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## **PART 564**

### **STATE UNIVERSITY COLLEGE AT ONEONTA**

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#### **§ 564.1 Preamble.**

(a) A traffic commission has been established for the purpose of recommending to the college president traffic and parking regulations to maintain an orderly pattern of motor vehicle regulation and control.

(b) The regulations so recommended by the commission and established by the college apply to students, faculty, staff and all visitors. Students are those persons registered for the purpose of attending classes for which college credits are received and who are eligible to operate a motor vehicle in accordance with the rules herein stated. Faculty includes those persons listed or eligible for listing in the official college directory and visiting faculty as designated. Staff includes those other persons listed or eligible for listing in the official college directory.

(c) Permission to operate and park a motor vehicle on the campus is a privilege granted by the college. The college will grant this privilege upon the payment of the appropriate parking fee when the motor vehicle is registered as per section 564.3 of this Part.

#### **§ 564.2 General.**

(a) The motor vehicle laws of the State of New York are applicable and enforceable on property maintained by the State University. All drivers are expected to know and observe State motor vehicle laws and campus parking regulations.

(b) All regulations pertaining to motor vehicle registration, parking and operation are enforceable 24 hours a day throughout the entire year, except as otherwise announced by the college upon recommendation of the traffic commission or the director of public safety.

(c) All provisions of the campus parking regulations that apply to motor cars also apply to motor scooters and motorcycles.

(d) Snowmobiles are prohibited from campus.

(e) The operator of a vehicle on campus is presumed to be affiliated with the university. The student is held responsible for parking citations issued to guests' or family member's vehicle(s).

(f) Limited use vehicles (such as gators, golf carts, or other vehicles approved by director of university police) owned, maintained, and operated by the college may operate on university owned roadways and sidewalks.

**§ 564.3 Vehicle registration and parking fees.**

(a) Parking fees as approved by the college president, 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 Oneonta. Vehicle registration fees are approved by the college president and in conjunction with applicable collective bargaining agreements based upon the costs associated with maintaining a system of registering motor vehicles operated on campus.

(b) All students, eligible by college standards, who drive to the campus and park must register their vehicles and apply for parking decals on or before the first day of classes. Graduate students and assistants will be registered as resident or commuter students. Parking decals must be obtained from the public safety office in person or by mail.

(c) All faculty and staff must register their vehicles annually. Faculty and staff decals may be issued on a multi-year basis at the discretion of the college president.

(d) The identification decal shall be permanently affixed as determined by the director of public safety. It is the responsibility of the owner to insure that the decal remains affixed at all times, and is legible. Taping or clipping on of decals is not considered as being permanently affixed, and registration will not be considered complete unless decal is properly affixed.

(e) Under no circumstances may an eligible student register a motor vehicle owned or controlled by another student, except by special permission of the traffic commission, nor may an eligible student register a vehicle on behalf of another.

(f) Any changes in license or registration must be reported to the office of public safety J within 96 hours.

(g) College parking decals must be removed from any vehicle sold or transferred. Decal is the property of the college and may be removed for cause.

(h) The person who registers a vehicle will be responsible for all violations incurred against that vehicle.

(i) The college assumes no responsibility for the care or protection to student, faculty, staff or visitor vehicles or the contents at any time while on college property.

(j) When there is a dual registration in the family, it is expected that the operator of the vehicle will park in the area for his or her category.

(k) Failing to register a vehicle as required, filing false information or failure to comply with these regulations will result in loss of parking privileges, fines or possible disciplinary action.

(l) Visitor's passes may be obtained at any time at the public safety office, at the administration reception desk, or other campus locations as designated by the director of public safety. The college may charge a daily or hourly fee for visitor passes consistent with subdivision (a) of this section.

(m) Resident freshmen and resident sophomores may not register a vehicle for use on campus.

(n) Exceptions to registration rules for freshmen and sophomores will be considered for the following reasons:

(1) Medical reasons-requires a letter from a licensed physician stating the conditions and reasons for necessity for vehicle.

(2) Employment-requires a letter on company letterhead from employer stating days and hours of employment. Letter shall include telephone number.

(3) Academic-requires a justification from faculty member stating the reasons for exceptions.

**§ 564.4 Traffic and parking regulations.**

(a) No person shall drive a vehicle on university 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 when existing, but in no event shall a person drive a vehicle in excess of 25 miles per hour unless a different speed is authorized and indicated by the University

(b) In addition to the maximum speed of 25 miles per hour established under subdivision (a) of this section, the

following additional regulations are established for this campus:

(1) Twenty miles per hour is established as the maximum speed limit at which vehicles may proceed on or along the following roadways on the grounds of the State University of New York, College at Oneonta, City of Oneonta, Otsego County:

- (i) East Dormitory Road;
- (ii) West Dormitory Road; and
- (iii) South Dormitory Road.

