

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: April 15, 2011

REGULATION TITLE AND NUMBER: University Traffic and Parking Rules (7.003).

SUMMARY: A Transportation Access Fee Committee was formed to review the parking fees to students, faculty and staff. The Committee was comprised of students, faculty and staff to review the parking program and to make recommendations for an increase to the TAF and the faculty/staff decal fee. The proposed increase in the transportation access fee is from \$64.90 to \$76.90 for Fall and Spring semesters, from \$27.04 to \$32.04 for Summer semester. Faculty and staff decal fees will increase 5 percent for all pay grades. FAU Regulation 7.003, FAU Traffic and Parking Program, is updated to comply with current procedures and to implement the fee changes.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:

Mr. Dennis Crudele, Sr. Vice President for Financial Affairs

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT/REPEAL OF REGULATIONS IS: Myrlande Dessalines, Paralegal, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

PROPOSED

Florida Atlantic University

Regulation 7.003

University Traffic and Parking

(1) AUTHORIZATION.

- (a) Any person possessing an operator's license valid in the State of Florida is permitted to operate a properly registered motor vehicle on the campuses of Florida Atlantic University and the Palm Beach State College-South Campus, collectively referred to as the "campus" or the "University."
- (b) The University Police Department and Parking and Transportation Services and individuals designated by Parking and Transportation Services, are authorized to enforce this Traffic and Parking regulation. Regulatory signs and traffic control devices have the force and effect of University regulations.
- (c) All vehicles driven or parked upon University property are subject to the provisions of this regulation.
- (d) This regulation is in effect twenty-four (24) hours of every day of the year.
- (e) Any vehicle not parked at a meter must display a valid parking permit.

(2) DEFINITIONS.

- (a) Abandoned Vehicle. A vehicle or conveyance which has not been moved in at least thirty (30) days, or has been moved to various spaces on campus because it cannot be driven legally on roadways, has an invalid or expired license tag or is inoperable.
- (b) Access Aisle. An access aisle is the area between two (2) disabled accessible parking spaces, or the area adjacent to a disabled accessible parking space that is indicated by diagonal lines. This area allows wheelchair users to enter and exit their vehicles.
- (c) Assigned Space. An assigned space is an individual parking space, assigned by the President or designee, and reserved for a specific person or department and includes service vehicle spaces. These spaces are reserved twenty-four (24) hours a day, seven (7) days a week for the assignee only. Also referred to as a "Reserved Space".
- (d) Card Access Lot. A card access lot is a parking lot in which use is controlled by a key card issued upon payment of a card access fee.
- (e) Controlled Access Lot. A controlled access lot is a parking lot that requires a special permit in addition to a valid parking permit, which is issued upon payment of a controlled access lot fee.
- (f) Permit. A permit is a color coded hangtag or sticker affixed to each vehicle, issued by FAU Parking and Transportation Services authorizing parking of a vehicle on campus for a specified length of time in a specified area.
- (g) Disabled Accessible Parking Space. A disabled accessible parking space is a space for use only by an individual with a valid disabled parking permit, placard or license plate registered in the individual's name.

