

implementation of parking incentives which promote ridesharing, the use of stack parking practices where appropriate, and the employment of parking management contractors and concessionaires.

**§ 101-20.104-4 Guidelines for agency implementation.**

(a) In most instances, the assignment of individual reserved spaces should be minimized; this allows the number of permits to be overallocated and results in increased efficiency.

(b) In order to promote fuel conservation, reduce traffic congestion, reduce the demand for parking spaces, and reduce air pollution, agencies are encouraged to make available as many parking spaces as possible for the use of vanpools/carpools.

(c) Agency procedures for the assignment of parking spaces should be maintained in writing. Provisions for reviewing assignments, enforcing compliance with regulations, and enforcing penalties for misrepresentation on applications are also recommended.

(d) Occupant agencies should make every effort to schedule arrival and departure times for employees to facilitate ridesharing.

(e) Subject to the availability of satisfactory and secure space and facilities, agencies should reserve areas for the parking of bicycles and other two-wheeled vehicles. Bicycles should not be transported on elevators or via stairways, nor should they be parked in offices.

(f) Implementation of the provisions of this regulation may require consultation, as appropriate, with recognized labor organizations.

**§ 101-20.105 Accident and fire prevention.**

Standards for GSA-assigned space will conform to those presented by the Occupational Safety and Health Act (OSHA) of 1970 (Public Law 91-596); Executive Order 12196; 29 CFR part 1960, and applicable GSA fire and safety criteria. Occupants and visitors will not be exposed to unnecessary risks. Safeguards which minimize personal harm, property damage, and impairment of Governmental operations, and which allow emergency forces to accomplish

their missions effectively, will be provided. To the maximum extent feasible, GSA will provide space which meets or exceeds these objectives.

**§ 101-20.105-1 Responsibilities of occupant agencies.**

(a) Each occupant agency shall maintain a neat and orderly facility to minimize the risk of accidental injuries and fires. All exits, accesses to exits, and accesses to emergency equipment shall be kept clear at all times.

(b) Hazardous explosive or combustible materials shall not be brought into buildings unless authorized by appropriate agency officials and by GSA and unless protective arrangements determined necessary by GSA have been provided. All draperies, curtains, or other hanging materials shall be of non-combustible or flame-resistant fabric. Freestanding partitions and space dividers shall be limited combustible, and fabric coverings shall also be flame resistant.

(c) Occupant agencies shall cooperate with GSA to develop and maintain fire prevention programs. Such programs shall ensure the maximum safety of the occupants by:

(1) Training employees to use protective equipment and educating employees to take appropriate fire safety precautions in their work, including participating in at least one fire drill each year, and

(2) Ensuring that facilities are kept in the safest condition practicable, and conducting periodic inspections in accordance with Executive Order 12196 and 29 CFR part 1960.

(d) Accidents resulting from building system or maintenance deficiencies which involve personal injury or property damage in GSA-assigned space will be reported immediately to the GSA buildings manager.

(e) Each occupant agency shall appoint a safety, health and fire protection liaison to represent the occupant agency with GSA.

**§ 101-20.105-2 Correction of hazardous conditions.**

(a) GSA is responsible for correcting hazards associated with the condition

of the space it assigns, including hazards related to building features, fixtures, and systems. GSA is also responsible for correcting hazards in common, joint, and public use spaces. Occupant agencies are responsible for correcting hazards associated with their use of assigned space, including those related to the operation of their program equipment.

(b) Hazardous conditions within the occupant agency's responsibility to correct shall be corrected within 30 workdays when possible. Imminently dangerous conditions shall be corrected immediately upon their discovery. If more than 30 workdays are required for correction, an abatement plan shall be prepared in accordance with 29 CFR part 1960. Corrective alteration measures may be undertaken in accordance with § 101-20.106, Reimbursable services.

(c) Conditions within GSA's responsibility to correct shall be identified, documented and presented to the GSA buildings manager. Imminently dangerous conditions shall be corrected immediately upon their discovery. When an imminently dangerous condition as defined by 29 CFR 1960.28 exists, this report shall be made by telephone. Upon receipt of a properly documented report of hazardous conditions, GSA will promptly investigate, determine a plan to resolve the problems, and inform the occupant agency. Such reports shall state the hazardous condition and cite references to specific OSHA standards violated. In cases involving health problems, agencies shall provide to GSA an industrial hygienist's report of an investigation of the alleged problem, which must include a description of the problem, results of testing, and recommendations for correction. When resolution will take more than 30 workdays, GSA shall prepare an abatement plan in accordance with 29 CFR part 1960, shall furnish this plan to the occupant agency for review and subsequent follow-up, and shall give priority to prompt abatement of the conditions.

**§ 101-20.105-3 Smoking.**

(a) Pursuant to Executive Order 13058, "Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Work-

place" (3 CFR, 1997 Comp., p. 216), it is the policy of the executive branch to establish a smoke-free environment for Federal employees and members of the public visiting or using Federal facilities. The smoking of tobacco products is prohibited in all interior space owned, rented, or leased by the executive branch of the Federal Government, and in any outdoor areas under executive branch control in front of air intake ducts.

(b) *Exceptions.* (1) The policy does not apply in designated smoking areas that are enclosed and exhausted directly to the outside and away from air intake ducts, and are maintained under negative pressure (with respect to surrounding spaces) sufficient to contain tobacco smoke within the designated area. Agency officials shall not require workers to enter such areas during business hours while smoking is ongoing.

(2) The policy does not extend to any residential accommodation for persons voluntarily or involuntarily residing, on a temporary or long term basis, in a building owned, leased, or rented by the Federal Government.

(3) The policy does not extend to those portions of federally owned buildings leased, rented, or otherwise provided in their entirety to nonfederal parties.

(4) The policy does not extend to places of employment in the private sector or in other nonfederal governmental units that serve as the permanent or intermittent duty station of one or more Federal employees.

(5) Agency heads may establish limited and narrow exceptions that are necessary to accomplish agency missions. Such exceptions must be in writing, approved by the agency head, and to the fullest extent possible provide protection of nonsmokers from exposure to environmental tobacco smoke. Authority to establish such exceptions may not be delegated.

(c) Agency heads have responsibility to determine which areas are to be smoking and which areas are to be non-smoking areas. In exercising this responsibility, agency heads will give appropriate consideration to the views of the employees affected and/or their representatives and are to take into