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PART 566

STATE UNIVERSITY AT BINGHAMTON

Sec

566.0 Traffic regulations on State-operated campuses

566.1 University regulations

566.2 Application of regulations

566.3 Campus registration of motor vehicles

566.4 Visitors

566.5 Parking regulations

566.6 Motorcycles, mopeds, motorscooters, motorbikes and snowmobiles

566.7 Enforcement and penalties

566.8 Appeals

566.9 Regulatory signs

§ 566.0 Traffic regulations on State-operated campuses.

(a) The New York State Education Law authorizes the State University to adopt and make applicable to its campuses any and all provisions of the Vehicle and Traffic Law. Further, the university may develop its own rules to cover special campus circumstances.

(b) The new legislation provides that violation of any such statute or rule shall be punishable as provided in the adopted provision. That is, a campus- created rule might be administered by the institution itself. Violations of provisions of the Vehicle and Traffic Law made applicable to the campus would be adjudicated by the magistrates' court having territorial jurisdiction over the campus and/or personal jurisdiction over the defendant.

§ 566.1 University regulations.

Subdivision 1(c) of section 362 of the Education Law empowers the university to develop its own rules regarding traffic and parking not inconsistent with the Vehicle and Traffic Law. These may include the assessment of an administrative fine upon the owner or operator of vehicles for each infraction. Violation of university regulations is prejudicial to the common interest of all who operate motor vehicles on the campus and may result in fines or in the loss of parking privileges. These rules and regulations replace all prior orders which established traffic regulations on the grounds of State University of New York at Binghamton, Town of Vestal, Broome County.

§ 566.2 Application of regulations.

The rules and regulations adopted and promulgated by the State University at Binghamton council and set forth in this Part are effective throughout the year, from September 1st to August 31st, including all recess and intersession periods. They apply to students, employees, faculty and staff of the university, and all other persons who operate or park or whose vehicles are operated or parked at any time on the grounds of the university, including visitors, officers and employees of other agencies whose vehicles are operated and parked regularly on the grounds of the university. The Vehicle and Traffic Law shall apply upon such premises notwithstanding any references in such law to public highways, streets, roads or sidewalks. 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 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 university.

§ 566.3 Campus registration of motor vehicles.

(a) No vehicle may be operated or parked on the grounds of the university without a valid State registration and

without displaying a current campus vehicle registration permit, as provided in this section, and upon payment of an annual vehicle registration fee as approved by the chancellor or his designee, unless the vehicle is not subject to such regulations.

(b) Prerequisites for registration.

(1) The applicant must be legally qualified to operate a motor vehicle in New York State.

(2) The vehicle must be registered in New York State or in some other state or jurisdiction that qualifies it for legal operation in the State of New York.

(3) The owner of the vehicle must be covered by effective public liability insurance in accordance with the minimum amounts required by New York State law. Such insurance must cover any liability incurred while the vehicle is driven either by the registrant or by someone with the registrant's explicit or implicit permission.

(4) There must be no unpaid university-imposed parking fines outstanding against the applicant or the vehicle to be registered.

(c) An applicant may register only a vehicle belonging to him or to a member of his immediate family. The term belonging shall mean owning or operating a vehicle for one's own benefit.

(d) If anyone who has registered a vehicle acquires an additional or different vehicle, he must register it within 48 hours of its acquisition. If a new license plate number is obtained for any vehicle, the Public Safety Office must be notified within five days of the new license plate number being displayed.

(e) Vehicle registration permits must be permanently and entirely affixed and displayed when they are issued and as the university indicates. The person to whom a permit is issued is responsible for any parking violations of the vehicle. Taping and other temporary adhesion is not permitted. If the vehicle is sold or if student and/or employee status within the university is terminated, it is the owner's responsibility to remove the permit.

(f) Faculty and staff vehicles. Upon completion of the vehicle registration form and payment of the required fees, a vehicle registration permit is issued to faculty members and employees of the university, including but not limited to the affiliates of the Research Foundation, SUNY Foundation and those companies contracted to provide food, bookstore, vending and child care services who have fulfilled the conditions set forth in this subdivision.

(g) Student vehicles. All students are required to register motor vehicles annually with the university and must do so within the time designated for academic registration at the beginning of the fall term. Students who enter the university at the beginning of the spring or summer term must obtain a campus vehicle registration permit upon entering. Students who reenter the university after a period of absence must obtain a campus vehicle registration permit upon reentering. Students who do not own, maintain or operate motor vehicles that must be registered for a campus vehicle registration permit at one of these times, but who later acquire a vehicle or otherwise become subject to campus registration requirements, must complete their vehicle registration within 48 hours after becoming so subject. Freshmen who reside in university residence halls are not permitted to register or park a vehicle on campus.