- (h) Faculty. Faculty includes all FAU professors, visiting professors, adjunct professors and instructors.
- (i) Immobilized Vehicle. A vehicle that is rendered inoperable by a lawfully attached mechanical device such as a “boot” or clamp device.
- (j) Motorcycle. Motorcycle, for the purpose of this regulation, includes motorcycles, motor-driven bicycles, mopeds, motor scooters and other similar motorized vehicles.
- (k) Non-University Vehicle. A non-University vehicle is a vehicle not registered with Parking and Transportation Services.
- (l) Permit. A permit is authorization issued by Parking and Transportation Services for parking a vehicle on campus for a specified length of time. A permit may be issued as a parking decal, temporary parking permit or by hangtag.
- (m) Staff. Staff includes AMP, SP and Temporary non-student employees.
- (n) Student. Student, for the purpose of this regulation, includes full-time, part-time, daytime, evening and weekend FAU students and students of any other institutions leasing land or facilities on any FAU campus.
- (o) Lifelong Learning Society Student – for the purpose of this regulation is a non-degree seeking student who is a current member of and is enrolled in the Lifelong Learning Society.
- (p) Parking and Transportation Services. Parking and Transportation Services includes other offices designated to conduct business on behalf of the Department.
- (q) Transportation Access Fee. All students will be assessed a Transportation Access fee at the time of registration to be paid along with their tuition to support the University’s transportation infrastructure and to increase student access to transportation services.
- (r) Vehicle. Vehicle includes all automobiles, trucks, motorcycles, mopeds, motor scooters and other similar conveyances including those that are leased or rented.
- (s) Visitor. Visitor, for the purposes of this regulation, is a person who is neither a student, faculty or staff member, who is driving a vehicle or parking on campus.
- (t) Reserved Space. See Assigned Space
- (u) Loading Zones. Areas specifically designated for the sole purpose of loading or unloading materials or equipment. Loading zones are delineated by signs or pavement marking. Use of these areas is limited to 15 minutes unless otherwise posted. Vehicles exceeding the posted maximum period may be issued additional citations every hour after the original citation and/or towed at the owner’s expense.
- (v) Service Vehicle. A service vehicle is defined as a university, commercial or government vehicle acting in direct support of campus activities either by contract or responsibility and includes maintenance, vendor and utility vehicles, the exterior of which are visibly marked with a company name or organizational logo.
- (w) Volunteer. A volunteer is defined as any person performing a service for the University without promise, expectation, or receipt of compensation for services rendered and is not otherwise employed by the University nor is enrolled as a student.

(3) REGISTRATION, FEES AND PERMITS.

- (a) Registration.

1. Faculty and staff must register all vehicles parked on campus and pay the appropriate registration fee.
2. Students must register all vehicles parked on campus and must pay the Transportation Access Fee as provided in paragraph (3)(b).
3. The owner's current state vehicle registration will be requested at the time of registration.
4. A parking permit will be issued upon payment of the appropriate fee and presentation of the current valid vehicle registration to Parking and Transportation Services. The issuance of a permit does not guarantee a parking space.
5. All vehicles parked on campus must be registered with Parking and Transportation Services and must display a valid permit that is properly affixed to the vehicle.
6. Each individual to whom a permit is issued is responsible for any infraction caused by or citation issued to any vehicle bearing that individual's permit.
7. The registered owner of a non-University vehicle shall be responsible for all on-campus parking violations involving that vehicle.

(b) Fees. All fees, as posted, include applicable state sales taxes. Vehicle permit fees are subject to change at the beginning of each academic year.

1. Student Transportation Access Fee.
 - a. All students are required to pay a Transportation Access Fee at the time of registration to be paid along with their tuition. THIS FEE IS NON-REFUNDABLE. A parking permit will be issued to each registered student upon request. The amount of the fee is as follows:

<u>Semester</u>	<u>Fee Per Semester</u>
Fall	\$64.90 <u>76.90</u>
Spring	\$64.90 <u>76.90</u>
Summer	\$27.04 <u>32.04</u>

- b. All Lifelong Learning Society students are required to pay a Transportation Access Fee at the time of Lifelong Learning registration to be paid along with the Registration Fee. THIS FEE IS NON-REFUNDABLE. A parking permit will be issued to each registered student. The amount of the fee is as follows:

<u>Semester</u>	<u>Fee Per Semester</u>
Fall (Full Term)	\$16.00
Fall (Partial Term)	\$8.00

Winter \$16.00
 Spring (Full Term) \$14.00
 Spring (Partial Term) \$7.00

2. Registration Fees for Employees and Others.

- a. Parking permits will be issued to staff/faculty and other persons annually upon payment of the applicable fee.

