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PART 573

STATE UNIVERSITY COLLEGE OF AGRICULTURE AND TECHNOLOGY AT COBLESKILL

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§ 573.1 Authority.

(a) The authority for this Part is the resolution adopted on August 17, 1972 by the Board of Trustees, State University of New York [see Part 560, supra] and section 360 of the Education Law. "The Council of each State-operated institution of State University shall adopt campus rules and regulations, not inconsistent with the Vehicle and Traffic Law, relating to vehicular parking, vehicle and pedestrian traffic and safety."

(b) *Veterans*. Any veteran, as defined in section 360 of the New York State Education Law, in attendance as a student at the College of Agriculture and Technology at Cobleskill shall be exempt from registration and 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.

(c) Parking is prohibited on or along all highways, except where otherwise indicated.

(d) All vehicles are excluded from all pedestrian walkways, except maintenance and emergency vehicles.

(e) The following roadways are designated for one-way traffic as follows:

(1) Schenectady Avenue beginning at the southwest corner of the Old Gym building, building no. 4, continuing past Ryder Hall, building no. 13, Frisbie Hall, building no. 1; Van Wagenen Library, building no. 11, Alumni Hall, building no. 3; old gym building, building no. 4, thence back to the point of beginning for traffic proceeding in counterclockwise direction.

(2) Otsego Avenue east of parking lot F between Suffolk Circle and Schoharie Parkway south for traffic proceeding in a southbound direction.

(3) Suffolk Circle south of Knapp Hall for traffic proceeding in a counterclockwise direction.

(f) The following intersections are designated as stop intersections with the erection of stop signs as indicated below:

| Intersection of | With stop sign on | Entrance from |
|---|---|----------------------|
| (1) Albany Avenue northeast of Bouck Hall | Schoharie Parkway South southeast of Route 7 | east |
| (2) MacArthur Avenue | Schoharie Parkway South north of Crittenden Athletic Field | south |
| (3) Schenectady Avenue north of Crittenden Athletic field | Schenectady Avenue between Wheeler and Bouck buildings | northwest |
| (4) Schoharie Parkway South | Albany Avenue southeast of Route 7 | southwest |
| (5) Suffolk Circle south of Knapp Hall | Schoharie Parkway South north of Crittenden athletic field | southwest |
| (6) Suffolk Circle | Schoharie Parkway South | northeast |
| (7) Schoharie Parkway South | Road from parking lot adjacent main transformer substations | southeast |
| (8) Schenectady Avenue | Albany Avenue | east |
| (9) Schoharie Parkway | P-Lot Parking lot | west |
| (10) Warnerville cut-off | Saratoga Drive | east |
| (11) State Route 7 | W/C Parking lot | north |
| (12) W/C parking lot | Rensselaer Avenue | west |
| (13) Rensselaer Avenue | Circle at the Campus Child Care Ctr. | west |

(g) The following intersections are designated as yield intersections with the erection of yield signs as indicated below:

| Intersection of | With yield sign on | Entrance from |
|-----------------------------|-------------------------------------|---------------|
| (1) Schoharie Parkway South | Otsego Avenue east of parking lot F | north |
| (2) Schoharie Parkway South | Parking Lot F | northwest |
| (3) Schoharie Parkway North | Columbia Drive | west |
| (4) Schoharie Parkway North | Saratoga Drive | northwest |
| (5) Schoharie Parkway North | Oneida Way | south |
| (6) Schoharie Parkway North | Delaware Avenue | South |

§ 573.2 Purpose.

The purpose of this Part is an attempt to gain an orderly pattern of motor vehicle control. A smoothly functioning traffic plan will do much to alleviate problems inherent in our growing college community.

FACULTY AND STAFF

§ 573.3 Scope.

These regulations (§§ 573.3-573.8) apply to all faculty and staff employed by State University of New York College of Agriculture and Technology at Cobleskill, Faculty Student Association, Research Foundation, College Alumni Association, or College Foundation employees. The regulations are in effect on all properties owned or leased by the college.

§ 573.4 Traffic regulations.

(a) The State of New York Vehicle and Traffic Law applies on campus streets and roadways. The Vehicle and Traffic Law shall be enforced by the Cobleskill Village Justice.

(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 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 college.

(c) No person shall park a vehicle on the premises of the college in such manner as to interfere with the use of a fire hydrant, fire lane, other emergency zone or handicapped zone, create any other fire hazard or unreasonably interfere with the free and proper use of a roadway or pedestrian way.

(1) Registration. All vehicles not owned by the college or CAS, including automobiles, trucks, or other motor-operated vehicles to be operated or parked on college property must be registered annually with the office of university police.

