The materials below consist of regulations of the State University of New York Board of Trustees. However, it is not the Official Compilation of the Codes, Rules, and Regulations of the State of New York. Readers are advised to refer to the Official Compilation (8 NYCRR Part et seq)in case of questions.

PART 581

STATE UNIVERSITY COLLEGE AT OLD WESTBURY

Sec

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§ 581.1 Introduction.

(a) General. The following regulations are promulgated pursuant to the State University trustees' resolution 72-186, adopted August 17, 1972. The State University of New York College at Old Westbury provides facilities for vehicles for the sole purpose of conducting college business. The method of registering vehicles and the regulations governing their use on campus are stated below. The college assumes no liability for damage or loss to private vehicles, their occupants or contents while on college property. Parking and use of vehicles on campus without registration or permission from the college or in violation of this Part is prohibited. Drivers who require vehicles on campus in order to conduct business related to the college may obtain temporary or yearly permits enabling them to drive or park on campus, at the safety and security office (Building 11, suite 1A). Temporary permits are governed by the regulations stated on the permits as well as those stated below.

(1) Driver responsibility. The person registering a private vehicle for use on campus is responsible for its operation and for any fines incurred during or due to its presence on campus. The assignee of a State-owned vehicle is responsible for its operation and for any fines incurred during the period of assignment. By registering a vehicle for campus privileges, a person agrees to abide by traffic and parking regulations in force from time to time.

(2) Temporary instruction. Occasionally, special short-term conditions arise that may require suspending a portion of this Part or may require additional, temporary regulations and/or instructions. The director of safety and security is authorized by the president to take such of these temporary actions as circumstances may dictate.

(3) Definition. The term motor vehicle as used in this Part refers to any motor-driven vehicle, such as an automobile, truck, motorcycle, motor bicycle or motor scooter.

(b) Administration.

(1) General. The trustees' resolution on traffic and parking adopted August 17, 1972 requires that campus rules and regulations on parking be approved by the college council and also be approved by the Trustees of the State University. Upon approval, three others may be directly involved in matters affecting parking management on campus. These are: the committee on parking policy, acting as a quasi-legislative committee which makes policy recommendations to the president for any changes in the approved regulation of motor vehicles on the campus; the safety and security office which has the responsibility of enforcing this Part; and the traffic appeals board which adjudicates alleged infractions.

(2) Committee on parking policy. The committee on parking policy (hereinafter referred to as CPP) is charged with developing and recommending policies for the management of the parking resources on the campus within

the context of the total college community. The CPP annually submits a report to the president embodying any recommendations for policy change. The report does [continued] not have the force of regulation until it is in the form of our motor vehicle regulations for a given year. The CPP is an administrative committee and as such has no executive or policy making powers. The committee on parking policy is composed of two members of the faculty, two undergraduates (one resident, one commuter), two members in the classified service with the chairman named by the president.

(3) Traffic appeals board.

(i) The traffic appeals board (hereafter referred to as the TAB) is a judicial body in contrast to the CPP (which corresponds more closely to a legislative body). It is appointed by the president.

(ii) The TAB interprets the college motor vehicle registrations in those cases where clarification is required. A hearing officer shall make the first determination on an appeal. Subsequent re-appeals are considered by the entire TAB.

(iii) The TAB is not mandated to consider the validity or wisdom of any of the campus motor vehicle regulations; these functions are the responsibility of the CPP. Suggestions or comments for this committee may be forwarded through the director of safety and security or directly to its chairman.

(iv) The members of the TAB are composed of one faculty member, one student, and one member of the classified civil service. The chairman is named by the president at the time he appoints the board.

(4) Safety and security office. The role of safety and security is entirely limited to that of enforcement except as specifically noted in this Part.

(c) 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 at Old Westbury 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.

§ 581.2 Procedures.

(a) (1) Who may register. Any person associated with the college who operates a motor vehicle on university property must register that vehicle with the local college as required by the university. Vehicle registration entitles a person to drive on campus and to park in designated parking lots only. Each vehicle must be registered by the beginning of each academic year. Vehicles may be registered at the safety and security office, ordinarily between 9 a.m. and 4 p.m., Monday through Friday (except on holidays). There will be a charge of $10 per year for the first vehicle registered with the department. Additional vehicles may be added at a cost of $5 per vehicle. Vehicles without the appropriate sticker that are subject to ticketing for violations of the college's parking rules will be subject to immediate towing from the campus at the owner's expense.