(h) Temporary three-day registration permits may be obtained 24 hours a day at the Public Safety Office free of charge.

(i) Fees. Vehicle registration permits will be provided only after the appropriate fee, as approved by the Chancellor or designee, has been paid. This fee is applicable to all permits issued during the year September 1st to August 31st by the University Traffic Bureau. There is a fee for any replacement permit.

§ 566.4 Visitors.

(a) A visitor is any individual other than a student, an employee of SUNY- Binghamton, the Research Foundation, the SUNY Foundation or those companies contracted to provide food, bookstore, vending and child care services.

(b) Representatives of business firms and service companies who operate their vehicles on campus on a regular basis must obtain service, registration and parking permits.

(c) No cars will be allowed to enter the campus between the hours of 12 midnight and 5 a.m. without a current campus vehicle registration permit and/or parking permit. A permit may be picked up at the information booth on Bartle Drive between 12 midnight and 5 a.m.

(d) Visitor parking may be restricted to specific lots as determined by the chancellor or designee. Any visitor who parks a vehicle on campus must make proper reimbursement to the university at a rate as approved by the chief administrative officer or designee.

§ 566.5 Parking regulations.

(a) Vehicles may be parked on the campus only when displaying a current university parking permit, as provided in these rules and regulations and on payment of a university parking fee, approved as to amount, by the Chancellor, or a designee, unless the vehicle is not subject to such regulations and, if parked, is in a paid lot, at parking meters or in the parking garage.

(b) No vehicle shall be abandoned on any portion of the grounds or properties of the university.

(c) Vehicular living quarters shall not be parked on any grounds or properties of the university at any time without the permission of the Director of Public Safety or a designee.

(d) Parking in the following places is prohibited at all times: on a sidewalk or crosswalk, on the grass or lawn, in front of a driveway, doorway or steps, within an intersection, on the roadway side of any vehicle which is stopped or parked at the edge or curb of a street or roadway whether it is parallel or at an angle to the curb or edge, in all areas which are marked restricted, and in all service driveways, loading zones and associated turn-around areas unless special arrangement has been made through the Public Safety Office. Parking is prohibited outside the confines of any specifically lined or designated space in the parking lot. Parking is not permitted at any area designated by yellow curbs and/or yellow diagonal hash marks on the pavement. Also, no person shall park his vehicle on the grounds of the university in such a manner as to interfere with the use of a fire hydrant, fire lane designated by yellow curb and/or permanent markings, or other emergency zone, create any other hazard, or unreasonably interfere with the free and proper use of the roadway.

(e) University parking permits must be displayed as the university indicates in vehicles parked on campus. The person to whom a parking permit is issued is responsible for any parking violations attributed to the parking permit. There is a fee for any replacement parking permit. Ownership of the parking permit is not transferable.

(f) Special parking zones.

(1) Library service area. This lot is reserved at all times.

(2) Infirmary lot. This lot is reserved at all times for emergency vehicles, patients and physicians employed by the health service.

(3) Visitors' parking. Visitor parking may be restricted to specific lots as determined by the chief administrative officer or designee.

(4) Motorcycle and moped parking. The sidewalk on the northeast side of the University Union facing the quadrangle, designated areas in loading dock of the Engineering Building and Administration Building, and a section in front of Gym West have been set aside for motorcycle and moped parking.

(5) A special paid parking lot is located south of the Main Library and West Drive. No person may park a vehicle in the paid lot without making proper reimbursement to the university at a rate as approved by the Chancellor, or designee.

(i) The lot is open 7:30 a.m. to 12 midnight Monday through Sunday. No parking 12 midnight to 7:30 a.m. Monday through Sunday, all year.

(6) The Administration, Fine Arts East and West lots, Gym East lot and parking garage may be reserved for patrons after 5 p.m. on the evenings of the Fine Arts performances.

(7) The following lots are reserved for commuters only Monday through Friday, 6 a.m. to 5 p.m. No overnight parking in these lots 1 a.m. to 6 a.m. daily: Rafuse, Fine Arts East, Fine Arts West, Cleveland, College-in-the-Woods North, College-in-the-Woods East, Delaware Hall, Johnson-O'Connor, Gym East, Digman Hall.

(8) The following parking lots are snow removal lots. No parking 1 a.m. to 6 a.m. November 15-March 30: Administration, Rafuse, Fine Arts East, Fine Arts West, Lecture Hall, Cleveland, College-in-the-Woods North, College-in-the-Woods East, Delaware Hall, Johnson-O'Connor, Gym East,

Gym West, Bunn Hill Access, West Access (north of walkway barrier), Digman Hall, Decker School of Nursing, Infirmary, Paid Visitors Lot and Library Tower.

