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PART 582

STATE UNIVERSITY COLLEGE AT NEW PALTZ

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§ 582.0 Preamble.

(a) The State University College at New Paltz possesses on its campus motor vehicle parking areas as well as a system of roadways, providing entrance and egress for these areas to public thoroughfares. These facilities are provided for the convenience of students, faculty, staff and visitors of the college. For the orderly use of these facilities and to comply with fire and safety requirements, it is necessary to establish parking rules and traffic regulations. One will recognize that these rules exist for the protection of life and property, as well as for the convenience of all who use the parking areas and roadways.

(b) Those who use these facilities are subject at all times to Part 560 of this Title of the Regulations of the Board of Trustees of the State University of New York, the State University College at New Paltz motor vehicle regulations, and the vehicle and traffic laws of the State of New York.

(c) Disclaimer. The College at New Paltz assumes no liability for damage or loss to private vehicles, their occupants or contents while on university property. Parking of vehicles on campus without registration or without permission from the university or in violation of regulations is prohibited. Drivers who require vehicles on campus in order to conduct business related to the university may obtain permits to park on campus from the public safety office. Such permits are governed by regulations stated in this Part.

(d) Responsibility. The owner and/or operator of a vehicle registered for use on campus is responsible for its operation and for any fines incurred during or due to its presence on campus. By registering a vehicle for campus privileges, the registrant and/or owner agrees to abide by all applicable traffic and parking regulations. The operator of a State-owned vehicle is responsible for its operation and for any fines incurred during the period of use.

(e) Temporary emergency action. With respect to temporary emergency situations as these situations may relate to parking and traffic matters, the director of public safety is authorized by the president to take appropriate action as circumstances dictate to provide for safety and convenience of students, faculty, employees and visitors.

§ 582.1 Definition of terms used in this Part.

(a) Faculty and staff. For the purposes of this Part, faculty and staff shall include only the following persons or groups:

- (1) full-time and part-time members of the faculty of the State University of New York College at New Paltz;
- (2) full-time and part-time members of the administrative staff of the State University of New York College at New Paltz;
- (3) Research Foundation employees at the State University of New York College at New Paltz;
- (4) Civil Service employees of the State University of New York College at New Paltz; and
- (5) full-time and part-time employees of employers operating on the college's campus under contract with the State University of New York or of the College Auxiliary Services, Inc.

(b) Commuting student(s). For the purposes of this Part, a commuting student shall be any student, whether full-time, part-time, graduate, or undergraduate, matriculated or nonmatriculated who is currently registered at and who attends the State University of New York College at New Paltz while living off campus and who needs to drive to and from the campus in order to attend the college as a registered student.

(c) Resident student(s). All students residing in campus residence facilities, or any other area of the campus, to include full-time, part-time, summer school residents, or those students attending special programs that may require residence on campus.

(d) Motor vehicle. Any motor-propelled vehicle used for transporting persons or property, including automobiles, motorscooters, motorcycles and motor bicycles.

(e) Possession. Actual physical control or operation of a motor vehicle, or the right to control or operate a motor vehicle, even though ownership of the motor vehicle is vested in a parent, spouse, another student, another person, etc.

(f) Overnight parking. For the purposes of this Part, overnight parking shall be parking in designated parking lots of the State University of New York College at New Paltz between the hours of 2 a.m. and 6 a.m.

(g) Bicycles. Bicycles are nonmotor-propelled vehicles that consist of two wheels used for transporting persons or property.

§ 582.2 Vehicle registration.

(a) Each person associated with the college shall register each motor vehicle brought on to the campus, upon payment of a fee as approved by the chancellor, or designee. Each vehicle to be operated or parking on said premises by a member of the college community shall display only current legible college vehicle registration stickers affixed to the vehicle in the manner prescribed by the department of public safety. Evidence of motor vehicle ownership, personal driver's license and insurance card, and college personal identification card are all required.

(b) Persons possessing more than one motor vehicle shall register each such motor vehicle brought onto the campus. Any change of State motor vehicle registration number (license plate number) shall be reported within 10 days to the college campus public safety office.

(c) Association with the college by academic registration, employment, staff appointment, or in any other official manner, is considered to be evidence of acceptance by the individual of all rules and regulations of the college, including those specifically regulating the use of motor vehicles on the campus. Regulations are subject to enforcement by campus public safety officers and police departments having jurisdiction under vehicle and traffic laws of the State of New York.

(d) Resident freshmen students will not be permitted to register or park vehicles on campus. This policy will be reviewed on an annual basis.

§ 582.3 Vehicle permits.

(a) A motor vehicle permit will be issued by the campus public safety office and shall be permanently affixed to the vehicle for which issued. Permits are to be clearly visible. Permits not permanently affixed or illegible permits are null and void, and as such constitute a violation of the campus traffic code. Permits are issued for the sole use of the person to whom issued, on the vehicle registered for the period indicated, unless association with the college shall

terminate at an earlier date. Mutilation, theft, or other disposition of a permit shall be reported promptly to the campus public safety office.