Classification	Permit Type	Fee (Includes Sales Tax)
Card Access/ Controlled Access Lot	Red Hangtag	\$260
Assigned Spaces	Light Blue Hangtag	\$650 683
Faculty (Except Adjuncts)	Red Hangtag	\$136 143
Staff (SP pay grade 21 and above and all AMP)	Red Hangtag	\$136 143
Staff (SP pay grade 16-20)	Red Hangtag	\$400 105
Staff (SP pay grade 15 and below)	Red Hangtag	\$59 62
All Adjuncts (regardless of FTE)	Red Hangtag	\$72 76
Vendors	White Hangtag	\$156.84 185.84
Motorcycles	Blue Decal	No Charge
Board of Trustees	Gray Hangtag	No Charge

- b. All employees, except student Temporary employees, are authorized to elect to pay for permits via payroll deduction. The maximum number of payroll deductions shall not exceed six (6).
- c. Registration Fee Reductions – The following registration fee reductions are authorized to be used in combination with other reductions, but do not apply to temporary parking permits:
- (i) Fees for employees whose total appointment is halftime or less are one-half of the regular registration fees. A statement, signed by the employee’s immediate supervisor, indicating the employee’s total appointment, is required to qualify an employee for a reduced fee under this provision. This reduction is not available to adjunct professors.
 - (ii) Fees for a second or subsequent faculty or staff vehicle are one-half of the regular registration fee.

- (iii) Fees for employees whose employment contracts begin after January 1 and before July 30 are one-half of the regular registration fee.
 - d. Refunds – Faculty and Staff permits may be returned for a refund upon termination of employment with the University. To receive the refund, permits must be returned to Parking and Transportation Services. The refund amount will be prorated by semester and will not exceed the amount paid for the permit. Due to tax regulations, permits paid for by payroll deduction are not eligible for a refund. All requests for refunds must be received within **fifteen (15)** days of the beginning of each semester. Temporary permits are not eligible for a refund.
3. Employee/Student Classification – Graduate Assistants and Teaching Assistants are classified as students for the purposes of this regulation. Full time Temporary employees are considered staff for purposes of this regulation, even if they are registered for classes. Part-time (less than 40 hours per week) Temporary employees who are registered for classes are considered students for purposes of this regulation.
 4. Continuing Education/Open University Students – Open University & Continuing Education students must display a valid parking permit authorized by Parking and Transportation Services at all times while parked on all FAU campuses. Open University & Continuing Education Students registering for courses seven (7) weeks or greater in duration are required to pay the Transportation Access Fee. Open University & Continuing Education students registering for courses that are less than (7) weeks in duration, are not required to pay the Transportation Access Fee, but are required to display a parking hangtag. Such students may obtain hangtags from the Open University & Continuing Education Office. The Office of Open University & Continuing Education will pay a fee of \$2 per hangtag to the Parking and Transportation Services prior to the issuance of the hangtags.
 5. Palm Beach State College – South Campus students who reside in FAU apartments or residence halls must register all vehicles at the FAU Parking and Transportation Services Office and pay the appropriate registration fee.
 6. Outside Contractors – An outside contractor or an employee of an outside contractor working on an FAU campus, such as a cafeteria, bookstore, bank, copy services, mail center, health services or maintenance worker, is considered to be a staff employee for purposes of this regulation. However, if any such person is also a full-time registered student, the student category is applicable to such person.
 7. Volunteers – When requested by a department within the University, an invited guest lecturer or any person who teaches without remuneration or any volunteer who provides services to the University will be issued appropriate

parking permits free of charge as long as appropriate documentation is provided to Parking and Transportation Services.

8. Vendors, Service Persons – A vendor or any other service person who frequently parks on campus must pay the appropriate registration fee and display a valid temporary parking permit.
9. Others Parking on FAU Campuses – Others who park on FAU campuses may purchase a valid temporary parking permit for a fee of \$2.00 a day, \$5.00 a week or \$15.00 a month.

