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## **PART 562**

### **STATE UNIVERSITY COLLEGE AT BUFFALO**

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#### **§ 562.1 General statement of policy.**

The operation of a motor vehicle on the property of the State University College at Buffalo is covered under section 360 of the Education Law, which authorizes the State University to adopt and make applicable to its campuses any and all provisions of the Vehicle and Traffic Law. The following regulations have been developed and are enforced to provide for the safety and convenience of students, faculty, employees and visitors upon the State University College at Buffalo campus. (Notice: The regulations are strictly enforced 24 hours a day, seven days a week, 12 months a year.)

#### **§ 562.2 Registration.**

(a) No person, including students, members of the faculty or staff, shall park a motor vehicle, motorcycle or moped of any kind or description on premises or property under control of the State University College at Buffalo unless such motor vehicle, motorcycle or moped is properly registered with the college. Personnel employed by off-campus agencies who are assigned to the college as a regular work location should also register their vehicles and comply with all motor vehicle regulations.

(b) A registration decal will be issued and must be affixed to the vehicle in accordance with instructions in section 562.3 of this Part. Upon completion of the vehicle registration form and payment of the required fee(s), a registration

decal shall be issued.

(c) Such registration shall be valid as indicated by the expiration date on the registration decal, and shall be conditioned upon remaining enrolled at the college if a student, or upon continued employment at the campus if a faculty or staff member or other person assigned to or using campus facilities.

(d) A registration fee, as approved by the chancellor, or designee, shall be charged for each motor vehicle registered and for all replacement decals.

(e) Faculty, staff and students are required to produce an official college identification card and a vehicle registration in order to obtain a permit. There will be no exceptions to this rule. All others, such as campus visitors and/or guests, should be prepared to show vehicle registration and a personal driver's license when obtaining a permit.

(f) A person may register more than one vehicle if for his or her specific use on campus. Exceptions to this rule will be authorized only by the director of student accounts or designee.

(g) No person shall provide any false or misleading information, whether by act or omission, when applying for any registration or permit pursuant to this Part, or when otherwise required or requested by a college official to provide information concerning the operation or parking of a vehicle on the campus premises and grounds.

(h) Falsification of information to obtain a permit will subject the offender to disciplinary actions and/or arrest.

(i) There must be no unpaid college imposed parking fines or penalties outstanding against the applicant or the vehicle registered before obtaining a parking permit.

**§ 562.3 Permits.**

(a) Parking on campus is by permit only. Only those motor vehicles properly displaying a valid permit are authorized to use campus parking areas.

(b) The permit shall be affixed to the vehicle in accordance with the printed instructions on the permit. A vehicle may not display more than one permit at a time.

(c) Failure to display a permit or the improper display of a permit will constitute a violation. Permit must be in sight and numbers must be unobstructed.

(d) Parking permits are not transferable from the individual to whom they are issued to any other individual. Permits are not transferable from one vehicle to another.

(e) Parking permits must be removed from vehicles under the following conditions:

- (1) change of ownership of vehicle;
- (2) termination of association with the college;
- (3) termination of authorized period for which issued; or
- (4) receipt of permit which supersedes a prior permit.

(f) Mutilation, theft or other disposition must be reported promptly to the university police department.

(g) Should a permit become mutilated or obliterated in any way, a new permit must be obtained from the student accounts office. Evidence of the mutilated permit must be presented for replacement. A fee, as approved by the chancellor, or designee, shall be charged for any replacement permit.

(h) A "STAFF" parking permit shall be issued to:

- (1) all full-time employees of the college;
- (2) personnel employed by off-campus agencies who are assigned to the college as a regular work location for a period of one year or more;
- (3) faculty emeriti;
- (4) part-time employees who are not students at the college;

(5) graduate assistants; and

(6) adjunct faculty.

Staff parking permits are valid in all staff and student/staff lots. Under no circumstances shall a faculty or staff member register a motor vehicle owned, operated or controlled by a student. Student use of staff parking permits is prohibited, and such violation will result in tagging and towing or immobilizing of the vehicle.

(i) A "TEMPORARY" parking permit may be issued to persons:

(1) visiting the campus;

(2) using space on the campus but not associated with college programs and activities;

(3) disabled by injury or illness, as determined by the parking services office (see section 562.10[d] of this Part);

(4) employed by contractors working on campus; or

(5) employees or students who have paid the registration fee for that academic year.

Student use of temporary parking permits in staff or visitor lots or in lots/spaces other than student lots is prohibited, and such violations will result in tagging and towing or immobilizing of the vehicle.

