

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: May 24, 2010

REGULATION TITLE:
Traffic/Parking Regulation and Enforcement

REGULATION NO.:
UCF-6.007

SUMMARY OF REGULATION AMENDMENT: This regulation has been amended to include the addition of a second faculty member to the University Parking Citation Appeals Committee. The reference to Univeristy Properties International has been removed and replaced with the UCF Convocation Corporation in respect to the "F" permit. Additionally, the cost of a replacement permit (decals only) has been increased to \$15.00.

AUTHORITY: BOG Regulation 1.001.

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Kris Singh, Interim Director, Parking and Transportation Services

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4000 Central Florida Blvd.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
Fax: (407) 823-6155
e-mail: regulations@mail.ucf.edu

FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-6.007 Traffic/Parking Regulation and Enforcement.

(1) General Information.

(a) Definitions.

1. The term “vehicle” shall include bicycles, motorcycles, automobiles, trucks, and other mobile equipment.

2. Decals are printed labels or hang tag permits issued by the university evidencing vehicle registration. For the purposes of this regulation, the words “decal” and “permit” are synonymous.

3. The University Parking and Transportation Advisory Committee is composed of up to two students, two faculty members, one administrative and professional employee, and two USPS employees. The vice president for administration and finance will appoint one member of the committee to serve as chair. The University Parking and Transportation Advisory Committee is the principal advisory body to the president through the vice president for administration and finance, recommending policies and regulations governing traffic and parking on the UCF campus.

4. The University Parking Citation Appeals Committee is composed of up to ~~one~~two faculty members, four students, two university employees and one chair. The University Parking Citation Appeals Committee has jurisdiction over violations of the university’s parking regulations. In those cases heard before it, this committee will render decisions adjudicating guilt and will impose appropriate monetary or restrictive penalties. The University Parking Citation Appeals Committee reports to the vice president for administration and finance.

(b) Applicability – The provisions of this regulation shall apply at all times to vehicles that are operated or parked on the UCF campus. The fines, penalties and other sanctions against persons in violation of the provisions of this regulation will be enforced as follows:

1. In the case of a vehicle registered with the Department of Parking and Transportation, the university shall assess fines for parking violations against the person in whose name the vehicle is registered with Parking and Transportation Services.

2. In the case of a vehicle not so registered, assessments for parking violations shall be made against the operator if it is determined that the operator at the time of the violation is associated with the university and, in fact, should have registered the vehicle with the Department of Parking and Transportation.

3. If a vehicle is not registered with the university and the operator is not associated with the university, fines will be assessed against the vehicle's state registration vehicle certificate holder.

(c) Responsibility – Unless otherwise noted, the Department of Parking and Transportation is responsible for the implementation and enforcement of this regulation and for resolution of disputes with regard to the university's parking and traffic regulations.

(d) Authorizations.

1. Operation of a motor vehicle upon the campus of UCF is a privilege granted by the university. All vehicles parked on the university campus must be currently registered with the Department of Motor Vehicles and display a valid license tag. The university is authorized and reserves the right to regulate the use of any of its vehicle parking facilities for the exclusive use of designated groups or individuals.

2. Any individual possessing a valid driver's license may operate a properly registered motor vehicle on the UCF campus in accordance with the provisions of these regulations.

3. UCF police officers, community service officers (CSO's) and parking patrollers are authorized to issue a university parking and traffic citation to any person or vehicle violating university parking and traffic regulations.

4. Vehicles are subject to immobilization or being towed from the campus, depending upon the need for such action, as set forth in these regulations.

(2) Registration Regulations.

(a) All motor vehicles parked on the UCF campus must be registered with the Department of Parking and Transportation and have the appropriate parking permit properly displayed while parked on campus. This includes vehicles used by evening and special students. Exceptions to this requirement are as follows:

1. Vehicles displaying “government” license plates.

2. Properly identified Government officials, such as FBI, ATF, US Customs, etc., who park on campus on official business, but whose vehicles are unmarked or do not bear “official” government-issued license plates, may be issued a parking permit free of charge, but for a period of no longer than one day per permit. These permits may be issued at either the Visitors Information Center or the Department of Parking and Transportation.