(2) Decals. Upon payment of a registration and any applicable parking fee as approved by the chancellor or designee, and consistent with applicable collective bargaining agreements, each registered vehicle will be issued a decal which must be permanently affixed to the vehicle in the manner prescribed. The amount of the registration fee shall be substantially based on costs attributable to the administration of the vehicle registration procedure. Approval of parking fees shall be 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 of Agriculture and Technology at Cobleskill. In case of sale of vehicle or termination of employment, please remove decal and destroy. If decal is lost or destroyed, a new one will be issued upon request.

(3) Authorized parking areas. The office of university police will indicate assigned parking lots for faculty and staff.

(4) Speed limit. 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, 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.

a. Saratoga Drive from Warnerville Cutoff through the Equine Facility shall have a maximum speed limit of 10 miles per hour.

(5) The acceptance of the privilege of parking or driving a motor vehicle on campus also constitutes acceptance by the owner and/or operator of responsibility to see that this vehicle is not parked or operated in violation of this Part or any applicable traffic regulations of the State of New York.

§ 573.5 Violations.

The fine schedule for parking violations shall be as follows: first offense, \$15; second offense, \$20; all subsequent violations, \$25. All fines for handicapped parking violations shall be \$50. Fines are to be paid within ten business days. Unpaid fines shall be deducted from the salary of the offending employee at the conclusion of each semester. Fines shall be deposited in the State University Income Fund.

§ 573.6 Towing.

Any motor vehicle operated or parked on campus in violation of this Part may be removed or towed away and stored at the owner's expense.

§ 573.7 Enforcement.

(a) Operation of parking lots and traffic directions on all college roadways will be accomplished under the direction of the chief of university police.

(b) Since the operation of a vehicle on campus is for the convenience of the individual, the college assumes no responsibility for the vehicle, its contents or for any situation resulting from bringing and operating the vehicle on campus. This includes any damage caused by towing a vehicle.

§ 573.8 Notice, hearing and disposition.

(a) A complaint (ticket) 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 regulation.

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

(2) The complaint (ticket) 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 office of student accounts within ten business days.

(3) The complaint (ticket) shall recite that a hearing may be requested within five days of service of the charges by appearing in person at the university police department.

(4) The complaint (ticket) 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 five-day period the complaint (ticket) is proved and shall warrant such action as may then be appropriate.

(5) The complaint (ticket) shall state that 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 motor vehicle registration, and the imposition of a fee as approved by the campus president or designee, or by the Board of Trustees, as the case may be, to meet the administrative costs of such referral.

(b) The chief administrative officer has designated the director of public safety as a hearing officer to hear complaints for violation of campus traffic and parking regulations enforceable on campus. This officer 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) At the conclusion of the hearing or not later than five days thereafter, such officer shall file a written decision with the parking ticket review panel as well as with the alleged violator. The decision shall include:

- (1) the name and address of the alleged violator;
- (2) the time and place when the complaint was issued;
- (3) the campus rule violated;
- (4) a concise statement of the facts established on the hearing based upon the testimony or other evidence offered;
- (5) the time and place of the hearing;
- (6) the name 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.

(d) The chief administrative officer shall designate a campus parking ticket review panel which is empowered to review any decision of the hearing officer which is appealed to it within 10 days after the hearing officer's decision. This panel 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. At the conclusion of the review, the panel shall promptly transmit its decision to the alleged violator and the hearing officer. The decision of this review panel shall be final.

STUDENT PARKING REGULATIONS

§ 573.9 Authority.

The authority for these regulations (§§ 573.9-573.19) is the resolution adopted on August 17, 1972 by the Board of Trustees, State University of New York (see Part 560, supra), and section 360 of the Education Law. "The Council of each State-operated institution of State University shall adopt campus rules and regulations, not inconsistent with the Vehicle and Traffic Law, relating to vehicular parking, vehicular and pedestrian traffic and safety."

§ 573.10 Scope.

These regulations (§§ 573.9-573.19) shall govern vehicular and pedestrian traffic and parking upon the highways, streets, roads and sidewalks owned, controlled or maintained by State University of New York College of Agriculture and Technology at Cobleskill and shall apply to all students, their visitors and guests. The State of New York Vehicle and Traffic Law applies on campus streets and roadways. The Vehicle and Traffic Law and the orders of the Department of Transportation shall be enforced by the Cobleskill village justice.

§ 573.11 Speed limit.

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, 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.

- (a) Saratoga Drive from Warnerville Cutoff through the Equine Facility shall have a maximum speed limit of 10 miles per hour.