(4) PARKING PERMITS.

(a) Decals and Hangtags.

1. A parking decal is issued for use on a specific vehicle. A parking hangtag is for use in any vehicle.

~~1.2.~~ Permits may not be sold or reissued to another individual. Ownership of the parking permit remains with the University. Individuals are not allowed to transfer ownership.

~~2.3.~~ Placement

- a. The decal must be affixed outside the vehicle, on the driver's side rear windshield. Convertibles and vehicles without a rear windshield are to place the permit on the outside, passenger's side of the front windshield. The entire decal must be displayed unaltered. The decal must be visible at all times while the registered vehicle is parked on campus. Decals may not be affixed by means other than the adhesive of the decal.
- b. Hangtags must be displayed on the rearview mirror, or on the driver's side of the dashboard if the hangtag cannot be hung or a rearview mirror is not present.
- c. A vehicle with a permit not affixed in accordance with this regulation will be cited and fined for improper display.

~~3.4.~~ The permit must be removed from the vehicle upon sale or other disposition of the vehicle or when the permit holder leaves the University upon graduation, termination of employment, relocation from a residence hall to an off-campus residence, or any other change in status that affects parking privileges.

~~4.5.~~ Lost, misplaced, defaced or stolen permits must be reported immediately to the Parking and Transportation Services Office and replaced. The fee for a replacement permit is \$15.00. A permit reported lost which is later found, must be ~~turned in~~ returned to the Parking and Transportation Services Office. The fee for a replacement permit is \$15.00. An individual using a permit that has been reported as missing, lost, or stolen will be referred to law enforcement authorities. If the individual is a student, he or she will also be

~~referred to the Dean of Students for disciplinary action. If the individual is an employee, he or she will also be referred to the appropriate Vice President for disciplinary action. In addition, the individual will be subject to a fine and the vehicle to which the permit was affixed will be immobilized or towed and stored at the owner's expense. However, a free replacement permit will be issued where proof of purchase of the original permit is submitted together with the following documentation:~~

~~For a stolen permit—a signed stolen permit report filed with the Parking and Transportation Services Department;~~

~~For a stolen vehicle—presentation of a police report or insurance verification;~~

~~5.6.~~ Any individual who has any unpaid FAU Parking and Transportation Services citations will not be permitted to register his or her vehicle or receive a parking permit until all outstanding fines are paid. However, an individual whose only citation(s) is pending appeal and where the appeal(s) is timely will be permitted to purchase a temporary parking permit during the appeal process.

~~6.7.~~ Reproducing or defacing a permit is prohibited. An individual using a permit that has been reproduced, altered or defaced, ~~in violation of this regulation, or which has been reported lost or stolen,~~ will be referred to law enforcement authorities. If the individual is a student, he or she will also be referred to the Dean of Students for disciplinary action. If the individual is an employee, he or she will also be referred to the appropriate Vice President for disciplinary action. In addition, the individual will be subject to a fine and the vehicle to which the permit was affixed will be immobilized or towed and stored at the owner's expense.

(b) Temporary Parking Permits

1. Issuance. Temporary parking permits will be issued by Parking and Transportation Services Temporary parking permits are available during regular business hours from the Parking and Transportation Services Office and from the University Police Department after regular business hours and on weekends. Temporary parking permits are valid only for the dates indicated on the front of the permit.
- ~~2. Non-Permit Holders. Upon request, a non-permit holder will be issued one (1) temporary parking permit without a fee valid up to three (3) days each semester.~~
- ~~3.2.~~ Permit Holders. Upon request, a permit holder will be issued up to three (3) temporary parking permits without a fee for a maximum of five (5) consecutive days each semester. Upon request, a permit holder whose vehicle

is being repaired or was stolen will be issued a temporary parking permit without a fee for a maximum of 28 consecutive days.

