

Senior Engineer Bjørn Sandelien
 Norwegian Public Roads Administration
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Parking Management in Norway today

A brief overview of existing parking regulations and some policy issues important to address

As an introduction to our discussion on new policy instruments on parking management I will give a brief overview of the existing parking regulations in Norway. Even though the seminar has focus on land use and parking, I will not limit my presentation to the planning regulations. I find it useful to include other parking regulations as well.

In my discussion I will describe the range of application along two dimensions:

- The applicability to public vs. private areas
- The applicability to new vs. existing activity

This is due to two major concerns. In recent years private parking and private operations of parking are more dominating in the market resulting in reduced public control of parking. A study by the Institute of Transport Economics published in 1993 suggested that 37 to 65% of the parking spaces in larger Norwegian cities were private (ref. #1).

Another concern is the lack of instruments in the Planning and Building Act (PBA) to impose changes to an existing situation. The planning instruments are primarily meant to regulate new activity. The fact that new buildings during a year constitute less than 2% of the building mass in Norway, illustrates the potential penetration of such measures. However the PBA will also be applicable to requested altered use that will imply changes to plans and former permissions (ref. #2, page 356).

The basic legal framework on parking will be the two laws:

- The Planning and Building Act (PBA, ref. ##3,4)
- The Road Traffic Act (RTA, ref. ##5,6)

and the underlying regulations and provisions to these acts (see table 1 – PBA, ref. ##7,8 and RTA ref.##5,9,10,11,12,13). In addition the Road Design Manual for public roads (ref. #14), that is warranted in provisions to the Road Act (ref. ##15,16) will have provisions on the location and design of parking spaces.

The applicability of the different regulations related to the Road Traffic Act is a little hard to grasp. I have tried to describe this in footnotes to table 1. To understand the range of application it is also important to be aware of the definition of the terms “road” and “public road”. Areas for parking directly adjacent to a road will be part of the road. “Public road” is not defined in the Road Traffic Act. It is commonly accepted that the definition in the Road Act should be taken as a basis. Here a public road is defined as a road or a street that is open for general traffic and is maintained by the nation, county or municipality. Notice that ownership to the road area is not important for the definition. The implications of the differences in applicability for the Act itself and the underlying regulations are extensively discussed in the book “Parkeringsrett” (ref. #17).

Another point to notice is the fact that parking supply requirements can be laid down on basis of several legal regulations. However it is only through provisions to a Municipal Master Plan and to a Zoning Plan that maximum parking requirements can be set. However the legal basis has been questioned.

In the white paper on our national transportation plan for 2006-2015 it is stated that the municipalities have the responsibility for parking policies. Yes, they have the responsibility for the day to day policy; however national authorities have a responsibility for the legal framework. That is actually the main rationale for organizing this seminar here today. To visualize the decision responsibilities in parking regulations I have gray shaded the cells in table 2 where national authorities have the responsibility.

Over the last years it has been a trend to give more responsibilities to the municipal level. In 2003 the Ministry of Local Government and Regional Development removed the consent of the Ministry as a requirement before a by-law on parking (PBA §69-4) could come into force (ref. #18).

I have also indicated in table 2 the regulations that are under current revision. An objective for this seminar is to give an input to the final formulation of the upcoming regulations.

As an introduction to our later discussions I will shortly list some important regulations to land use that are on the administrative agenda at the moment:

- Make the Planning and Building Act a better instrument for establishing regional parking policies
- Explicitly warrant maximum parking requirements in the Planning and Building Act (PBA) and most likely in combination with removal of by-laws to PBA §69
- Explicitly warrant parking provisions in PBA at the Master Plan level

Research has demonstrated that economic measures can heavily influence transportation demand (ref. ##19,20,21,22,23). Due to this fact such measures will hopefully also be an important part of our discussions. Some issues that have been on the agenda are:

- Taxation reforms. Make the free parking of employees at worksites taxable and give tax deduction for employer paid transportation benefits like public transport passes
- Introduction of compulsory in-lieu fees
- Imposition of fees on private parking
- Leveling the differences in parking regulations on public and private areas (signing, fees, sanctions)

In the regulations of today an in-lieu fee has to be warranted in a municipal bylaw. Developers will be given the option to pay a fee in lieu of providing the required parking spaces. The municipality then uses the revenue to provide public parking spaces to replace these private spaces. Paying in-lieu fees cannot be claimed by a developer, and the municipality cannot demand the developer to pay such a fee. It is a voluntarily option based on application to the municipality. To better manage the total parking supply national authorities have signalled an assessment of compulsory in-lieu fees.