3. Construction personnel and contractors engaged in projects on campus may park within the designated fenced enclosure of the construction site without a UCF parking permit.

4. Visitors need not register their vehicles but shall comply with subparagraph (i) ~~H13~~. below.

(b) Registration of more than one automobile and one motorcycle is permissible by paying full price for each permanent decal or by purchasing a hang tag permit that is transferable from vehicle to vehicle.

(c) The vehicle registration year begins September 1 and ends August 31 the following year. Each vehicle must be registered with permit properly displayed no later than the end of the first full week of classes of each fall semester, and no later than the first day following the expiration date of the applicable permit for subsequent semesters. Free parking is available at the Department of Parking and Transportation to accommodate the registering of vehicles.

(d) All individuals who register their vehicles at the university must register them online. Registrants may also purchase their parking permits online with a credit card or buy them in person at the Department of Parking and Transportation in Parking Garage B.

(e) Decal Display – Issued decals, except hang tags, are to be permanently affixed to the registered vehicle. Decals must be affixed either to the left rear bumper or on the outside of the rear windshield of the driver’s side. Motorcycle decals must be affixed to the right front fork. Decals affixed elsewhere or temporarily affixed by glue or tape, or by other means, will result in a citation for improper display.

(f) Hang tag permits must be displayed on the rear view mirror with the permit number and expiration date facing forward.

(g) Registrants must register their own conveyance. The Department of Parking and Transportation must be notified of any change in ownership or license plate number.

(h) Permanent decals are not transferable between individuals or vehicles. Upon sale or other disposal of a registered vehicle, the permanent decal must be destroyed unless the registrant wishes to purchase a replacement decal. If the registrant wishes to purchase a replacement decal, the registrant must remove the original decal from the disposed vehicle and return it (or sufficient fragments thereof, including the decal number) to the Department of Parking and Transportation as proof that the original decal is no longer in use.

(i) Parking permits are sold or issued under the following guidelines:

1. Only the university president, vice presidents, deans and others as approved by the University Parking and Transportation Advisory Committee are eligible to purchase “A” permits. An “A” permit authorizes parking in a 24-hour reserved space, as well as in any other legal parking space on campus that is not reserved for 24 hours daily use. Only a limited number of 24-hour reserved spaces are available on campus.

2. Except as provided otherwise above in subparagraph (i)1., faculty members, administration and professional (A & P) staff, and USPS employees in pay grade 24 and above must purchase “B” permits. “B” permits authorize parking in designated “B”, “C”, and “D” parking areas or in any unreserved parking garage on the campus. Adjunct faculty members may purchase either the “B”, “C”, or Daily Permit, but they must park in the type of facility designated by the permit they choose, or in any unreserved parking garage.

3. Except as provided otherwise above in subparagraph (i)2, full-time USPS staff are eligible to purchase only “C” permits. “C” permits authorize parking in designated “C” and “D” parking areas only, or in any unreserved parking garage on the campus. Persons who work on campus on a regular basis but are not university employees must purchase “C” permits only.

4. All non-student OPS employees may purchase “C” permits only and must park in designated “C” and “D” parking areas only or in any unreserved parking garage on the campus.

5. All students may purchase only “D” permits. “D” permits authorize parking in designated “D” parking areas only or in any unreserved parking garage on the campus. Graduate Teaching Assistants, Graduate Research Assistants and all other student OPS employees may purchase only “D” permits.

6. All students, staff and faculty parking motorcycles, mopeds, or motor scooters on campus must purchase motorcycle (“MC”) permits. “MC” permits authorize parking in designated motorcycle areas only.

7. Employees of the Central Florida Research Park may purchase only “RP” permits. An “RP” permit authorizes parking in designated “C” and “D” areas only as well as in any campus unreserved parking garage.

8. Students who reside in the Academic Village housing complex may purchase only “AV” permits. “AV” permits allow parking in designated AV parking lots or in any designated “D” parking area and any unreserved parking garage on campus.

9. Students who reside in the Lake Claire housing complex must purchase only “LC” permits. “LC” permits allow parking in the designated LC parking lots or in any designated “D” parking area and any unreserved parking garage on campus.