~~4.3.~~ 4.3. Purchase of Temporary Permits. Temporary permits can be purchased from the Parking and Transportation Services Office at the rate of \$2.00 per day, \$5.00 per week or \$15.00 per month (28 days). No temporary permit will be issued for more than twenty-eight (28) consecutive days except as provided in subparagraph (4)(b)(~~5~~4).

~~5.4.~~ 5.4. Construction Contractors. Construction contractors, working on University construction projects, which require a parking, permit for more than twenty-eight (28) days, will only be issued a permit in excess of twenty-eight (28) days if the need has been verified by the University Architect or designee.

~~6.5.~~ 6.5. Visitors. All visitors to the campus must obtain temporary parking permits to park anywhere on campus other than at a meter or reserved spaces.

~~7.6.~~ 7.6. Improper Use. Improper use of a permit will result in revocation of the permit and parking privileges.

(c) Permit Reciprocity

1. Palm Beach State College. Permits issued by Palm Beach State College are valid only in designated lots on the Boca Raton Campus. Palm Beach State College permits are not valid on any of the remaining FAU Campuses.
2. Broward College. Permits issued by Broward College are valid only in designated lots on the Broward County Campuses (Davie and Downtown Ft. Lauderdale Campuses). Broward College permits are not valid on any of the remaining FAU Campuses.
3. When a vehicle displays both a FAU permit and a permit from either Palm Beach State College or Broward College, the FAU permit will take priority in determining where a vehicle is eligible to park.

(5) RULES FOR PARKING AND OPERATION OF VEHICLES ON CAMPUS.

(a) Rules for Parking

1. Parking
 - a. The registered owner or operator of a vehicle assumes all liability for parking on University property.
 - b. All vehicles without valid permits must park at parking meters and pay the appropriate fees.
 - c. Parking at the University is regulated and controlled by designated permits. Each vehicle owned or operated by a student or employee must have a valid permit to park anywhere on campus.
 - d. Vehicles must park in appropriately designated lots with valid permits as follows:

<u>Permit Designation</u>	<u>Permitted to Park</u>
Red Hangtag	Red Lot or Blue Lot
Light Blue Hangtag	Assigned Space, Red Lot or Blue Lot
Blue Motorcycle Decal	Designated Motorcycle Parking
Blue Decals	Blue Lot
Green Decal	Green Lot
Gray Hangtag	Any Lot or Metered Space
<u>Purple Decal</u>	<u>Purple Lot or Green Lot</u>

- e. Between the hours of 7:00 a.m. and 6:00 p.m. all vehicles, except those covered in subparagraph (5)(a)(2), must park in appropriate designated lots, unless posted otherwise. After 6:00 p.m. and before 7:00 a.m. on weekdays and anytime on weekends, vehicles with valid permits may park in any lot unless posted otherwise.
- e.f. The responsibility of finding a proper parking space rests with the vehicle operator. A PARKING PERMIT DOES NOT GUARANTEE A PARKING SPACE; however, it does grant the privilege to park in the designated area when there is parking available. Inability to find a parking space is not a license to violate these regulations. Use of emergency flashers does not excuse parking in violation of these regulations.
- f.g. Parking violators will be issued a citation and subject to a fine as prescribed in these regulations as follows:
- (i) Parking on grass, a sidewalk, a crosswalk, a loading zone, a fire lane, a street, unimproved land or any other “no parking” area is prohibited. Violators will be subject to a fine.
 - (ii) A parked vehicle failing to display a valid permit will be subject to a fine. A vehicle must have a valid permit issued prior to the infraction to be eligible for this violation code.
 - (iii) A vehicle that is parked in a lot designated for a permit other than the type of the permit issued or affixed to the vehicle will be subject to a fine.
 - (iv) Overtime parking at a meter is subject to a fine per incident except as otherwise provided herein.
 - (v) Vehicles with a valid FAU parking permit are prohibited from parking at parking meters, paid or unpaid. Meters are reserved for visitors and trustees only. Any vehicle parked at a meter with a valid FAU parking permit shall be subject to a fine.
 - (vi) If a meter is malfunctioning, parking in that space is prohibited. Violators will be subject to a fine.