(2) Bumper stickers. Bumper stickers are issued when a vehicle is registered and must be removed with change of ownership or termination of association with the college. A vehicle (other than those for which temporary permits have been issued) is considered registered only when bumper stickers have been placed on it as required. Any registration obtained through misrepresentation or in violation of these motor vehicle regulations is void. A registered vehicle may be parked in assigned parking areas.

(3) Multiple registration. A person may register more than one vehicle if it is for his specific use and the registration of the second vehicle bears his name or that of his spouse or parent. If a registrant is disciplined by revocation of campus parking privileges, the revocation applies to all cars registered in his or her name.

(4) Transfer and replacement of permits.

(i) A parking permit is not transferable. When evidence of sale of the car is submitted to the safety and security office a parking permit will be issued for a replacement car.

(ii) A registration is valid until the next August 31st unless the vehicle changes ownership or the registrant severs his relationship with the college. Replacements for damaged bumper stickers or parking permits (which may be needed when they have been damaged or lost, or on the occasion of the sale and purchase of a car) are available at the safety and security office.

(iii) If a vehicle is sold, transferred, or otherwise disposed of, it is urgent that the registrant remove the bumper sticker and notify the safety and security office immediately in writing so that he will not be charged with any violations incurred after the transfer date. Failure to do so may result in liability for violations incurred until such action is taken.

(b) Parking.

(1) Where to park. Spaces and parking lot sections reserved for handicapped persons, specified visitors, faculty and staff, service vehicles and construction personnel are restricted for use by the aforesaid persons at all times. Otherwise, registered vehicles may be parked in any unrestricted parking area.

(2) Permitted hours. On those days that school is not in session by reason of vacation, commuter and residence lots are open to all cars registered by the college. Faculty and staff lots are restricted on all working days during the academic year, including those during school vacations. Special regulations applicable to the summer period will be announced in the spring, by the committee on parking policy. Variations in this Part designed to meet unusual circumstances may be announced from time to time by the safety and security office.

§ 581.3 Special regulations.

(a) Restricted areas.

(1) Loading zones--deliveries. Each academic building on the campus and each dining hall is provided with a loading zone adjacent to the building. No parking is permitted in these loading zones except as specifically marked for State vehicles and for handicapped. "Standing" is permitted in loading zones while a delivery or pickup is being made. Such "standing" is presumed to be short in duration and is not to exceed the period during which the vehicle is required to complete loading or unloading. After 15 minutes, all vehicles used for pick-up or delivery must be attended. An attended vehicle is defined as one with the driver helper, or a member of the college staff able to move the vehicle and in the immediate vicinity of the vehicle.

(2) Fire zones and fire lanes.

(i) Each loading zone is by definition a fire zone. Additional fire zones adjacent to a building may be established from time to time by the director of safety and security. Fire zones are areas, paved or unpaved, that permit fire-fighting equipment to come as close to a building as possible. They are also areas within 15 feet around a fire hydrant or a stand pipe connection. No parking is allowed in a fire zone at any time except as defined above. Any vehicle parked in a fire zone is subject to towing at any time.

(ii) For purposes of traffic control, roadways on the campus are divided into two classifications: peripheral or arterial roads and access roads. An example of the former is the Ring Road around the major college campus, "C" Gate Road, and Route 107 Road. An example of the latter is the narrow road leading to Empire State College, BOCES, film studio, child care center buildings parking lot roadways and entrances to and exits from parking bays. All access roads are by definition fire lanes. Neither parking or standing is permitted in a fire lane. While in general the college will attempt to mark all fire lanes and all fire zones, lack of such marking will not relieve a violator of responsibility for obeying this Part. All walkways on the campus are by definition fire lanes and similar restrictions apply.

(3) Walkways. Any paved way on the campus that is not defined as a roadway is by definition a walkway. No driving is permitted on any walkway except under emergency circumstances. Emergencies are presumed to refer to the need [continued] to bring fire, rescue, ambulance or police vehicles close to a building in order to safeguard lives or property. The use of walkways by vendors, any State service vehicle, and contractor personnel is explicitly forbidden. Where exceptional circumstances require vehicle access to a walkway, permission must be obtained in advance from the director of safety and security on a case to case basis. Permission in one instance is not a precedent and does not carry over to like circumstances in the future.

(4) Dedicated spaces.