10. Employees and students at the Rosen campus must purchase “Rosen College” permits. A “Rosen College” permit authorizes parking only at the Rosen campus.

11. Employees of the Athletics Department, ~~University Properties International (UPI)~~UCF Convocation Corporation (UCC), and the Arena, may be issued “F” permits. Approval to purchase an ‘F’ permit must be granted by a designee of the Athletics Department or UPI. An “F” permit authorizes parking in parking garage F or any other parking lot or unreserved parking garage that is equivalent to the permit they are issued. “F” permits may be red or blue.

12. Special guests of the university, who include but are not limited to fully retired employees, Campus ministry personnel and State Auditors, shall be issued “G” permits, subject to the availability of such permits. A “G” permit authorizes parking in any legal parking space on campus other than those reserved twenty-four (24) hours a day. Requests for this permit shall be submitted to the Department of Parking and Transportation.

13. Visitors to the campus shall purchase a dated visitor’s parking permit at the Visitors Information Center or the Department of Parking and Transportation. This permit is to be displayed on the vehicle as instructed and authorizes parking in student (“D”) parking lots and unreserved parking garages unless otherwise directed by the parking services personnel. Visitors may also park in any metered parking space by paying the appropriate parking meter fee. Meters may be enforced 24 hours a day.

14. Persons holding current, permanent state-issued disabled parking permits, disabled veteran or wheelchair license plates, or temporary state disabled parking permits are required to purchase a UCF parking permit of appropriate classification, i.e., “B,” “C,” or “D,” or “Daily Visitor” to park on the campus.

a. Disabled persons with such appropriate permits may park in any available disabled parking space on the campus, including unreserved parking garages, except for those spaces that are restricted, such as designated 24-hour reserved or service parking spaces.

b. State-issued disabled parking permits or license plates must be properly displayed on the vehicles and the vehicles must also properly display the appropriate UCF parking permit.

c. Vehicles bearing disabled permits may also be parked in any other regular parking space on the campus.

15. Temporary parking permits must be obtained when an unregistered substitute vehicle is being parked on campus. A temporary permit may be obtained at the Visitors Information Center or at the Department of Parking and Transportation during business hours. A temporary permit for substitute vehicles is issued at no charge and allows the same parking privileges as does the permanent decal for which it substitutes. A temporary permit shall be issued for a maximum period of fourteen (14) days. A maximum of six (6) temporary permits may be issued to a vehicle in a single semester. Failure to obtain a temporary permit will result in a citation for registration violation. A temporary permit shall be displayed on the vehicle rearview mirror facing forward.

16. Replacement permits:

a. Replacement permits (decals only) shall be issued for ~~\$10.00~~ \$15.00 provided the original permit is returned (even if in remnants) or proof of sale of the original vehicle or transfer

of registration is presented. Every effort should be made to keep the removed permit's number intact.

b. When the original permit, or sufficient remnants thereof, is not returned or proof of sale or transfer is not provided, the replacement fee shall be the full fee in effect at the time of the replacement. The full fee also applies to permits to replace those that are reported lost. The replacement fee for a stolen permit is \$20.00; however, if a permit is stolen, a police report must be filed and a stolen permit form signed before a replacement permit may be issued for the \$20.00 fee.

(3) Parking Regulations.

(a) The responsibility of locating a legal parking space rests with the motor vehicle operator. Lack of a convenient space shall not be considered as a valid excuse for violation of any parking regulation. The fact that a person parks or observes others parking in violation of any parking regulation without being cited does not mean that the regulation is not in effect.

(b) Except as noted herein, all parking regulations apply twenty-four (24) hours a day, seven (7) days a week and parking areas are restricted to specific decal or decals as designated by posted signs or curb markings. However, between the hours of 5:30 p.m. and 7:00 a.m. any vehicle with a valid parking permit may use any "B" (Faculty), "C" (Staff) or "D" (Student) parking space except where otherwise specified by appropriate signs or markings. "A" (Reserved 24 hours), "Service Vehicle Only" parking spaces, and disabled parking spaces shall not be used at any time except by vehicles with decals or certification authorizing use of these specific spaces.