- (vii) Overnight parking on campus or the purpose of sleeping in a vehicle or using it as living accommodations is prohibited. Violators will be subject to a fine.
- (viii) Motorcycles must be parked in areas designated for motorcycle parking. Bicycles must park in bike racks only. Violators will be subject to a fine.
- (ix) ~~(ix)~~—Repairing any vehicle on campus is prohibited except in an emergency. The emergency must be reported to the University Police Department prior to the repair being made.
- (x) ~~(x)~~—Parking of a trailer, boat, camper, large van, airplane or commercial truck (except construction vehicles with FAU permits) is prohibited. Over-sized and/or recreational vehicles shall be allowed to park in approved areas on campus between 4:00 p.m. Friday and 12:00 p.m. Sunday, on weeks when there is a football game on Saturday.
- (xi) Vehicles may not be abandoned on campus. The registered owner of an abandoned vehicle will be notified by certified mail that his or her vehicle has been deemed abandoned by Parking and Transportation Services. An abandoned vehicle not removed within ten (10) days of the date of the notification shall be towed and stored at the owner's expense.
- (xii) Any parked vehicle creating a hazard, a nuisance or an impediment to traffic flow shall be subject to a fine and will be towed and stored at the owner's expense.
- (xiii) All vehicles must be parked in one marked space only or will be subject to a fine. Painted lines or concrete bumpers identify a parking space. The absence of "No Parking" signs or curb markings does not mean that parking is allowed. Parking is permitted only within marked spaces.
- (xiv) Removal, alteration, or changing any traffic control device, sign, barricade, or traffic cone is prohibited. Additionally, driving around barricades, traffic cones in the roadway, or entering parking lots that are closed by Parking and Transportation Services or the University Police is prohibited. Violators will be subject to a fine and/or traffic citation.
- (xv) Vehicles must be parked "nose in" in all parking spaces. Backing into a space is prohibited and violators will be subject to a fine. State and emergency vehicles are exempt from this regulation.

(xvi) Vehicles parked on any FAU campus must either display a valid permit or park at and pay a parking meter. Violators will be subject to a fine.

(xvii) Permits are to be affixed to the vehicle in the method and location required by this Regulation. Violators will be subject to a fine.

~~g.~~h. When a parking sign conflicts with the parking map or information on this Web site, the sign will always supersede.

2. Disabled Accessible Parking

a. Any student or employee with a valid permit who properly displays a valid state disabled parking permit, placard or license plate that is registered to the student or employee using the vehicle, may park in any disabled accessible parking space. Such individuals may park in any parking space in any lot except in assigned spaces, service vehicle spaces, or in card access or controlled access lots. Such individuals may also park free in metered spaces for up to four (4) hours.

b. Any vehicle parked in a disabled accessible parking space without a valid disabled parking permit, placard or license plate shall be subject to a fine and may be towed and stored at the owner's expense.

c. Vehicles in possession of, but failing to display a valid disabled parking permit or placard shall be subject to a fine. Vehicles fined for parking in a disabled accessible parking space without a valid permit may submit proof of a valid disabled parking permit or placard to the Parking and Transportation Services Office within fourteen (14) calendar days of the date of the citation for reclassification of violation.

d. No vehicles may park in a disabled accessible aisle, even those displaying a valid disabled parking permit, placard or license plate. Vehicles parked in a disabled accessible access aisle will be subject to a fine and may be towed and stored at the owner's expense.

e. The owner or operator of any vehicle found displaying a disabled parking permit, placard or license plate not registered to the individual using the vehicle and parked in a disabled accessible parking space will be subject to a fine and may be towed and stored at the owner's expense.

