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## PART 574

### STATE UNIVERSITY COLLEGE OF TECHNOLOGY AT DELHI

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#### **§ 574.1 Application of rules.**

- (a) This Part shall apply on all properties under the control and jurisdiction of the college.
- (b) This Part shall apply to all students, visitors, State employees and employees of college-related organizations.
- (c) This Part shall apply to all vehicles, including but not limited to automobiles, motorcycles, motorbikes and snowmobiles.
- (d) *Veterans.* Any veteran, as defined in section 360 of the New York State Education Law, in attendance as a student at the State University College of Technology at Delhi 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.

#### **§ 574.2 Vehicle registration.**

- (a) A student, State employee or an employee of a college-related organization shall not operate or park a vehicle of any kind or description on premises or property under the control of the university unless such vehicle is properly registered with the college. Proper registration includes affixing the decal issued by the college in accordance with instructions provided.
- (b) Such registration shall be valid for the regular academic year.

#### **§ 574.3 Vehicular and pedestrian traffic.**

- (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 university 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 30 miles per hour unless a different speed is authorized and indicated by the university.
- (c) 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.

#### **§ 574.4 Parking.**

- (a) No person shall park a vehicle in any area except those areas specifically designated as vehicle parking lots or

spaces. (Service areas are not parking areas.)

(b) Students may park vehicles only in those areas specifically designated as student parking areas.

(c) No person may park a vehicle within a parking area other than in the space designated for the parking or standing of a vehicle as indicated by posted signs, pavement markings, or painted lines restricting or limiting such parking.

(d) No person shall fail to observe and obey any duly posted sign regulating traffic entering upon, within or exiting from any parking area.

(e) Parking fees as approved by the campus 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 campus president 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 Technology at Delhi.

#### **§ 574.5 Penalties for violations.**

(a) 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.

(b) Any person who violates regulations or rules approved by the college council shall be subject to a fine, revocation of campus registration, or other penalty provided after a hearing conducted by a hearing officer designated by the chief administrative officer.

(c) Such fine for each violation shall be \$30 for the first and \$40 for each subsequent violation. In addition, for each violation of regulations or rules related to handicapped parking areas, the fine shall be \$50 for the first and each subsequent violation.

(d) Upon receipt of six campus traffic or parking violations during an academic year, a campus motor vehicle registration may be revoked for the balance of the academic year.

(e) Any vehicle parked on campus in violation of this Part may be towed away and stored at the expense of the owner of the vehicle.

#### **§ 574.6 Notice and processing of charges.**

(a) A complaint regarding any violation of a campus rule approved by the college council 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 shall be served upon the violator or attached to the vehicle involved.

(2) The complaint shall also indicate the amount of the fine imposed for the violation, and advise that if the person charged does not dispute the violation, such fine shall be paid as designated by the college administration within five calendar days. Fines not collected within the designated time may be deducted from the salary or wages of an offending officer or employee of the college or college-related organization. Grades and transcripts may be withheld until all fines are paid in the event fines are not collected within the designated time from an offending student of the college.

(3) The notice shall recite that an appeal may be requested within five working days after service of the charges by appearing in person at the SUNY Delhi University Police Office.

(4) Should the alleged violator fail to file an appeal within the prescribed time frame, the complaint is proved and shall warrant such action or penalty as may be deemed appropriate.

(b) The director of campus public safety shall serve as a hearing officer to hear complaints for violation of campus traffic and parking regulations enforceable on campus. The hearing 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 a hearing or not later than five days thereafter, the hearing officer shall file a decision and report in such location as may be designated by the vice president for student life. A notice of the decision shall be

promptly transmitted to the violator. The report shall include:

- (1) the name and address of the defendant;
- (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) In the event that the decision of the hearing officer is that the alleged violator is guilty, the violator may appeal the decision within 72 hours after notification of the decision by filing a written appeal with the vice president for student life of the college. Within 72 hours after receipt of the appeal, the vice president for student life will transmit the appeal to a hearings appeal board for appropriate action. The decision of the hearings appeal board shall be final and shall be promptly transmitted to the appellant.

(e) The hearings appeal board shall consist of three members of the college community appointed by the president of the college.

**§ 574.7 Traffic controls.**

(a) The following traffic controls are applicable to the grounds of the State University of New York, College of Technology at Delhi, unless otherwise stated.

(b) Twenty MPH is the maximum speed limit at which vehicles may proceed on or along all roadways except as provided in subdivision (c) of this section.

(c) Fifteen MPH is the maximum speed limit at which vehicles may proceed on or along the following roadways:

- (1) Main campus roadway between its intersection with the north exit from Parking Lot E and the projected south building line of South Hall (Bldg. #4).
- (2) Main campus roadway between its intersection with the roadway to Parking Lot B and a point 50+- feet north of O'Connor Hall (Bldg. #31).

(d) The following intersections are designated at STOP intersections:

<b>Intersection of</b>	<b>With stop sign on</b>	<b>Entrance(s) from</b>
(1) NYS Route 10	south campus entrance	west
(2) Main campus roadway	south exit from parking lot I	west
(3) Main campus roadway	north exit from parking lot I	west
(4) Main campus roadway	roadway west of Bldg. #32	west

(5) Main campus roadway	roadway from service area between Bldgs. #32 and #8	west
(6) Roadway from service area between Bldgs. #32 and #8	exit from parking lot H	north
(7) Main campus roadway	south exit from parking lot E	east
(8) Main campus roadway	roadway from Bldg. #6	west
(9) Main campus roadway	roadway from Bldgs. #5 and #28	west
(10) Main campus roadway	north exit from parking lot E	east
(11) Main campus roadway	roadway southwest of Bldg. #16	west
(12) Main campus roadway	main campus roadway from northwest (back roadway)	northwest
(13) Main campus roadway	roadway from parking lot G	southeast
(14) Main campus roadway	exit from parking lot A	west
(15) Main campus roadway	exit from parking lot D	north
(16) Main campus roadway	exit from parking lot B	north
(17) Main campus roadway	roadway from Bldg. #9 and parking lot J	east
(18) Main campus roadway	roadway from service area between Bldgs. #8 and #32	east
(19) NYS Route 10	north (main) campus entrance	west
(20) Back River Road*	automotive service yard	west
(21) Back River Road*	farm service roadway	west
(22) Main campus roadway	south exit from parking lot K	east

(23) Main campus roadway	north exit from parking lot K	east
(24) Main campus roadway	exit from Murphy service area	east
(25) Main campus roadway	exit from Field House parking area	east

\* Back River Road is a Town of Delhi roadway at the intersections indicated.

(e) The following intersections are designated as yield intersections:

<b>Intersection of</b>	<b>With stop sign on</b>	<b>Entrance(s) from</b>
(1) Main campus roadway with exit from parking lot	campus roadway	south

(f) All through traffic is prohibited in the service area between Buildings #8 and #32. Appropriate signs are ordered to be erected on each end of the roadway through the subject service area.

(g) In accordance with section 1681(d) of the New York State Vehicle and Traffic Law, the State University of New York is to provide and maintain signs in conformance with the Manual of Uniform Traffic Control Devices of New York State to post the regulations established above.