In recent years mixed schemes of public and private regulations have been more widespread. We see public parking companies and municipal parking agencies that manage private parking spaces having public regulation. We also see public operation and enforcement of private parking having private regulation. This mix tends to be confusing to the general public and is an argument to shift from private to public regulations. Public authorities can demand use of public traffic signs on private roads generally used by motor vehicles. Public authorities can however not demand introduction of parking fees on private roads. Such regulation requires consent of the owner of the private road (ref. the Parking regulations §2). To level the playground for private and public stakeholders has been an issue lately.

Hopefully this overview will be a useful backdrop to the coming discussions. And after the seminar I hope that we in Norway will have an extended agenda also including assessment of parking policy issues like:

- Requirements to Local Transport Plans for municipalities
- Requirements to Green Transport Plans/Travel Plans for companies, public agencies
- Introduction of Parking Cash Out, according to D. Shoup “the brightest and the best” instrument

Table 1 - Parking regulations in Norwegian Law and their applicability

Law - Regulation	Issue	Range of application		
		Activity	Public	Private
The Planning and Building Act (PBA)	Planning regulations	New & alteration to plan	x	x
○ Municipal Master Plan	Min & max supply requirements, sequence requirements to development <i>as provisions for development areas</i>		x	x
○ Partial Municipal Master Plan	Parking Policy guidelines/thematic plan	N & E	x	x
○ Zoning Plan	Area for Parking <i>designated in plan</i> Min & max supply requirements, sequence requirements to development <i>as zoning provisions</i>	New & alteration to plan	x	x
National Policy Guidelines for coordinated land-use and transport planning <i>Laid down by Royal Decree</i>	Development of land-use patterns and transport systems. No explicit guidelines on parking	New & alteration to plan	x	x
The Planning and Building Act (PBA)	Building regulations	New & altered use	x	x
○ Requirements to the undeveloped part of a lot	Minimum parking supply Warrant Municipal by-law on in-lieu fees		x	x
○ Demolition	Prevent demolition and parking on lots before reconstruction		x	x
Standard by-law on parking <i>By-law to PBA §69</i>	Minimum parking requirements	New & altered use	x	x
Municipal by-law on parking <i>By-law to PBA §69</i>	Minimum parking requirements	New & altered use	x	x
The Road Traffic Act (RTA)	Regulations for motor vehicles, bikes, pedestrians, horsemen, etc	Existing	x x	x*, ** x****
Parking Controls and Parking Fees (The Parking regulation) <i>Regulation to RTA §4, §5, §8, §31, §31a, §37, §43</i>	Parking reservation (designated vehicles, persons) Time restrictions Residential parking zones Parking pricing	Existing	x	x*****
The Traffic Rules <i>Regulations to RTA §4</i>	Definition of parking §1 Restrictions on stopping and parking §17	Existing	x	x*****
Parking for the mobility impaired <i>Regulation to RTA §§5 and 8</i>	Special rights for the mobility impaired	Existing	x	x*****
Public signs and signals <i>Regulations to RTA §4, §5, §6</i>	Definitions and design Signing authorities	N & E	x	partly
Construction of Public Roads <i>Regulation to The Road Act § 13</i>	Road network design, road design	New	x	No
Road Design Manual <i>Provisions to the regulation § 7</i>	Location of parking spaces on and off-street Parking supply Design of parking places and spaces	New	x	No

* For motor vehicles also in areas outside roads

** For parked vehicles only on roads or in areas where motor vehicles are generally permitted and it's usual (common) to drive motor vehicles