(c) Metered parking is enforced twenty-four hours a day, seven days a week. Drivers of all vehicles using metered spaces are responsible for paying the posted meter fees.

(d) The following parking practices are specifically prohibited:

1. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas. The absence of a “No Parking” sign does not mean parking is permissible in an area.

2. Double parking, parking any portion of a vehicle outside a line or beyond a post or other delineation device indicating a valid parking space or row.

3. Blocking traffic, other parked vehicles, service areas or spaces, roadways, crosswalks, or wheelchair access aisles and ramps.

4. Parking in an access lane. An access lane is any area that is not designated as a parking space and that provides an avenue for traffic flow.

5. Except as noted in paragraphs (b) and (c) above, parking in any space designated for decals other than the one displayed on the vehicle.

6. Parking in a metered space after the purchased amount of time has expired.

7. Unauthorized parking in 24-hour reserved “A” parking spaces.

8. Unauthorized parking in designated service areas.

9. Parking an unregistered vehicle without a valid parking permit anywhere on the UCF campus.

10. Failure to display parking permits properly: not permanently affixed, improperly placed, or not displayed on the vehicle for which purchased.

11. Failure to cancel registration or to destroy parking decal upon disposal of the registered vehicle.

12. Unauthorized or fraudulent use of a parking permit.

13. Parking a bicycle in a motor vehicle space, on disabled ramps, in areas designated by signs as no bicycle parking, on sidewalks or crosswalks, or in any way to impede ingress or egress of a building.

14. Parking a motorcycle in a motor vehicle space, or any space not designated as motorcycle parking.

15. Possession of a concealed firearm or other weapon for self-defense or other lawful purpose within a motor vehicle, except in a marked or unmarked law enforcement vehicle. A law enforcement vehicle is a vehicle owned by a law enforcement agency and typically used by a certified law enforcement officer.

(4) Disposition of Parking Citations.

(a) Payments of non-contested parking citations must be received by the Department of Parking and Transportation within ten (10) working days from the date of citation issue. A late charge of \$10.00 shall be assessed each citation if payment is received after the ten (10) working day period. Payments shall be made by mail, in person, by telephone, online (at www.citationappeals.ucf.edu), or by deposit in campus fine collection boxes. Campus fine collection boxes are yellow and located at various locations around campus.

(b) When an individual tenders more than forty-nine (49) pennies in payment of a fine, the Department of Parking and Transportation shall make suitable coin wrappers available and the individual paying a fine shall present the pennies wrapped in \$.50 increments before a fine payment in pennies is accepted.

(c) Any person who alleges being unjustly ticketed shall appeal the citation online at www.citationappeals.ucf.edu within ten (10) working days from the date the citation was issued. The director of the Department of Parking and Transportation or an authorized designee shall delete late charges or dismiss the citation altogether if it is determined to have been issued in error. Appeals not sustained by the director or specified designee shall be heard by the Parking Citation Appeals Committee. Individuals requesting appeals shall be notified of their scheduled hearing date at the time his or her appeal is submitted online. A reminder of the notification will

be emailed to the appellant prior to the scheduled appeal date. In addition, appellants shall be notified by email of the committee's decision subsequent to the appeal being heard.

(d) The decisions of the Parking Citation Appeals Committee shall be based upon the provisions set forth in this regulation and extenuating circumstances, if any, and are final and binding, except as set forth herein. A student may request a second level of appeal by submitting a written appeal with the Student Government Association's Judicial Council within seven (7) business days upon receiving notification that the original appeal to the Parking Citation Appeals Committee was denied (i.e., that the parking citation was not overturned). The Student Government Association is responsible for establishing the appeal procedure for this second level of appeal. The decision of the Judicial Council is final and binding and no further appeals shall be permitted. For purposes of this appeal process, "student" shall be defined to mean a person enrolled in classes at UCF as of the date of the parking citation.

1. The following reasons will not be accepted by the Judicial Council as grounds to dismiss or reduce a citation. This is not an all-inclusive list:

- (i) Disagreement with the traffic and parking regulations
- (ii) Ignorance of the regulation
- (iii) Stated inability to find a permitted parking space
- (iv) Operation of the vehicle by another person
- (v) Tardiness to class and/or appointment
- (vi) Inability to pay fine (lack of money)
- (vii) Displayed expired permit
- (viii) Traffic congestion
- (ix) Stated perception that designated parking area is not safe
- (x) To delay paying the fine for an appealed citation.