(2) Fifteen miles per hour is established as the maximum speed limit at which vehicles may proceed on or along the following roadways on the grounds of the State University of New York, College at Oneonta, City of Oneonta, Otsego County:

- (i) Morris Drive
- (ii) Grant Drive

(3) Fifteen miles per hour is established as the maximum speed limit at which vehicles may proceed on or along the following roadways on the grounds of the State University of New York, College at Oneonta, Town of Oneonta, Otsego County:

- (i) Upper Sports Field Drive

(4) Standing is prohibited on or along both sides of all highways on the grounds of the State University of New York, College at Oneonta, City of Oneonta, Otsego County.

(5) Designates the following intersections on the grounds of the State University of New York, College at Oneonta, City of Oneonta, Otsego County as stop, or yield, intersections as indicated below:

Intersection of Ravine Parkway with stop sign on West Dormitory Road entrance from the Southeast

Intersection of Bugbee Road with stop sign on East Dormitory Road entrance from the South

Intersection of West Dormitory Road with stop sign on Easterly intersection of South Dormitory entrance from the South

Intersection of Ravine Parkway with stop sign on Morris Drive entrance from East

Intersection of West Dorm Drive with stop sign on Morris Drive entrance from West

Intersection of Bugbee Road with yield sign on Blodgett Drive entrance from North

Intersection of Easterly spur of South Dormitory Road from West Dormitory Road with yield sign on westerly spur of South Dormitory Road from West Dormitory Road entrance from the Northwest

Intersection of Ravine Parkway with yield sign on Driveway Health Center Parking lot entrance from Northwest

(6) Designates the following intersections on the grounds of the State University of New York, College at Oneonta, Town of Oneonta, Otsego County as stop, or yield, intersections as indicated below :

- (i) Intersection of West Street with stop sign on Bugbee Road entrance from East
- (ii) Intersection of Ravine Parkway with stop sign on North spur of Bugbee Road entrance from Southeast
- (iii) Intersection of Ravine Parkway with stop sign on South Spur of Bugbee Road entrance from

Northeast

(iv) Intersection of West Street with stop sign on Upper Sports Field Drive entrance from East

(v) Intersection of South spur of Bugbee Road from Ravine Parkway with yield sign on North spur of Bugbee from Ravine Parkway entrance from Northwest

(7) The following roadways on the grounds of the State University of New York, College at Oneonta, City of Oneonta, Otsego County, are designated for one-way traffic:

(i) West Dormitory Road from Bugbee Road to its westerly intersection with South Dormitory Road, for traffic proceeding in a southerly, thence westerly direction only.

(ii) South Dormitory Road from its westerly intersection with West Dormitory Road to its easterly intersection with West Dormitory Road, for traffic proceeding in a northeasterly direction only.

(c) Traffic and parking regulations are in force at all times, 24 hours a day, seven days a week. All traffic signs must be observed. Parking is restricted to designated areas only.

(d) Parking areas available for students, faculty and staff will be indicated by signs.

(e) No parking shall be allowed in service drives, loading zones, reserved parking spaces on grass or lawns or within 10 feet of crosswalks or 20 feet of intersections.

(f) 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. Any vehicle parked so as to constitute a hazard or restrict the normal flow of traffic or interfere with campus operations may be towed and the owner shall be liable for towing charges.

(g) Abandoned vehicles will be removed from campus and disposed of as provided for in the Vehicle and Traffic Law. An abandoned vehicle is one for which the State registration has expired or a vehicle parked illegally for more than 96 hours. A vehicle parked on campus with an uninspected/expired inspection certificate or unregistered/expired registration certificate will be in violation of campus parking rules and regulations.

(h) Parking in any campus parking area while vehicle is undergoing major repairs is prohibited.

(i) No vehicle shall be left in any campus parking areas during Christmas and spring recesses without the authorization from university police.

(j) Pedestrians have the right of way at all times.

(k) The position of any car when parked shall be such that the whole of the vehicle is located within the boundaries of the parking space. The fact that other vehicles are parked improperly shall not constitute an excuse for parking any part of the vehicle over any line.

(l) No official temporary barricades may be removed.

(m) The removal of parking and traffic signs is prohibited and violators shall be subject to payment of a fine and disciplinary action.

#### **§ 564.5 Accidents.**

All motor vehicle accidents on campus which cause any personal and/or property damage, however minor, must be reported to the office of public safety, who will conduct an investigation or refer the accident to the appropriate law enforcement agency.