(j) A "STUDENT" parking permit may be issued to all registered students. The following are included in this category:

(1) USG student employees;

(2) resident assistants; and

(3) student employees.

Student parking permits are valid in student lots only.

(k) An "ADMINISTRATION" parking permit shall be issued to all management/confidential personnel and others designated by the Vice President for Finance and Management. These permits are valid in the designated lots and all staff and student/staff lots.

(l) New York State municipal parking permits for persons with disabilities are not issued by the college. The college does, however, honor all municipal parking permits for persons with disabilities. Staff and students with municipal parking permits for persons with disabilities may not park in designated visitor's lot or any other special designated reserved parking spaces. Only persons with municipal parking permits for persons with disabilities may park in areas designated spaces for persons with disabilities. Persons who possess a valid New York State license plate for persons with disabilities or a valid permit issued by a municipality in accordance with the New York State Department of Motor Vehicles guidelines for persons with disabilities may park in areas designated for persons with disabilities. All vehicles parked on campus also must display a valid Buffalo State College parking permit.

(m) A "VENDOR" parking permit shall be issued to all vendors required to service college facilities and operations. Vendor permits are valid in Cleveland Hall Circle load zones for one-half hour maximum, or in any staff or student/staff lot.

(n) A "GENERAL RESERVE" parking permit shall be issued to individuals designated by the Vice President for Finance and Management and is valid in specifically designated areas of lots D and D-2 or in any staff or student/staff lot.

(o) Vehicle permits and/or replacements will be provided only after the appropriate fee, as approved by the chancellor, or designee, has been paid.

#### **§ 562.4 Parking lots.**

(a) Parking fees as approved by the chancellor, or designee, shall be charged for motor vehicles parked within designated lots, consistent with applicable collective bargaining agreements and in accordance with guidelines established by the chancellor or designee. Such guidelines shall provide that the determination of the amount of the

fee be substantially based on an analysis of the costs attributable to the operation and maintenance of the parking facilities owned and operated by the College at Buffalo.

(b) No person shall park a vehicle in any area except those areas specifically designated as motor vehicle parking lots or spaces. Where campus parking areas have been designated respectively for students, staff or visitors, as the case may be, no motor vehicle shall be parked in a designated parking area other than the parking area to which such registrant or visitor has been assigned. Special parking provisions may be granted in extraordinary circumstances by the university police chief or designee.

(c) All lots designated A, B, D, F-1, H, S-1, T and U are for staff and faculty use only, between the hours of 6 a.m. and 4 p.m., Monday through Sunday. Student use of these lots is permitted from 4 p.m. to 1 a.m., Monday through Sunday. Lot W is designated for staff and faculty use only between the hours of 6 a.m. and 5:30 p.m., Monday through Sunday.

(d) All lots designated S and S-2 are for faculty and staff use only between the hours of 6 a.m. and 1 a.m. Student use is not permitted at any time in prohibited areas such as Upton East, Bacon Lot, Bengal Mall or areas designated specifically for university police, maintenance or any other specific designation.

(e) All lots designated A-1, F, G, L, L-1, M, M-1, M-2, R and Z are for student, faculty and staff use between the hours of 6 a.m. and 1 a.m.

(f) All lots designated F, G, M-2 and R are for student, faculty and staff use 24 hours a day.

(g) Lots C, L-2 and X are restricted for individuals paying for metered spaces.

(h) Lot Y is restricted for persons displaying a student parking permit.

(i) Lots D-1 and E is restricted for persons displaying an ADMINISTRATION OR GENERAL RESERVE parking permit.

(j) All lots designated MP are for motorcycle and moped parking only. Motorcycles and mopeds may also park in lots A and A-1.

(k) Faculty, staff and students are prohibited from parking in any areas not specifically designated for their use.

(l) For the purposes of snow removal, repair and maintenance of lots and roadways, no parking will be allowed on roadways or in parking lots from 1 a.m. to 6 a.m. except where specifically designated by a sign for overnight parking.

(m) Metered spaces on campus are for use by visitors to Buffalo State College. Parking at the meters is restricted to a maximum of two hours at a fee as approved by the chancellor or designee. Any parking beyond the stipulated maximum will constitute a violation regardless of time remaining on the meter. Parking at a meter indicates acceptance of the meter regulations.

#### **§ 562.5 Driving and parking regulations.**

(a) No person shall drive a vehicle on college streets, roads or highways at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. The maximum permissible speed is 25 miles per hour on all roadways of the college.