(9) Administration Circle. This circle will be open for paid metered parking Monday through Friday, 7 a.m. to 5 p.m. This circle must be vacated by all vehicles between 2 a.m. and 7 a.m.

(10) Disability parking policy.

(i) Special parking is available on campus for people with impaired mobility. Parking spaces reserved for this purpose are designated by the international access symbol painted on the ground, and/or signage labeled "disability parking." To apply for disability parking authorization on campus, an individual must contact the Services for Students with Disabilities (SSD) Office. A medical form will then be mailed from this office to the physician familiar with the applicant's condition. The SSD coordinator will review the returned medical form, in consultation with the Medical Director of the University Health Service, and approve or deny the application. Individuals whose applications are approved will receive a special permit when registering their vehicle with the Traffic Office.

(ii) Short-term disabled parking permits are available from the Services for Students with Disabilities Office only.

(iii) SUNY Binghamton has a two-tiered disability parking system. Individuals judged to have severe mobility handicaps are granted authorization to park in specifically designated disability parking areas at the very center of campus. Individuals judged to have moderate mobility handicaps are granted authorization to park in other nearby areas reserved for disability parking. Wheelchair spaces, clearly marked by signage are, of course, reserved only for individuals using wheelchairs.

(iv) Vehicles not displaying the appropriate permit will be ticketed and/or towed at the owner's expense.

(11) The parking garage is located between Administration and Fine Arts buildings. No person may park a vehicle in the garage without making proper reimbursement to the university as approved by the Chancellor, or designee. Annual, fall, spring and summer garage parking permits are available at University Traffic Office, Administration Building, G-42, from 9:00 a.m. to 4:00 p.m. at a fee as approved by the Chancellor, or designee.

(g) Fees. University 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 State University at Binghamton.

(h) A complete list of campus rules and regulations consistent with the Vehicle and Traffic Law relating to parking, vehicular and pedestrian traffic, and safety is on file with the Office of the Secretary of State, the office of the clerk of the Town of Vestal, and in the office of the Director of Public Safety. The list may be reviewed within the normal business hours of these offices.

§ 566.6 Motorcycles, mopeds, motorscooters, motorbikes and snowmobiles.

(a) Registration. All such vehicles must be registered in the same way as is any other motor vehicle, see section 566.3 of this Part, and they are subject to the same restrictions.

(b) Licensing. The law concerning motorcycles includes motorbikes and motorscooters and provides that any New York State driver's license--whether new or renewal--issued after October 1, 1964, must have a special motorcycle endorsement if the driver operates a motorcycle or class A moped, and a valid drivers license if a class B or C moped.

(c) Enforcement. Anyone driving a motorcycle who does not have a motorcycle endorsement on their license or a class B or C moped with a valid drivers license may be arrested as an unlicensed driver. Anyone who allows the use of their motorcycle by a driver who does not have a motorcycle endorsement may be arrested for permitting unlicensed operation of the vehicle. Snowmobiles and all terrain vehicles may not be operated on university grounds

without specific permission from the Public Safety Office.

§ 566.7 Enforcement and penalties.

(a) 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. 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. Such laws adopted by State University of New York above shall be enforced in any court having jurisdiction.

(b) Violations of campus vehicle registration permit and university parking permit requirements.

(1) Violations of the provisions of the university rules and regulations relating to the display of current vehicle registration permits and university parking permits which lead to a summons are subject to the following schedules of fines and penalties:

(i) No current, appropriately displayed campus vehicle registration permit\$15.

The first ticket issued for this violation will be waived if the vehicle is registered at the Public Safety Office within five calendar days of issuance of the ticket.

(ii) No current, appropriately displayed university parking permit\$15.

The first ticket issued for this violation will be waived if a parking permit is purchased at the Public Safety Office within five calendar days of issuance of the ticket.

(iii) Vehicle may be towed away at owner's expense. (If a vehicle is towed to another location on campus a currently valid driver's license and insurance card must be checked by the Public Safety Office before vehicle may be claimed.)

(2) Tampering with, fraudulent use of, or counterfeiting of campus vehicle registration permits and/or parking permits, or any other unauthorized use of permits, or obtaining a permit by giving false information:

(i) The university may rescind campus vehicle registration permit and/or parking permit privileges in accordance with SUNY Board of Trustees policy.

(ii) Individuals may be subject to university disciplinary action and/or arrest.

