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## **PART 563**

### **STATE UNIVERSITY COLLEGE AT BROCKPORT**

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

The operation of a motor vehicle on the property of the State University College at Brockport 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 Brockport campus (Notice: The regulations are strictly enforced 24 hours a day, seven days a week, 12 months a year.)

#### **§ 563.2 Application of Rules.**

- (a) This Part shall apply to all properties in the control and jurisdiction of the College.
- (b) This Part shall apply to all students, visitors, contractors, State employees and employees of College affiliated organizations.
- (c) This Part shall apply to all vehicles, including but not limited to automobiles, motorcycles, motorbikes and snowmobiles.

#### **§ 563.3 General regulations.**

- (a) The Vehicle and Traffic Law of the State of New York applies upon the premises under the jurisdiction of the College.
- (b) 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 actual and potential hazards then existing, but in no event shall a person drive a vehicle in excess of 20 miles per hour unless a different speed is authorized and indicated by the College.
- (c) Unless authorized, no person shall park a vehicle on College premises in such manner as to interfere with the use of a fire hydrant, handicapped parking zone, fire access lane or other emergency zone, or create any other hazard or interfere with the free and proper use of a roadway or pedestrian way.

#### **§ 563.4 Vehicle Registration**

- (a) No student, visitor, contractor, State employee or an employee of a College-affiliated organization shall operate or park a vehicle of any kind or description on premises or property under the control of the College unless such vehicle is properly registered with the College or is lawfully parked at metered public parking. Proper registration includes affixing the decal issued by the College in accordance with instructions provided.

i) If two faculty/staff members or affiliate members share the same household, each member will purchase a parking permit at the applicable price for each vehicle registered.

ii) A student who is a spouse, son, or daughter of a faculty/staff member must register the vehicle he/she is operating in accordance with the student registration regulation.

(b) Such registration shall be valid through the regular academic year, to include summer.

(c) Parking and/or registration fees shall be charged for vehicles parked within designated lots, consistent with the applicable collective bargaining agreements and in accordance with guidelines established by the Chancellor or designee. Such guidelines 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.

(d) All of these vehicle and parking regulations shall be in full force and in effect 24 hours each day, unless otherwise specified.

(e) During a declared snow emergency, all person parking a vehicle on the premises shall obey temporary instructions for the use of parking lots and/or the operation and parking of vehicles on the premises.

(f) Veterans. Any veteran, as defined in section 360 of the New York State Education Law, in attendance as a student at the college shall be exempt from parking fees upon submission by the veteran of a written request for exemption together with written certification by the veteran that such veteran was honorably discharged or released under honorable circumstances from such service.

#### **§ 563.5 Types of Parking Violations**

- 1) Parking without a valid College permit.
- 2) Parking in an unauthorized space or lot.
- 3) Parking which interferes with the use of a fire hydrant, fire access lane or other emergency zone.
- 4) Parking which blocks any other vehicle.
- 5) Parking which interferes with the free and proper use of a roadway, driveway or entrance to a parking lot.
- 6) Parking in a metered parking space after the meter has expired.
- 7) Parking in a service driveway or service area to include blocking a dumpster.
- 8) Parking on a grassy area.
- 9) Blocking or interfering with the proper use of a crosswalk or sidewalk.
- 10) Parking where signs or road markings prohibit parking.
- 11) Parking in handicap parking space without the proper pass.
- 12) Parking in a visitor space without the proper pass.
- 13) Parking in a reserved area without the proper pass.
- 14) Overnight parking in an unauthorized parking lot.
- 15) Permit not properly displayed.
- 16) Parking in any area not specifically designated as a parking lot or space on College premises.
- 17) Parking in violation of temporary instructions during a declared snow emergency.

#### **§ 563.6 Penalties and Fines.**

(a) Responsibility.