(i) From time to time various units of the college establish temporary dedicated parking spaces. These spaces are not considered official when they apply to individuals, whether identified by name or by title. The only dedicated spaces that have official sanction either temporarily or on a permanent basis, are those established by the director of safety and security with the review and approval of the CPP. The

initial dedicated spaces at Old Westbury are parking lot sections designated for handicapped persons, specified visitors, faculty and staff, authorized service vehicles and construction personnel.

(ii) Specified visitors are persons invited to the campus by the president of the college. The committee on parking policies may extend dedicated parking privileges to invited guests of the faculty, staff and student body. All requests for temporary dedicated parking spaces shall be submitted to the office of the director of safety and security for submission to the CPP for their consideration and decision at least five school days in advance. The CPP may outline special conditions to the director which would not have to be referred to them for individual approval or disapproval.

(b) Special vehicles.

(1) Service vehicles (general). The university enters into a number of service contracts. Contractors include those that service signal systems; computer companies that service data processing equipment; various elevator companies; the telephone company, and the like. Vehicles belonging to such contractors may be considered authorized State vehicles for purposes of special parking needs. All contractors must make application to the director of safety and security for special permits. In general such permits will be issued only for a car that is (i) clearly the property of the contractor, and (ii) appropriately so marked on the outside of the vehicle. Such permits will be valid only for that period that the serviceman is on call and on duty in a given building. Under no circumstances are these to be considered parking permits. Proof of ownership by the corporation and proof of on call status may be required by security officers charged with enforcing the traffic regulations. Requests for such permits must be submitted in writing on the company letterhead and signed by a responsible officer of the contractor. They should contain an adequate description of the vehicle(s) and the names of those individuals who may be driving them. Such requests should be submitted for validation to the college office responsible for monitoring the activity of the contractor. For instance, telephone company requests should be validated by the office of plant superintendent, fire alarm and other signal systems should be validated by the office of safety and security. Other contractors should obtain validation from the department that is the direct beneficiary of their services. If there is any uncertainty about the beneficiary, the director of safety and security is empowered to make a determination and request such validation from the appropriate unit.

(2) Service vehicles (vendors). Vendors that regularly provide direct services to the campus and use their own vehicles may also apply for special permits. Examples of these are vending machine contractors, pinball machine contractors, laundry equipment contractors and the like. They must make application in each case in writing. Under no circumstances will such permits be given to cover non-commercial vehicles. If, in the performance of the work, these contractors require access to a building through other than service areas, they must seek the approval of the director of safety and security and conform to special conditions which will be indicated on the face of the permit.

(3) Salesmen. All salesmen who come to the campus on legitimate business may be given visitors' parking permits. Such permits will be in general valid only for the day of issuance. Salesmen with special requirements, as for instance, heavy sample cases and the like, must request special permission from the director of safety and security if they wish to park close to a building.

(4) Regulations governing the sale of food on campus by mobile vendors.

(i) No person may sell or distribute food or food stuffs on campus from any mobile vehicle, temporary stand, push cart, or other similar item without the written authorization of the vice president for operations or his designee. This shall not apply to individuals or companies contracting with the college or authorized agents on the campus, nor shall it apply to sales of food conducted over the telephone and completed by delivery on the campus.

(ii) Any motor vehicle used in the sale of such food shall be registered with the safety and security office and shall display a valid parking permit. Food vendors must obey all traffic regulations while on campus, and authorization for the use of the campus may be revoked for failure to comply with those regulations.

(iii) Upon applying for authorization any vendor must show that he has complied with all apppropriate Nassau County and Old Westbury Village ordinances as well as any and all appropriate New York statutes governing the vending of food. The vendor must remain in compliance with those requirements whenever he is on the campus.

(iv) A vendor must retain his authorization from the vice president for operations at all times while he is on campus for the purpose of selling food. If convenient, he should display this authorization, but he must show it upon the request of any college safety and security officer or other college official.

(v) A vendor may be required by the college to leave a specific area or to leave the campus at any time for good reason, and any area of the campus or the entire campus may be closed to vendors for good reason.

(vi) Written authorization shall be valid from the date of approval until June 30th next, except that the college may revoke that authorization at any time for failure to comply with college regulations. No authorization shall be valid for more than one year. Motor vehicle registration may be obtained upon presentation of the valid authorization and completion of other parking or traffic requirements.

(vii) The college reserves the right at any time to require vendors or any individual vendor to submit to a medical or health examination, either in compliance with State or local requirements. Refusal to submit to such an examination shall be grounds for revocation of any authorization or for not granting authorization.