2. Students should consider the following when choosing to file an appeal with the Judicial Council:

(i) Make sure the reason for the appeal is not one of those listed in subsection 1 above.

(ii) The student must prepare a concise written and/or oral statement not to exceed five minutes.

(iii) The Judicial Council will contact the student within three business days to schedule a hearing. The case will be scheduled within ten business days upon the Judicial Council receiving notice of the appeal. The case will be dismissed if the student does not appear for the hearing in person.

(e) The Director of Parking and Transportation Services does not have the authority to overturn the decision of the Judicial Council.

(5) Vehicle Immobilization.

(a) Vehicles are subject to immobilization under the following circumstances:

1. The vehicle has accumulated three or more unpaid parking citations, or unpaid citations totaling \$200.00 or more in fines.

2. Possession of, using, or displaying a fraudulent/unauthorized parking permit. Violators may also be subject to referral to the Office of Student Conduct.

3. For law enforcement purposes, in which case an immobilization release fee will not be charged.

(b) Cost of release from immobilization is \$50.00 and payment of all unpaid citations. Citations issued up to time immobilization are not allowed to be appealed. Release is available from Parking Services personnel Monday through Friday 7:30 a.m. to 5:00 p.m., and at all other hours by the UCF Police Department.

(6) Tow Away – Vehicles are subject to being towed from campus at the owner’s expense under the following circumstances:

(a) The vehicle is parked in a hazardous manner, blocking traffic, roadways, crosswalks, sidewalks, handicapped ramps, or creating a hazard such as leaking gasoline.

(b) The vehicle is parked in a space reserved twenty-four (24) hours per day.

(c) When arrangements to release an immobilized vehicle have not been made within forty-eight (48) hours of the original immobilization.

(d) When the vehicle is abandoned on campus for any reason whatsoever for more than forty-eight (48) hours.

(e) When immobilization is not appropriate due to vehicular construction.

(f) When the vehicle owner has previously removed or attempted to remove an immobilization device without authorization.

(7) Revocation of Campus Parking Privileges – The director of the Department of Parking and Transportation shall revoke the privilege of any person to park a vehicle on campus for a period of one year when it is determined that:

(a) That person falsifies or willfully misrepresents vehicle registration information.

(b) That person, whether the owner or operator, displays a fraudulent permit on a vehicle.

(c) That person has accumulated six (6) or more parking citations during an academic year.

(8) Administrative Penalty for Non-Payment of Parking Citations – A student who is delinquent in the payment of parking citations shall not be permitted to register for class, drop or add classes, receive transcripts or diplomas until the debt has been satisfactorily resolved.

(9) Traffic Regulations.

(a) Florida Uniform Traffic Control Law, Chapter 316, F.S., is in effect on campus at all times.

(b) U-turns are prohibited on campus at all times.

(c) Unnecessary noise from horns and mufflers or any other noise making device is strictly prohibited on campus at all times.

(d) Pedestrians have the right of way.

(e) Campus speed limits are 10 mph in parking lots and 35 mph on roads unless otherwise posted.

(f) It is a violation to drive in the direction opposite that indicated by signs and directional arrows.

(g) Parking bicycles, scooters or vehicles on grass or on sidewalks not used as access areas is a violation. Conveyances used by disabled persons are exempt from this regulation.

(h) Traffic citations issued on campus by university police officers may be referred to appropriate local government courts for disposition.

Authority: BOG Regulation 1.001. History—New 3-22-76, Amended 8-19-82, 5-5-83, 8-14-83, Formerly 6C7-6.07, Amended 8-1-88, 9-20-89, 8-12-90, 7-21-91, 10-11-92, 9-8-93, 9-15-96, 8-14-02, 12-8-03, 8-14-05, 6-27-06, 8-15-06, 6-25-07, 7-31-08, Formerly 6C7-6.007, Amended 7-1-09, -10.