(b) Motorcycles and bicycles shall be issued a permit to be affixed so that it is clearly visible.

(c) Vehicles permits shall be obtained by filing a vehicle registration application for each vehicle with payment of a registration fee, as approved by the chancellor, or designee, for such application. Such application may be filed and such fee may be paid at the office of the department of public safety, or such other place as may be designated. Student registration and registration fee must be submitted and paid by the end of the second week of the applicable semester or session. All faculty and staff registrations shall be renewable annually during the months of June and July by reapplication and payment as provided herein. Vehicle registration permits must be obtained and affixed by no later than the second week of the applicable semester. Vehicles registrations shall be valid for the academic year in which issued.

(d) Licensees and invitees are visitors whose presence on the subject premises is authorized. (For purposes of this subdivision, licensees and invitees shall not include faculty, staff or students.) Every such licensee or invitee shall register each vehicle which he or she may park on the subject premises by obtaining a visitor's parking permit from the department of public safety located in the service building. Such permit shall be obtained prior to parking on the subject premises, and shall be effective for a period designated in writing by the issuing agent of said permit.

(e) Any veteran attending SUNY New Paltz as a student shall be exempt from any fee for parking or registering a motor vehicle as per NYS Education Law §360. For the purpose of this policy, the term "veteran" shall mean a member of the armed forces of the United States who served in such armed forces in time of war and who was honorably discharged or released under honorable circumstances from such service.

§ 582.4 Motor vehicle operation.

Vehicles shall at all times be operated so as not to endanger life or property. 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. Except for vehicles being operated for authorized official purposes, no person shall drive a motor vehicle on campus walkways.

§ 582.5 Vehicle parking and regulatory provisions and rules.

(a) General prohibitions. No motor vehicle shall be parked in or on any of the following:

- (1) campus roadways;
- (2) fire lanes, within 20 feet of any fire hydrant, any outside stand pipe, or any emergency zone so as to interfere with the use of the area by specially designated vehicles or emergency equipment;
- (3) service vehicle areas or loading docks;
- (4) sidewalks and pedestrian walkways, or any area in which the parking of any motor vehicle may impede ingress to or egress from any building by any pedestrian or authorized vehicle;
- (5) any crosswalk or in any area which may be restricted by the college;
- (6) employee and commuter parking lots between the hours of 2:00 a.m. and 6:00 a.m.; and
- (7) premises outside the boundaries of parking lots. Parking in lots shall be within the confines of one parking space as may be designated by stripes painted on the lot surface.

(b) Vehicles for which an effective visitor's permit has been issued shall be parked only in an area posted for visitors' parking, or in a lot for which special authorization has been granted by the department of public safety.

(c) Any vehicle for which a campus community member has obtained registration shall be parked in the appropriate lot according to such member's status at the college, and as may be specified by the member's registration decal.

(d) No person shall park in any area posted as reserved or temporarily reserved without having first been issued a reserved area parking permit from the department of public safety.

(e) The parking of any vehicle in any way other than as specified herein, or the parking of any vehicle for which a

college registration or visitor's parking permit has not been issued shall constitute a violation of this Part by the person in whose name said college registration or permit has been issued, except that vehicles owned by the State of New York need not be registered by the college. The college reserves the right to restrict or otherwise control the use of authorized space in all parking areas.

§ 582.6 Miscellaneous regulatory provisions and rules.

(a) No person shall:

(1) operate a motor-powered snow sled or snowmobile, or all-terrain vehicle on the subject premises without prior written approval of the department of public safety;

(2) provide any false or misleading information, whether by act or omission, when applying for any registration or permit pursuant to this Part, or when otherwise required or requested by a college official to provide information concerning the operation or parking of a vehicle on the subject premises or grounds;

(3) abandon a vehicle on the subject premises or grounds;

(4) operate or park a vehicle on the subject premises or grounds if the registration or permit of any vehicle under such person's control, by reason of ownership or otherwise, has been revoked or a registration application or permit request made by such person has been denied;

(5) park or maintain a motor home, camper, or motor coach on the subject premises or grounds without the approval of the department of public safety; or

(6) use college parking lots or roadways for the purpose of vending or conducting business without appropriate permits from the department of public safety.

(b) All vehicular accidents occurring on the subject premises or grounds shall immediately be reported to the department of public safety by the involved person(s).

(c) Every registrant or permittee in whose name a vehicular registration or permit has been issued shall be primarily responsible for the operation and/or parking of the vehicle on the premises or grounds by any person using or operating the vehicle with the permission, express or implied, of such registrant or permittee.