3. Garage Parking

a. A current FAU parking permit is required to park in the garage.

b. All vehicles must adhere to posted signage.

c. Event visitors may park in the garage at the rates established for the event, which shall not exceed \$10.00

4. Metered Parking

- a. Unless otherwise posted, parking meters are in effect 24 hours a day, seven days a week.
- b. The maximum hourly fee shall not exceed \$2.00.
- c. Permit holders are not permitted to park at meters at any time.
- d. If a meter is malfunctioning, parking in that space is prohibited and may result in a citation.

5. Event Parking

- a. During special events, certain parking areas may be altered or restricted for event parking.
- b. Operators of motor vehicles may have to pay a fee to park in these lots or parking may be pre-paid by the event organizer.
- c. Parking arrangements for special events should be made at least two weeks in advance by contacting the Parking and Transportation Services Event Coordinator.
- d. On days of home football games, FAU parking permits are not valid on the Boca Raton campus. Operators of motor vehicles parking on campus may be charged an additional fee to park on campus during the game.

(b) Rules for Operation of Vehicles on Campus.

1. All vehicle operators must comply with all State of Florida traffic laws and comply with ordinances of adjacent municipalities which are not inconsistent with this regulation.
2. The maximum speed limit on any street on all FAU campuses is twenty-five (25) miles per hour, unless otherwise posted.
3. The maximum speed limit in parking lots is ten (10) miles per hour, unless otherwise posted.
4. Pedestrians always have the right-of-way.
5. All traffic signs must be fully obeyed. A vehicle must be brought to a complete stop before proceeding past any stop sign.
6. Driving or operating any vehicle on campus is restricted to streets and drives designed for vehicular traffic.
7. Only bicycles shall be operated on pathways specifically marked for bicycle use.

(6) FINES, PENALTIES AND RELATED FEES.

(a) Policy.

1. Any person in violation of any State of Florida traffic law shall be subject to the applicable state fines.

2. An individual charged with an infraction must either pay the prescribed fee or appeal the citation within fourteen (14) calendar days of issuance of the citation. If payment of the fine is not received in the Parking and Transportation Services Office within fourteen (14) days shall be subject to a late fee.
3. Any student with an unpaid parking or other citation will not be permitted to register for classes nor receive a transcript of academic achievement, grades or a diploma until all fines and fees are paid in full.

(b) Fines and Fees.

1. Schedule.

Violation	Fines
No permit or expired permit	\$25
Improper display of permit	\$25
Failure to display a valid permit (must already have valid permit)	\$25
Parking out of assigned area	\$25
Parking in reserved space	\$50
Parking in service vehicle space	\$35
Overtime Meter	\$25
Parking at meter with a permit	\$25
Parking at malfunctioning meter	\$25
Backed into parking space	\$25
Hazardous Parking	\$25
Parking in disabled access aisle	\$250
Parking in disabled accessible space without valid permit	\$250
Failure to display valid disabled parking permit registered to vehicle user	\$25
Defaced or stolen permit	\$100
<u>Use of stolen/missing/lost permit</u>	<u>\$100</u>
Replacement Permit	\$15
Administrative Fees (refund)	\$25
Administrative collection fees	\$25
Inappropriate parking of motorcycle or bicycle	\$25
All other violations (except otherwise noted in this regulation)	\$25
Late Fees	\$25
Overnight parking in the Garage	\$25
Tow Fee	\$50 <u>75</u>

Boot Fee	\$85
Parking over lines or double parked	\$25
Parking on grass/sidewalk/crosswalk	\$25
Parking in wrong direction	\$25
Parking in fire lane	\$50

2. Information.

- a. If a vehicle accumulates three (3) unpaid parking violations, regardless of type, the vehicle may be immobilized or towed and stored at the owner's expense.
- b. All towing and storage authorized under this regulation will be done at the registered owner or operator's expense. Charges for towing or storage may vary according to type of vehicle, type of equipment needed and costs charged by towing or storage companies. Immobilized, towed or stored vehicles will be released when all unpaid fines and fees have been paid to the University.
- c. Payment of fines and fees shall be made by cash, check, money order or credit card.