(iii) A fine in an amount approved by the Chancellor or designee may be levied in conformity with section 560.3 of this Title.

(3) Those entering the campus confines between the hours of 12 midnight and 5 a.m. without a current campus vehicle registration permit and/or parking permit may be subject to prosecution for trespass.

(c) Violations of parking regulations. Violations of the provisions of this Part relating to the parking of vehicles on the grounds of the university (except violations of the New York Vehicle and Traffic Law which apply to parking) which lead to a complaint issued by the Public Safety Office and returnable as specified on the complaint, are subject to the following schedule of fines and penalties:

(1) Parking in a tow-away zone \$15

(2) Parking in a fire safety zone \$15

(3) Parking in a disabled zone \$40

(4) Parking on the grass \$15

(5) Overtime parking \$10

(6) Parking in a restricted area \$10

(7) All other violations \$10

(d) Vehicles illegally parked may be towed at owner's expense or immobilized.

(e) Unpaid fines. The university may withhold unpaid fines from employees' pay-checks and/or revoke parking privileges. All unpaid and unappealed student parking violations are entered on a delinquency list eight days after issuance. Grades, transcripts, and permission to register in courses may be withheld until fines are paid. All other violators may have parking privileges revoked. In all cases, a vehicular wheel immobilized may be applied to render the vehicle inoperable. The wheel immobilizer will not be removed until unpaid violations and a service charge in an amount as determined by the Chancellor or designee are paid.

(f) Enforcement and appeals.

(1) 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.

(i) The complaint must be subscribed by the person witnessing the violation and served upon the violator or attached to the vehicle involved.

(ii) 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 must be paid within seven days of receipt of violation at the Traffic Office, G-8, in the Administration Building.

(iii) The complaint recites that an appeal on a disputed violation may be requested, in writing, within 30 days after service of the charges by obtaining an appeals form from the Traffic Office, G-8, Administration Building, or such other place as may be designated by the council. Written appeals of parking ticket(s) submitted in person to the Public Safety Office within eight calendar days of ticket issuance will not be placed on the delinquency list unless they are disapproved by the Parking Appeals Board.

(iv) The complainant shall recite that should the alleged violator fail to appear at the time fixed for the hearing or should no hearing be requested within a 30-day period prescribed by the college council in subparagraph (iii) of this paragraph, the complaint is proved and shall warrant such action as may then be appropriate.

(2) 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 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.

(3) At the conclusion of the hearing 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:

(i) the name and address of the alleged violator;

(ii) the time and place when the complaint was issued;

(iii) the campus rule violated;

(iv) a concise statement of the facts established on the hearing based upon the testimony or other evidence offered;

(v) the time and place of the hearing;

(vi) the names of all witnesses;

(vii) each adjournment, stating upon whose application and to what time and place it was made;

(viii) the decision (guilty or not guilty) approved or disapproved of the hearing officer or board.

(g) Freshmen who reside in university residence halls and who illegally park a vehicle on campus may be fined in an amount approved by the Chancellor or designee in conformity with section 560.3 of this Title.

§ 566.8 Appeals.

(a) Parking appeals must be made in writing to the parking appeals board within 30 days of the notice of violation; after that time appeals are not accepted. Forms may be obtained for this purpose at the Public Safety Office. A notice of the decision of the parking appeals board is transmitted to the appellant.

(b) Towing appeals. Upon request and only through personal appearance before the parking appeals board. Request must be made to the Traffic Office within 30 days of the tow.

(c) At the conclusion of the hearing on a written appeal, a personal appeal may be arranged by calling the Traffic Office. A personal appeal must be arranged within seven days of receipt of the written appeal adjudication.

(d) After the final adjudication of the hearing officer or hearing board, names are taken off the delinquency list if the finding is in favor of the appellant.

§ 566.9 Regulatory signs.

(a) The maximum speed limit at which vehicles may proceed on or along all roadways on the grounds of the State University of New York is 20 MPH, unless a different speed is authorized and indicated by the university.

(b) Northbound traffic on the Bunn Hill Access Road to the university must stop and yield the right-of-way to any traffic on Bunn Hill Road before entering that highway.

(c) Westbound traffic on the West Access Road must stop and yield the right- of-way to any traffic on Bunn Hill Road before entering that highway.