(viii) No vendor may discriminate against any person on the basis of race, color, creed, religion, sex or appearance either in employment or in the conduct of his business.

(ix) If a permit is revoked, no new permit may be issued until one year after the original expiration date of the original permit.

(x) The college reserves the right to alter or revoke this Part at any time.

(5) Construction vehicles.

(i) Parking. All cars operated in connection with a construction project on the campus and belonging to contractor personnel are required to observe campus traffic regulations. Such cars need not register with the safety and security office provided they park within contract limit lines and, to the extent possible, in an area physically separated from other campus parking areas.

(ii) Operations. Vehicles making deliveries to a contractor site may not park in roadways for loading or unloading or for the operation of special equipment without prior written approval of the director of safety and security. Such written approval will have stated the special conditions under which such vehicles may park or stand in roadways. The approval must be in the vehicles at all times, available to inspection by campus safety and security officers. Failure to present such permit on demand will subject the driver to the appropriate citation. Contractor vehicles may not drive on walkways except under the conditions outlined elsewhere in this Part.

(6) Motorcycles. Motorcycles are subject to the same restrictions as all other vehicles. Motorcycles may not be driven on walkways nor may they be parked close to buildings.

(c) Special operations.

(1) Handicapped persons. Members of the university community who are handicapped may apply for a special handicapped parking permit. Reserved spaces are set aside to permit parking by the handicapped. Such permits for people with permanent disabilities, who have previously registered for handicapped parking privileges, will be renewed by the director of safety and security upon presentation of the appropriate application. Similar permits for individuals entering the college as student or staff will be issued after appropriate certification by the college health office. Requests for special parking privileges by individuals with a temporary handicap must also be validated by the college health office. All such validations shall carry a specific time limitation indicating the expected termination of the disability. Such permits are not renewable, except on recertification by the college health officer.

(2) Visitors. Each parking area on the campus has a number of spaces designated for specific visitors. The spaces are considered to be reserved and when they are used by unauthorized vehicles such vehicles are subject to ticketing and towing. No member of the staff working in one area of the campus is considered a visitor, for purposes of parking, at another area of the campus. Visitors may be issued a daily parking permit at the gatehouse, safety and security office or administration building. These permits are valid only for the day of issue. If the visitor to the campus must be here on a regular basis, it is recommended that he apply for a regular

campus parking permit. Such application should give the reasons for the visit and carry the endorsement of the college officer most closely concerned.

(3) Construction operations. When, in the course of necessary work under a construction contract, a maintenance contract, or campus maintenance work, it is necessary to break a roadway, the contractor shall obtain written clearance from the director of safety and security. This request should be in the hands of the director not less than six working days before the date on which the work is to start. The contractor should make his request through appropriate channels and final permission from the campus should be requested by the representative of the State University construction fund, with the endorsement of the campus facilities office.

(4) Disabled vehicles. Any operator of any vehicle on campus who finds that the vehicle is disabled and that the car must remain on the campus for an unspecified time must immediately notify security of this fact. Vehicles without license plates parked anywhere on the campus are subject to instant towing and impounding. If a student or member of the staff is forced to remove a license plate in order to re-register a car he may notify safety and security of that fact and arrange with them to have the car brought to an area for safekeeping.

§ 581.4 Enforcement and control.

(a) General. Parking on the campus is controlled by this Part, provisions of the Vehicle and Traffic Law, and orders of the Department of Transportation. No part of the campus motor vehicle regulations may be abrogated or mitigated by any official of the college without appropriate clearance through the committee on parking policy. The CPP may make recommendations to the president and such changes and amendments may be made by the college council with the approval of the trustees. Statements by college employees, if made in error, regarding the suitability of parking in a certain area will not relieve the driver of responsibility. Similar strictures apply to notes left on windshields or inside the car. If extraordinary emergency circumstances arise the driver is advised to call the safety and security office, identify himself and his car and ask for assistance.

(1) Summary regulations. The Vehicle and Traffic Law shall apply upon such premises notwithstanding any references in such law to public highways, streets, roads, or sidewalks. Orders of the Department of Transportation heretofore or hereafter promulgated for State University shall continue in full force and effect. A complaint regarding any violation of the Vehicle and Traffic Law, any Department of Transportation order or any traffic ordinance applicable on such premises shall be processed in accordance with the requirements of applicable law.

(i) All motor vehicles operated on campus must be registered with the college and display the appropriate college identification.

(ii) Vehicles may be parked only in those parking areas authorized for that vehicle and only within the lines designating a parking space whenever provided.