#### **§ 564.6 Towing.**

The college reserves the authority to remove by towing, at the owner's expense, any motor vehicle which is not registered or which is parked in violation of campus parking regulations.

**§ 564.7 Citations.**

- (a) A violation of any section of the Vehicle and Traffic Law shall be a misdemeanor or traffic infraction as designated in such law, and shall be punishable as therein provided.
- (b) Such laws and orders adopted by State University of New York shall be enforced in any court having jurisdiction.
- (c) A complaint regarding any violation of the Vehicle and Traffic Law, or any traffic, ordinance applicable on such premises shall be processed in accordance with the requirements of applicable law.
- (d) 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.
- (e) The complaint must be subscribed by the officer witnessing the violation and attached to the vehicle involved.
- (f) 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 accounts receivable office or the public safety office.
- (g) The complaint shall recite that a hearing may be requested within a period to be prescribed by the college council after service of the charges by appearing in person at the office of the public safety director or at accounts receivable.
- (h) 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 colleges council, the complaint is proved and shall warrant such action as may then be appropriate.

**§ 564.8 Appeals.**

- (a) The college president shall designate a hearing officer or board, not to exceed three persons, to hear complaints for violation of campus traffic and parking 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.
- (b) Appeals from a citation for violation of campus rules must be made in writing on forms available in the public safety office, or accounts receivable, provided the appeal is filed not more than 10 days after the date of the citation. If alleged violator desires to appeal citation in person, such request will be made on an appeal form. The time, date and place will be set by the vehicle violations board.
- (c) Each appeal will be reviewed by the vehicle violations board, which includes student, faculty and staff representatives. This committee will meet when necessary to hear appeals.
- (d) 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 and address of the alleged violator;
- (2) the time and place when the complaint was issued;
- (3) a concise statement of the facts established on the hearing based upon the testimony or other evidence offered;
- (4) the time and place of the hearing;
- (5) the campus rule violated;
- (6) the names of all witnesses;
- (7) each adjournment, stating upon whose application and to what time and place it was made; and
- (8) the decision (guilty or not guilty) of the hearing officer or board.

**§ 564.9 Penalties.**

Violators of any of the campus parking rules will be subject to a traffic citation returnable as directed, and may be penalized in accordance with the following schedule:

- (a) Any violation of the campus parking regulations. All offenses-\$15 each for the first through the third citation received during the academic year.
- (b) Any violations of the campus parking regulations. All offenses- \$20 each for the second through the fifth citation received during the academic year.
- (c) Any violations of the campus regulations. All offenses-\$25 each for the sixth and any subsequent citation received during the academic year. In addition, the vehicle will be towed.
- (d) Handicapped and fire lane parking violators will be assessed at \$50 per offense.
- (e) Fines shall be payable within 24 hours at the accounts receivable office, room 243, administration building, or in sealed envelopes at the public safety office. Appeals must be filed within 10 days at either accounts receivable office or public safety office.
- (f) Failure to pay fines or appeal within time period designated shall be considered a proved complaint and college shall take appropriate action.
- (g) A late fee in the amount of \$15 will be imposed in the case of proved complaints not paid within 30 days. The prosecution and collection of fines involving visitors shall be in accordance with applicable law. Unpaid fines may be deducted from the salary or wages of an offending officer or employee of the college. In the case of students, grades and transcripts shall be withheld until all fines are paid. Faculty, staff or students with outstanding violations may not register their vehicles until the fines have been paid.
- (h) The towing of a vehicle and/or revocation of a campus motor vehicular registration and a loss of parking privileges may be imposed for the balance of the academic year, September 1st to August 31st, upon a finding that six or more campus parking violations have been incurred during an academic year. Violations for which appeals are subsequently made and granted shall be excluded from the calculation of accumulated violations.

**§ 564.10 Special events and emergencies.**

- (a) On special occasions and emergencies, parking restrictions will be regulated by the public safety office as required.
- (b) 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 public safety office.

**§ 564.11 Enforcement**

- (a) Routine enforcement of this Part is the responsibility of the public safety office.
- (b) General oversight of these procedures in relation to student offenders is the responsibility of the vice president for student development, as is disciplinary action beyond the penalties specified above.
- (c) General oversight of these procedures in relation to faculty is the responsibility of the vice president for academic affairs, as is disciplinary action beyond the penalties specified above.
- (d) General oversight of these procedures in relation to classified staff members is the responsibility of the vice president for finance and administration, as is disciplinary action beyond the penalties specified above.