(d) The following intersections on the grounds of the university are STOP intersections:

Intersection of With stop sign on Entrance from

1. East Drive East Access Road South
2. West Drive Drive to Physical Science Building Southeast
3. West Drive Driveway to Science Building Northeast
4. Bartle Drive Drive to Gymnasium East East
5. West Access Road Bunn Hill Road East
6. Bunn Hill Access Road Gymnasium West Drive East
7. Bunn Hill Access Road Service Drive to Central Heating Plant Southwest
8. Bunn Hill Road Bunn Hill Access Road North
9. West Drive Driveway to Library Annex North
10. Intersection of northbound lane, western side Lot M1 Westbound lane in Lot M1 immediately south of wooden barrier East
11. Entrance lane southeast side M1 Southbound lane east side Lot M1 North
12. Southbound lane western side Lot M1 Exit lane from Lot X West
13. West Connector Road Exit lane southeast side Lot M1 West
14. West Drive Exit lane Lot C South
15. Bartle Drive Exit lane from Lot D/Garage West
16. Entrance to Parking Garage Exit lane from Lot D West
17. West Access Road South exit lane from Lot M1 North
18. East Access Drive and northwest exit of Lot P North curb at northwest exit Northwest

(e) The following intersections on the university grounds are YIELD intersections:

Intersection of With yield sign on Entrance from

1. West Access Road West Access Road Spur North
2. West Drive West Access Road South
3. West Drive Southerly spur of Bunn Hill Access Road North
4. West Drive Northerly spur of Bunn Hill Access Road West
5. Connector Road West Access Road West
6. West Drive Westerly spur of Gymnasium West Drive North
7. Bartle Drive Drive to Fine Arts Building Southwest
8. Bartle Drive Circle Bartle Drive South
9. Bartle Drive Circle West Drive West
10. Bartle Drive Circle Bartle Drive Northeast
11. West Drive Northerly spur of Bunn Hill Access Road East
12. East Access Road South Connector Road South
13. Bartle Drive East Drive East
14. East Access Road North Drive to the parking lot east of East Access Road East
15. Northwestern corner of Lot M4 Exit lane from Lot Z North
16. Lot J Exit lane from Lot K South
17. Gymnasium West Drive Easterly spur of Gym West Drive South

(f) Standing is not permitted on or along both sides of all highways on university grounds except for bus stops established in subdivision (h) of this section.

(g) No stopping is allowed, except buses, at the following locations:

- (1) On the south side of East Drive from a point 190+- feet east of the intersection of West Drive at West Access Road easterly 50+- feet therefrom.
- (2) On the north side of the roadway adjacent to Gymnasium West from a point 150 feet west of West Drive westerly 50+- feet there from.
- (3) On the north side of Bunn Hill Access Road from a point beginning at the easterly curb line of the service area driveway easterly 50+- feet there from.
- (4) On the south side of Bunn Hill Access Road from a point beginning at the easterly curb line extended of the service area driveway westerly 50+- feet there from.
- (5) On the north side of West Drive from a point beginning at the westerly curb line of the parking area driveway adjacent to Building 47 westerly 50+- feet there from.
- (6) On the south side of West Drive from a point beginning at the westerly curb line of the service driveway to Building 4 westerly 50+- feet there from.
- (7) On the east side of East Access Road from a point beginning at the southerly curb line of the driveway to Building 27 southerly 50+- feet there from.

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

- (1) Southerly exit from the parking lot west of East Access Road for traffic proceeding in an easterly direction only.
- (2) Northerly spur between West Drive and the roadway adjacent to Gymnasium West for traffic proceeding in a westerly direction only.
- (3) The traffic circle at the intersection of Bartle Drive and West Drive for traffic proceeding in a counterclockwise direction only.
- (4) Westerly spur between Bartle Drive and West Drive for traffic proceeding in a southwesterly direction only.
- (5) West Drive between the westerly spur from Bartle Drive and the traffic circle for traffic proceeding in an easterly direction only.
- (6) Easterly exit from the parking lot located on the southerly side of West Drive, opposite student center, for traffic proceeding in a northerly direction only.
- (7) Bartle Drive Loop, located south of the Couper Administration Building, for traffic proceeding in a counterclockwise direction only.
- (8) Northerly exit from the parking lot north of West Access Road for traffic proceeding in a westerly direction only.
- (9) Northerly entrance to the parking lot west of East Access Road for traffic proceeding in a westerly direction only.
- (10) Westerly entrance to parking lot south of West Drive opposite the student center for traffic proceeding in a southerly direction only.
- (11) West Access Road Spur between West Access Road and West Drive for traffic proceeding in a southerly direction only.
- (12) Northwesterly entrance to parking lot located west of Bunn Hill Access Road for traffic proceeding in a southerly direction only.
- (13) Northerly entrance to service drive to Newing College, opposite parking lot located on East Drive, for traffic proceeding in a southeasterly direction only.