(iii) Vehicles may not be parked in any area other than one designated for parking.

(iv) Vehicles may not be operated except on authorized roadways or parking areas.

(v) Vehicles must be operated in such a manner as not to endanger or injure pedestrian property or other vehicles and drivers.

(vi) Vehicles may not be operated beyond posted speed limits. 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 30 miles per hour unless a different speed is authorized and indicated by the university or the Department of Transportation.

(vii) Vehicles may not park or stand in such a way that traffic, walks, hydrants, fire lanes, or college operations are obstructed. Parking is prohibited on all campus roads at all times, including access roads, service roads.

(viii) Drivers on campus must obey all State and college regulations and all provisions of State Vehicle and Traffic Law, posted signs, and the directions of college personnel who have been delegated the responsibility for traffic regulations, parking supervision, and the safety of persons and property on campus.

(ix) Vehicles that are inoperative, abandoned or are stored on campus are subject to removal at the owner's expense.

(x) Vehicles may not be parked in a metered parking space after the meter has expired.

(2) Schedule of penalties.

(i) Section 560.3(c)(4) of the trustees' regulations permits the college council to set the fines for violation of campus motor vehicle regulations within designated limits. Accordingly, the following schedule of penalties is hereby established.

Violation	Penalty
Parking within 15 feet of a fire hydrant or a standpipe connection	$35
Parking in fire zone or fire lane	$35
Parking in a No Parking Zone	$15
No campus parking permit displayed	$15
Parking out of stall	$15
Parking in a Handicapped Area	$35
Expired parking meter	$15
All other campus motor vehicle regulations	$15
For second offense of same violation, add $10 to the base fine; for the third and subsequent offenses, add $20 to the base fine.	

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

(iii) Unpaid fines may be deducted from the salary or wages of an offending officer or employee of the university.

(iv) In the case of students, grades and transcripts may be withheld until all fines are paid.

(v) Fines shall be deposited in the State University income fund.

(vi) Motor vehicle registration and campus parking privileges shall be revoked for the balance of the academic year upon the finding that 10 or more parking violations have been incurred during an academic year. Penalties for violations of the Vehicle and Traffic Law shall be set by the respective traffic court to which offenders shall be summoned (Village of Old Westbury, Village of Brookville, or Town of Old Oyster Bay) according to the geographical location of the campus where the offense occurred.

(b) Enforcement activities.

(1) Ticketing.

(i) Security officers are authorized to issue traffic summonses to any vehicle found in violation of traffic and parking regulations.

(ii) A vehicle operator who receives a summons for an infraction of the campus regulations stated above may request a hearing or pay a fine according to the printed schedule (paragraph [a][2] of this section).

(iii) In accordance with the Trustees' regulations which govern vehicular and pedestrian traffic and parking upon the highways, streets, roads and sidewalks owned, controlled or maintained by the State University of New York and in conformity with section 560.3(d) of this Title, the college council has mandated that the following enforcement procedures shall be in effect:

(a) 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.

(b) The complaint shall be subscribed by the officer witnessing the violation and served upon the alleged violator or attached to the vehicle involved.

(c) 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 business office of the campus within seven days.

(d) The complaint shall recite that a hearing may be requested within seven days after service of the charges by appearing in person at the office of the campus director of safety and security.

(e) 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 college council the complaint is proved and shall warrant such action as may then be appropriate.

(f) The chief administrative officer shall designate a hearing officer or board (traffic appeals 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 testimony or evidence directly relevant and material to the issues presented.

(g) 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:

(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 or board.

(2) Towing.

(i) Vehicles are subject to towing if they are parked illegally, or so as to constitute a safety hazard or to interfere with college operations.

(ii) Any vehicle parked on campus in violation of subparagraphs (a)(1)(i), (ii), (iii), (vii) and (viii) of this section may be subject to towing at the owner's expense and also subject to the penalties identified for each offense.

§ 581.5 General.

(a) Safety and security office personnel are available to answer questions about this Part, about procedures under them, or about particular problems (e.g., disabled cars, borrowed cars, temporary permits, special loading problems). Call or visit the security office for assistance in any of these matters. The telephone number of the safety and security office is 876-3333 or 876-3334. The safety and security office is located in Building 12, Suite 2A.

(b) A copy of this Part is given to each person who registers a vehicle with the college. The college presumes that all persons have read these and no plea of ignorance will be entertained. Additional or replaced copies are available at the safety and security office.