(b) All persons shall observe and obey any slow, stop, yield, caution signs or any other duly posted signs regulating traffic or parking.

(c) The directions and requests of university police officers shall be followed at all times.

(d) No person shall park a vehicle on the premises of the university in such manner as to interfere with the use of a fire hydrant, fire lane or other emergency zone, create any other hazard or unreasonably interfere with the free and proper use of a roadway or pedestrian way, walkway, driveway or parking area. Specifically, no parking is permitted:

- (1) on campus roads, except where specifically designated by a sign for parking;
- (2) on sidewalks, walkways and pedestrian areas;
- (3) on lawns or grounds;
- (4) in load zones;

(5) in any area other than those clearly designated as parking space and as indicated by posted signs, pavement markings or painted lines restricting or limiting such parking;

(6) in parking lot aisles, entrances or exits; or

(7) on or over painted parking lines.

(e) Any area of the campus that has been closed off by the use of barricades or other traffic control devices shall not be entered by any vehicle except those authorized by the university police department.

(f) Responsibility for finding appropriate parking space rests with the motor vehicle operator. Lack of space is not an excuse for illegal parking.

(g) Any accidents should be promptly reported to the university police department, Chase Hall, extension 6333.

#### **§ 562.6 Motorcycles and mopeds.**

Parking for motorcycles and mopeds is prohibited anywhere on campus except the designated motorcycle parking areas located in lots D and S-1 and in lots A and A-1. Motorcycles and mopeds parking anywhere else will be tagged.

#### **§ 562.7 Towing and immobilizing.**

The university police department may authorize the towing away or immobilizing of vehicles parked in violation of the rules and regulations of the college. Any expense involved in removal or immobilization of vehicles, such as towing and storage charges, will be the responsibility of the owner of the vehicle. Fines for mini-tow violations will be in addition to fines for violations issued for no parking 1am - 6am when the vehicle must be moved for the purpose of snow removal.

#### **§ 562.8 Abandoned vehicles.**

Abandoned vehicles will be dealt with by the university police department and disposed of according to the New York State Vehicle and Traffic Law, section 1224.

#### **§ 562.9 Enforcement of rules and regulations.**

The university police officers of the college have been empowered to enforce traffic and parking rules and regulations. Tickets will be issued to all vehicles which are not registered with the college and to vehicles which are in violation of campus parking and/or traffic regulations.

#### **§ 562.10 Temporary parking permits.**

(a) In the case of special visitors and/or groups of visitors (i.e., conference participants), appropriate arrangements can be made for temporary parking privileges. Applications must be made in advance with the events management office or the parking services office.

(b) Staff or students using a vehicle other than those registered must obtain a temporary parking permit from the parking services office.

(c) Personal guests of any staff or student must obtain a temporary parking permit at the parking services office which will authorize parking in a specific parking area.

(d) Persons whose physical infirmities necessitate special consideration may obtain a temporary MEDICAL parking permit valid in any staff or student parking area for a period of time not to exceed two weeks. Any person with a medical condition exceeding this period of time will be encouraged to apply for a municipal persons with disabilities parking permit if a resident of New York State. Certification of need must be obtained from the person's physician and submitted to the director of parking services, or designee, for consideration and appropriate action. Medical permits are not valid in any legal handicapped space on campus.

#### **§ 562.11 Maintenance, special events and emergencies.**

(a) Instructions relative to temporary parking restrictions to facilitate snow removal, cleanup, maintenance and repair will be forthcoming from time to time from the university police department as the need arises.

(b) On special occasions and emergencies, parking restrictions will be regulated by the university police department as required.

(c) For certain college events, parking may not be limited to parking lots. Specific roads and/ or areas not otherwise used for parking may be designated for parking by the university police department.

**§ 562.12 Inoperative vehicles.**

(a) If a vehicle becomes inoperative for any reason and it is parked in violation of this Part, it is the responsibility of the owner/operator to make immediate arrangements to remove it. Vehicle breakdowns may not be accepted as an excuse for being illegally parked.

(b) Storage of inoperative or damaged vehicles or those not displaying registration plates in campus parking lots is prohibited, except as specifically permitted by the chief of university police.

**§ 562.13 Security.**

(a) The college assumes no responsibility for automobiles and/or their contents.

(b) Vehicles should be kept locked at all times. Valuables should not be left in sight on the seat but locked in the trunk.