§ 573.12 Registration.

Any student who wishes to maintain a motor vehicle on campus while enrolled at the College of Agriculture and Technology at Cobleskill must register the vehicle at the public safety office. This motor vehicle registration must be made at the time of general registration in August or within 48 hours after the motor vehicle has been brought to the College of Agriculture and Technology at Cobleskill. Upon payment of a registration and any applicable parking fee, as approved by the chancellor or designee, the student will be furnished a decal, which must be permanently affixed to the vehicle in the manner prescribed. The amount of the registration fee shall be substantially based on costs attributable to the administration of the vehicle registration procedure. Approval of parking fees shall be 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 of Agriculture and Technology at Cobleskill. If the decal is lost or mutilated, the student must obtain replacement decal. Failure to register the vehicle with the public safety office will result in a \$5 fine. Registration and parking fees shall be deposited in the State University income fund.

§ 573.13 Parking.

(a) Students shall park only in those areas which are assigned as follows:

- (1) Residents of Wieting, Vroman, Draper and Porter Halls shall park in the W lot.
- (2) Residents of Davis and Parsons Halls shall park in P lot.
- (3) Residents of Pearson, Dix, Ten Eyck and Fake Halls shall park in the F lot with the exception of the first bay on the eastern end of the lot, which shall be reserved for faculty, staff and visitors.
- (4) Commuter students shall park in the J lot or in the designated area on the south side of the Foundation Plaza parking lot. From 5:00 p.m. to 11:00 p.m., these students may park in all college parking areas except:
 - (i) the area directly west of Knapp Hall;
 - (ii) the Wheeler Hall driveway;
 - (iii) the Wellness Center parking lot (except when receiving medical treatment);
 - (iv) the area south of Suffolk Circle reserved for admissions visitors only; and
 - (v) any area labeled "RESERVED PARKING."
- (5) Handicapped/disabled students shall be issued a special permit and may park in any college parking area at any time, as well as in those spaces specifically reserved for handicapped parking.

(b) No person shall park a vehicle on the premises of the college in such manner as to interfere with the use of a fire hydrant, fire lane, other emergency zone or handicapped zone, create any other hazard or unreasonably interfere with the free and proper use of a roadway or pedestrian way.

§ 573.14 Towing.

Any motor vehicle operated or parked on campus in violation of this Part may be removed or towed away and stored at the owner's expense.

§ 573.15 Student guests.

Guests of students and visitors to residence halls must register their vehicles with the residence director who will issue them a temporary parking permit. The host student is responsible for insuring that this is done. Visitors and guests of students will follow the rules and regulations as contained herein.

§ 573.16 Changes.

Changes of registration, sale or removal of the motor vehicle from the College of Agriculture and Technology at Cobleskill must be reported to the university police department.

§ 573.17 Violations.

The fine schedule for parking violations shall be as follows: first offense, \$15; second offense, \$20; all subsequent violations, \$25. All fines for handicapped parking violations shall be \$50. Fines are to be paid at the student accounts office within ten days. Grades and transcripts shall be withheld until all fines are paid. Fines shall be deposited in the State University income fund.

§ 573.18 Notice, hearing and disposition.

(a) A complaint (ticket) 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 regulation.

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

(2) The complaint (ticket) 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 within ten days.

(3) The complaint (ticket) shall recite that a hearing may be requested within five days of service of the charges by appearing in person at the university police department.

(4) The complaint (ticket) 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 five-day period, the complaint (ticket) is proved and shall warrant such action as may then be appropriate.

(5) The complaint (ticket) shall state that 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 motor vehicle registration, and the imposition of a fee as approved by the campus president or designee, or by the Board of Trustees, as the case may be, to meet the administrative costs of such referral.

(b) The chief administrative officer has designated the director of public safety as a hearing officer to hear complaints for violation of campus traffic and parking regulations enforceable on campus. This officer 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) At the conclusion of the hearing or not later than five days thereafter, such officer shall file a written decision with parking ticket review panel as well as with the alleged violator. The decision shall include:

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

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

(3) the campus rule violated;

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

(5) the time and place of the hearing;

(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.

(d) The chief administrative officer shall designate a campus parking ticket review panel, which is empowered to review any decision of the hearing officer which is appealed to it within 10 days after the hearing officer's decision. This panel 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. At the conclusion of the review, the panel shall promptly transmit its decision to the alleged violator and the hearing officer. The decision of this review panel shall be final.

§ 573.19 Responsibility.

All students at the College of Agriculture and Technology at Cobleskill are held responsible for familiarizing themselves with these regulations (sections 573.9-573.19 of this Part).