(7) TRAFFIC COMMITTEES AND PARKING VIOLATIONS APPEAL BOARD.

- (a) The Parking Violations Appeal Board, referred to as the "Board" for purposes of this regulation, is established by the President of the University to serve as an advisory group to Parking and Transportation Services. The Board is composed of seven (7) members: two (2) faculty, three (3) staff members from the University community, two (2) students and two (2) alternates. The Director of the University Police Department or designee will act as advisor to the Board. The Board must establish a quorum to hear appeals. A quorum shall be defined as a minimum of five (5) members of the Parking Violations Appeal Board.
- (b) The Parking Violations Review Committee, referred to as the "Committee" for purposes for this regulation, is composed of the Assistant Director of Parking and Transportation Services, the Operations Manager of Parking and Transportation Services and the Chief of Police or designee, who sit as an appellate body. The Committee will meet as often as necessary to discharge its duties. A majority of voting members present will be required to render decisions and take action.
- (c) The Director of Parking and Transportation Services, the Parking Violations Review Committee and the Parking Violations Appeal Board are designated as University Traffic Authorities to hear violations of parking regulations. In carrying out its duties, either University Traffic Authority may sustain or dismiss charges

and, in its discretion, impose appropriate penalties and fees but it may not contradict the prevailing parking regulations.

(8) APPEALING A CITATION.

- (a) First appeals are completed online through an interactive form after the individual has logged into their Parking and Transportation Services account. This appeal must be submitted within fourteen (14) calendar days of issuance of the citation. Lack of knowledge of Parking and Transportation Services rules is not an acceptable basis on which to appeal a citation. The Director of Parking and Transportation Services will review the documentation submitted and make a determination on the appeal within fifteen (15) days. The individual will be notified in writing of the Director's decision. If the citation is sustained, the fine must be paid within fourteen (14) days of the date of the Director's decisions, unless a final appeal is timely filed.
- (b) A final appeal of the citation may be made by requesting a hearing before the Parking Violations Appeal Board. This final appeal of a citation is submitted through an interactive online form after the individual has logged into their Parking and Transportation Services account. This appeal must be submitted within fourteen (14) calendar days of the Director's decision. The documentation that was reviewed by the Director will be forwarded to the Board, however the Board will make a new determination of the case. The individual appealing the citation may indicate on the form an intention to be present at the Hearing. The individual will be notified of the date, time, and location of the hearing and may present evidence. The individual will be notified in writing of the decision of the Board. If the citation is sustained, the fine must be paid within fourteen (14) calendar days of the Board's decision. The Board is the final appeal authority; no further appeals are permitted.
- (c) Appeals should only be filed if legitimate basis exists. Reason for appeal that are not considered legitimate include, but are not limited to:
 - 1. Disagreement with the parking regulation.
 - 2. Ignorance of the regulation.
 - 3. Stated inability to find a permitted parking space.
 - 4. Operation of the vehicle by another person.
 - 5. Failure to issue citations previously for similar violations.
 - 6. Tardiness to class and/or appointment.
 - 7. Inability to pay fine.
 - 8. Displayed wrong or expired permit.
 - 9. Traffic congestion.
 - 10. Received bad verbal information.
 - 11. Perception that designated parking area is not safe.

Specific Authority: Florida Board of Governors Resolution dated January 7, 2003; Fla. Stat. 1001.706, 1006.66, 1010.03. History: Formerly 6C5-4.03, 6C5-7.004, Amended- 10-11-75, 5-24-76, 10-11-77, 8-23-79, 11-10-82, 8-17-83, 11-11-87, 7-19-89, 8-25-90, 9-8-93, 12-10-95, 8-24-98, 8-11-01, 7-10-03, 6-30-20, 7-22-09, 7-21-10, - -11.