**§ 562.14 Changes or special instructions.**

(a) Any change of rules, special instructions or announcements will appear in the College Bulletin and will be transmitted to the Record and the campus radio station.

(b) Everyone driving on the campus is responsible for knowing and understanding these rules. Cooperation and compliance with these rules will make the campus a safer place.

**§ 562.15 Traffic control.**

The parking of vehicles on the roadways of State University of New York College at Buffalo, Erie County, is prohibited unless otherwise designated.

**§ 562.16 Responsibility, penalties, and fines for violations.**

(a) Responsibility. The individual in whose name the motor vehicle is registered with the college, and/or the owner thereof if the motor vehicle is not then registered with the college, shall be responsible for any and all penalties and fines for violations, and for any and all liability or damage claims, resulting from the possession, operation and/or parking of the motor vehicle on the premises of the State University College at Buffalo.

(b) Penalties. Violators of any of the campus traffic and parking rules and regulations will be subject to the issuance of a ticket returnable as directed in section 562.17 of this Part, and also administrative late payment fee(s) if fine is not paid within the prescribed time(s). If the college parking ticket is not paid within the prescribed period of time, a late fee, as approved by the chancellor or designee, will be imposed for the additional processing. Any person who violates any applicable section of the Vehicle and Traffic Law shall be punished in any court having jurisdiction. Unpaid fines shall be deducted from the salary or wages of an offending officer or employee of the university. In the case of students, grades, transcripts and registration may be withheld until all fines are paid.

(c) Violators with 10 or more parking violations may be subject to revocation of the campus vehicle registration decal and a loss of parking privileges for the balance of the academic year or from future campus vehicle registration until such parking ticket fines along with administrative late payment fees are paid.

(d) Fines for violations. The penalty for violation of these regulations is as follows:

(1) For violation of a handicapped designated space the penalty shall be a \$50 fine.

(2) For violation of a fire lane or fire hydrant the penalty shall be a \$35 fine.

(3) For violation requiring a mini tow the penalty shall be a \$50 fine. This fine is in addition to a fine of \$25 for violation of parking in a no parking 1am - 6am lot.

(4) For all other violations the penalty shall be a \$25 fine.

**§ 562.17 Complaints, hearings, appeals.**

(a) A complaint regarding any violation of a campus rule shall be in writing, reciting the time and place of the violation and the title, number or substance of the applicable rule.

(1) The complaint must be subscribed by the officer witnessing the violation and attached to the vehicle involved.

(2) The complaint shall indicate the amount of the fine assessable for the violation, and advise that if the person charged does not dispute the violation, fines may be paid at the student accounts office of the campus within a period to be prescribed by the college council.

(3) The complaint shall recite that a hearing may be requested within a period of time as prescribed by the college council after service of the charges by appearing in person at the parking services office.

(4) The complaint shall recite that, should the alleged violator fail to appear at the time fixed for the hearing or should no hearing be requested within the period as prescribed by the college council in paragraph (3) of this subdivision, the complaint is proved and shall warrant such action as may then be appropriate.

(5) Three or more unanswered complaints in an 18-month period by the same person, regarding violations of a campus parking rule, shall result in a referral to the New York State Commissioner of Motor Vehicles for review in considering the renewal of an operator's license and/or a motor vehicle registration, and the imposition of a fee as approved by the chancellor, or designee, to meet the administrative costs of such referral.

(b) The chief administrative officer shall designate a hearing officer or board, not to exceed three persons, to hear complaints for violation of campus traffic and parking rules and regulations enforceable on campus. Such hearing officer or board shall not be bound by the rules of evidence, but may hear or receive any testimony or evidence directly relevant and material to the issues presented.

(c) A request for a hearing for a violation must be made in writing with the parking services office, provided the request is filed within the prescribed period of time as designated on the ticket. Should there be no request during this time period, the complaint is proved and will be considered a denial.

(d) Each request will be reviewed by the hearing officer or parking appeals board which includes a student, faculty or staff representative, and administrator. This board will meet when necessary to hear requests.

(e) After such review, or not later than five days thereafter, such hearing officer or board shall file a report. A notice of the decision shall be promptly transmitted to the violator. The report shall include:

(1) the name of the appellant;

(2) the date the complaint was issued;

(3) a concise statement of the facts established on the appeal, based upon the testimony or other evidence offered;

(4) the time and place of the appeal;

(5) the campus rule violated;

(6) the names of all witnesses; and

(7) the decision (guilty or not guilty) of the hearing officer or board.