The individual in whose name the vehicle is registered with the College, or the owner thereof if the vehicle is not registered with the College, shall be responsible for any and all penalties and fines for violation(s) of this Part, and for any and all liability or damage claims, resulting from the possession, operation, towing, immobilization, and/or

parking of the vehicle on College premises.

(b) Penalties.

(1) Any person who violates any applicable section of the Vehicle and Traffic Law shall be guilty of a misdemeanor or traffic infraction and shall be punished as provided in the Vehicle and Traffic Law. Such laws shall be enforced in any court having jurisdiction. A complaint regarding any violation of such laws shall be processed in accordance with the requirements of applicable law.

(2) Any person who violates regulations or rules as presented, shall be subject to a fine, revocation of campus registration, towing or other penalties as describes herein.

(3) Vehicles on College premises in violation of any of the provisions of this Part, may be towed and/or immobilized at the expense of the person who registers the vehicle with the College, or at the expense of the registered owner of the vehicle if said vehicle is not registered with the College.

(4) The College reserves the right to take disciplinary action against students and employees who violate the provisions of this Part.

(c) Fines and Penalties for Violations.

(1) Initial violations shall result in a \$25.00 fine.

(2) Handicap violations shall result in a \$50.00 fine.

(3) Fire zone violations shall result in a \$50.00 fine.

(4) A second subsequent violation and any further violations, other than handicap or fire zone violations, within the same academic year shall result in a \$40.00 fine.

All violations not paid or appealed within 10 business days from the date of issuance will result in a late payment penalty of \$10.00.

**§ 563.7 Enforcement procedures; hearings, and payment and collection of fines.**

Faculty, staff and students will be allowed 3 days grace period, beginning with the first day of classes each new semester to comply with the motor vehicle registration requirements set forth in this Part; provided however, that all other provisions of these regulations are strictly enforced at all times.

(a) Complaints.

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

The complaint must be issued by a University Police Officer or other parking enforcement official witnessing the violation and shall be served upon the violator or affixed to the vehicle in violation.

In addition, a complaint shall recite the following:

(1) License plate number of vehicle complaint was issued against.

(2) The amount of the fine(s) assessable for the violation advising that if the violation is not disputed, such fine shall be paid within 10 business days or a late payment will be assessed.

(3) The prescribed time period to dispute the violation and request a hearing is within 10 business days immediately after the date the complaint is filed at which time the alleged violator must file a notice of appeal at the Office of Parking Services and present his/her copy of said complaint.

(4) Should the alleged violator fail to file a notice of appeal requesting a hearing within the designated time period, or fail to appear at the time fixed for said hearing:

i. The complaint shall be deemed proved and the appeal waived.

ii. The applicable fine must be paid in full to the Office of Parking Services or Bursars immediately.

iii. The complaint shall warrant such further action as may then be appropriate.

(b) Hearings.

(1) The chief administrative officer or his/her designee shall designate a hearing officer to hear complaints of any alleged violation of any of the provisions of this Part.

The Hearing Officer:

- i. Shall at all times be bound by, and shall at all times enforce and uphold, all of the provisions.
- ii. 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 produced.
- iii. May develop internal procedures for the processing of complaints and hearings; provided, however, that such internal procedures shall in no way conflict or be inconsistent with any other existent provisions.

(2) At the conclusion of the hearing, or not later than five days thereafter, such Hearing Officer shall file a report and notice of decision with the Office of Parking Services, with a copy to the alleged violator. The report and notice of decision shall state the decision of the Hearing Officer. If the decision is guilty, the amount of the fine for the violation involved and a statement that said fine shall be paid in full at the Office of Parking Services or Bursar within 10 business days of the date the report and notice of decision was filed.

(3) All decisions of the Hearing Officer shall be final.

(c) Payment and Collection of Fines.

(1) It will be the responsibility of each alleged violator to pay the full and correct amount of any fine(s) for violations to which this section applies and in the time period designated by this section.