*** on roads or in areas generally used by motor vehicles

**** on roads open to regular traffic

***** on spaces with public enforcement

Table 2 - Parking regulation - Decision responsibility

Regulation	Authority	Comments
The Planning and Building Act	The Parliament (The Storting)	Under revision
○ Public Policy Guidelines	The Cabinet/Royal Decree	Under revision
○ County Plan	The Cabinet/Royal Decree	
○ Partial County Plan	Ministry of Environment	
○ Municipal Master Plan	Municipality	
○ Zoning Plan	Municipality	
○ By-law on parking	Municipality	Consent of the ministry not required
The Road Traffic Act (RTA)	The Parliament (The Storting)	Last revised June 2004
Traffic Rules (for the nation) <i>RTA §4, first paragraph</i>	The Cabinet/Royal Decree	First issued 1986
Specific traffic provisions for a municipality or part of a municipality <i>RTA §4, second paragraph</i>	The Ministry of Transport and Communications or	Never applied
Specific traffic provisions for a municipality or part of a municipality <i>RTA §4, second paragraph</i>	By delegation to Regional Roads Department Municipality or Local Police Authority	No delegation given
Parking Controls and Parking Fees <i>Regulation to the RTA</i>	The Cabinet/Royal Decree	First issued 1993
○ Setting Parking fees	Municipality	
○ Parking Fee Enforcement	Municipality	
Public signs and signals <i>Regulations to RTA §4, §5, §6</i>	The Ministry of Transport and Communications	First issued 1980
○ Public Parking signing	Local Police Authority or Regional Roads Department	
Parking for the mobility impaired <i>Regulation to RTA §§5 and 8</i>	The Ministry of Transport and Communications	First issued 1993
○ Special Parking permissions	Municipality	
Construction of Public Roads <i>Regulation to The Road Act § 13</i>	The Ministry of Transport and Communications	Under revision
Road Design Manual <i>Provisions to the regulation § 7</i>	Norwegian Public Roads Administration	Under revision

	National authority
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Parking glossary– English – Norwegian

English	Norwegian
Adopt	Vedta
Approval	Godkjenning
Authorization, warrant	Hjemmel
By-law	Vedtekt, statutt, lokal lov
Charge	Avgift, gebyr
Civil law agreement	Privatrettslige avtale
Concession	Reduksjon i betaling, en rettighet (konsesjon), det å gi noe eller tillate noe
Controlled parking Zone	Parkeringsssone
County Master Plan	Fylkesplan
Deductible	Fradragsberettiget
Enforce	Håndheve
Expropriation	Ekspropriasjon
Generally used by motor vehicles	Alminnelig trafikk med motorvogn
Guidelines	Retningslinjer
Imposition	Pålegg (av avgift skatt)
Income tax	Inntektsskatt
In-lieu fee	Frikjøpsavgift
Lay down	Fastsette
Mobility impaired	Forflytningshemmet
Municipal Master Plan	Kommuneplan
National Policy Guidelines for coordinated land-use and transport planning	Rikspolitiske retningslinjer for samordnet areal- og transportplanlegging
Obligation	Forpliktelse, (utbyggings)avtale
Ordinance	Forordning, bestemmelse
Parking Place	Parkeringsplass
Parking Space	Parkeringsplass for ett kjøretøy/bilplass
Payroll tax	lønnsskatt, skatt på utbetalt lønn
Provision	Bestemmelse, forskrift
Pursuant to	I henhold til, overensstemmende med
Range of Application	Virkeområde
Recommendation	Innstilling
Regulation	Forskrift, vedtekt, regulering
Reimbursement	Refusjon
Resolution	Resolusjon
Road Design Manual	Vegnormalene
Royal Bill Proposition	Lovproposisjon
Royal Decree	Kongelig resolusjon
Stakeholder	Aktør
Statutory, warrant	Hjemmel
Tax exemption	Skattefritak
The King in Council	Kongen i statsråd
The Planning and Building Act	Plan- og bygningsloven
The Road Act	Vegloven
The Road Traffic Act	Vegtrafikkloven
Traffic Rules	Trafikkreglene
Zoning Plan	Reguleringsplan

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