon

the determination that a proposed placard conforms to the requirements set forth herein, the Commissioner or his designated representative is authorized to approve the proposed placard. (*Indiana State Department of Health; 410 IAC 19-2-2; filed Oct 11, 1979, 4:45 pm: 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*) NOTE: Authorizing statute not effective until Jan 1, 1980.

410 IAC 19-2-3 Submission of placards for approval; identification of approval

Authority: IC 16-31-9-3

Affected: IC 16-31-9

Sec. 3. Any food service establishment owner, operator or organization having an interest in food service establishments desiring to obtain approval of a placard displaying one (1) or more choke-saving method(s) that may be used safely and effectively in an emergency by layman to remove food lodged in a person's throat shall submit two (2) copies of the proposed placard to the Division of Health Education, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206. These methods must be limited to first-aid procedures and must include techniques which do not require the use of instruments or devices. Upon approval the proposed placard will be identified with an approval number, the date of approval, and the signature of the Commissioner or his designated representative, with one (1) copy of the placard being returned to the submitter. Approved placards may be reproduced for use in any food service establishments. A blank space, at least 3" wide and 1 1/2" high, shall be provided on the lower margin of the proposed placard for the inclusion of the following information:

- (a) The sentence, "This placard is deemed to be in compliance with IC 16-1-41 [*IC 16-1 was repealed by P.L.2-1993, SECTION 209, effective April 30, 1993.*], and is hereby approved for use in Indiana food service establishments;" and
- (b) Approval number; and
- (c) Date of Approval; and
- (d) Name of Commissioner or designated representative; and
- (e) The words, "Indiana State Board of Health."

(*Indiana State Department of Health; 410 IAC 19-2-3; filed Oct 11, 1979, 4:45 pm: 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*) NOTE: Authorizing statute not effective until Jan 1, 1980.

410 IAC 19-2-4 Required information

Authority: IC 16-31-9-3

Affected: IC 16-31-9

Sec. 4. The minimum information required to appear on proposed placards shall include: instruction to call for help when the incident occurs; symptoms of choking; written and pictorial descriptions of at least one (1) first-aid procedure that may be effective for both conscious and unconscious victims; alternate procedure(s) that may be tried; precautions that should be taken; and a recommendation that the victim be checked by a physician after rescue. (*Indiana State Department of Health; 410 IAC 19-2-4; filed Oct 11, 1979, 4:45 pm: 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*) NOTE: Authorizing statute not effective until Jan 1, 1980.

410 IAC 19-2-5 Size and design requirements

Authority: IC 16-31-9-3

Affected: IC 16-31-9

Sec. 5. The placards shall be no less than 8½" × 11" in size, of a design suitable for posting in food service establishments, and, to the extent practicable, be expressed in words and illustrations which will be understood by laymen and not offensive to restaurant patrons. (*Indiana State Department of Health; 410 IAC 19-2-5; filed Oct 11, 1979, 4:45 pm: 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*) NOTE: Authorizing statute not effective until Jan 1, 1980.

410 IAC 19-2-6 Modification of approved placard; resubmission

Authority: IC 16-31-9-3

Affected: IC 16-31-9

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Sec. 6. Any change in or revision of an approved placard automatically voids the approval. To obtain approval of any such changed or revised placard, it must be resubmitted in accordance with Section 3 [410 IAC 19-2-3] of this Rule. (*Indiana State Department of Health; 410 IAC 19-2-6; filed Oct 11, 1979, 4:45 pm; 2 IR 1565; readopted filed Jul 11, 2001, 2:23 p.m.; 24 IR 4234*) NOTE: Authorizing statute not effective until Jan 1, 1980.

Rule 3. Nursing Registry Certificate of Registration (Expired)

(Expired under IC 4-22-2.5, effective January 1, 2002.)

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