- i. The alleged violator may, during the times that the Office of Parking Services is open, request the assistance of the office in determining the correct amount(s) of any fine(s).
- ii. In the absence of such a request for assistance, any error in the amount of the fine and/or payment, and all consequences of such error, shall be solely the responsibility of the alleged violator.

(2) The prosecution and collection of fines involving visitors shall be in accordance with applicable law.

(3) Overdue and unpaid fines shall be deducted from the salary or wages of an employee of the College.

(4) In the case of students, grades and transcripts shall be withheld and the student will not be eligible to register for classes until any and all overdue and unpaid fine(s) is satisfied. In addition, overdue and unpaid fines may be referred to a collection agency and any additional fees incurred will be added to the outstanding balance due.

(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 of the registered vehicle owner 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 campus president or designee to meet the administrative costs of such referral.

**§ 563.8 Traffic Controls**

(a) Pursuant to authority conferred by the New York State Education Law, the following traffic regulations are established on the grounds of the State University College at Brockport, Village of Brockport, Town of Sweden, County of Monroe.

- 20 MPH is the maximum speed limit on Residence Drive and New Campus Drive (east of Commencement to east exit of Lot T)
- 30 MPH is the maximum speed limit on Commencement Drive.

(b) The following intersections are designated as STOP intersections:

Intersection of	With STOP Sign on	Entrance From
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1. Holley Street	West driveway from Chapman Service Center	North
2. Holley Street	East driveway from Chapman Service Center	North
3. Holley Street	Commencement	South
4. Residence Drive	Intersection of Commencement Drive	South
5. Kenyon Street	Residence Drive	West
6. Monroe Avenue	Kenyon Street	South
7. Kenyon Street	Exit from Parking Lot M	East
8. New Campus Dr.	Exit from Parking Lot T	South
9. Redman Road	New Campus Drive	East
10. New Campus Dr.	Exits from Parking Lot S	North
11. New Campus Dr.	Exit from Parking Lot V	South
12. Utica Street	Residence Drive Extension	West
13. Holley Street	Exits from Parking Lot B, C, D, D1, G	North
14. New Campus Dr.	Exits from Parking Lot X	North
15. New Campus Dr.	Traffic Loop – Allen Bldg.	North
16. New Campus Dr.	Loop at ice arena	South
17. Res. Drive Ext.	Exits from Parking Lot N & N1	North/South
18. New Campus Dr.	Commencement Dr. 4/Way Stop	All directions
19. Commencement Dr.	Central School Dr.	East
20. Allen Service Rd.	Intersection of Commencement	East
21. Commencement Dr.	Exits from Lot A	East/South
22. Residence Dr.	Exits from Lot L	North
23. Kenyon	Exits from Lot K	West
24. Residence Dr.	Intersection of Kenyon	East & West
25. Kenyon	Exits from Lot M, N, N1	West

(c) Parking is prohibited on or along both sides of all highways except in locations as follows:

(1) Standing is prohibited on or along both sides of the following roadways:

- i. Easterly and westerly drive to the Chapman Service Center.
- ii. Easterly driveway to the Fine Arts Center.

(d) The following roadways are designated for one-way traffic:

- (1) Cooper Center driveway from Kenyon Street to Adams Street for traffic proceeding in a westerly direction only.
- (2) Exit from parking Lot T to Adams Street for traffic proceeding in a northerly direction only.
- (3) Traffic loop south of the administration building for traffic moving in a counter-clockwise direction only.
- (4) Entrance from New Campus Drive to parking Lot X for traffic moving in a northerly direction only.
- (5) Exit from parking Lot X to New Campus Drive for traffic moving in a southerly direction only.
- (6) Residence Drive east of Kenyon for traffic moving in a westerly direction.
- (7) Lot O – East exit is one-way moving in a northerly direction.
- (8) Lot L – Entrance off Kenyon is one-way traffic moving in a westerly direction.
- (9) Lot L – Exits to Residence Drive moving in a southerly direction only.