(d) Regulations related to snow removal and temporary closure of parking lots and roadways:

(1) The college reserves the right to close or temporarily close parking lots and roadways in an effort to conduct snow removal operations or make repairs to said parking areas, equipment, or roadways, following posting of this requirement in areas impacted by the closing. Vehicles that impede the removal of snow and/or repairs, will be ticketed and towed at the owner's expense. A reasonable effort will be made to locate and inform registrants of the impending lot or road closing. Vehicles not registered and parked on campus are not subject to notification, and may be ticketed and towed at the owner's expense when they are subject to the above.

(2) Vehicles left on subject premises through any recess and from the date of spring graduation until the start of the next fall semester, shall be towed from the subject premises, 48 hours after the official close of the college. Exceptions to the above regulation must be obtained in writing from the department of public safety.

§ 582.7 Traffic control.

(a) Vehicle operators shall follow directives on posted signs as a standard of safety and operation.

(b) Tow-away zones are identified by signs and/or surface markings. Any vehicle parked in the places indicated will be towed away.

(c) Speed limits. The maximum speed limit at which vehicles may proceed on or along all roadways on the grounds of the State University College at New Paltz is 20 MPH with the following exceptions:

(1) Fairview Road--15 MPH.

(2) Hasbrouck service road--15 MPH.

- (3) College Hall (east side)--15 MPH.
- (4) Scudder Road--15 MPH.
- (5) Mohonk Avenue (east side)--15 MPH.
- (6) Adjoining village roads--30 MPH.

(d) The following intersections on the grounds and borders of the campus are stop intersections:

Intersection of Direction of Travel

- (1) Tricor and Southside Avenues Four-way
- (2) Fairview Avenue to Loop South South
- (3) Loop Road and Elting Gym Extension Three-way;
East, South, North
- (4) Loop Road and Scudder Road Three-way; East, West, South
- (5) Loop Road to Route 32 South East
- (6) East service building lot to Route 32 South East
- (7) West service building lot to Loop Road North
- (8) Haggerty Administration Building East access road to Route 32 South
- (9) HAB lot to HAB Circle South
- (10) Scudder Road to HAB lot East
- (11) Mohonk Avenue to Route 32 South East
- (12) Plattekill Avenue to Route 32 South East
- (13) College Union Building lot to Mohonk Avenue South
- (14) CUB lot to Plattekill Avenue North
- (15) Fairview Lot to Mohonk Avenue North
- (16) Old main building lot to Mohonk Avenue South
- (17) Tricor Avenue and Mohonk Avenue Four-way
- (18) Tricor Avenue and Hasbrouck Avenue North and South
- (19) Plattekill Avenue at Hasbrouck Avenue West
- (20) VanDenBerg Learning Center east South service road to Mohonk Avenue

(e) The following intersections are yield intersections:

Intersection of Direction of Travel

- (1) Modular Science Building to Loop Road North

(2) Fairview Avenue to Mohonk Avenue North

(3) Southside service building to west West service building lot

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

(1) Hasbrouck service road westbound (around curve to south).

(2) Scudder Road from SUB Tunnel to HAB lot--north only.

(3) Old main building circle--counterclockwise only.

(4) VenDenBerg Learning Center east service road--south only.

(5) Road between HAB Circle and Route 32 south--east only.

(6) Roadway between HAB lot and HAB Circle--south only.

(g) The following roadways are posted "NO STANDING ANY TIME": all college roadways.

§ 582.8 Lack of space or intent.

No defense. The lack of space in which to park a vehicle in compliance with this Part and/or the lack of intent to commit a violation of any section hereof shall be no defense in any action concerning any such alleged violation.

§ 582.9 Adjudicatory procedure.

Violations of this Part shall be determined in accordance with the following procedure:

(a) A complaint regarding any violation of this Part shall be in writing reciting the time and place of the violation and the title, number, and substance of the applicable regulation.

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

(2) The complaint shall indicate the amount of fine assessable for the violation and shall state that if the person charged does not request a hearing on the violation prescribed herein, the fine shall be paid at the department of public safety or such place as may be designated on the complaint, within five calendar days after the service of the complaint.

(3) The complaint shall recite that if the fine has not been paid, a hearing may be requested within 72 hours after service of the charges by such alleged violator appearing in person or responding in writing to the department of public safety, or such other place as may be designated on the complaint.

(4) The complaint shall recite that if the alleged violator fails to appear at the time and place fixed for the hearing, or should no hearing be requested as provided herein, an appropriate penalty shall be imposed based upon the violation alleged.

(b) The chief administrative officer shall designate a hearing officer or board, the membership of which shall not exceed three persons, to hear complaints for violation(s) of this Part. Such hearing officer or board shall not be bound by the rules of evidence, but may hear or receive any testimony or evidence which is, in the discretion of such officer or board, directly relevant and material to the issues presented.

(c) At the conclusion of the hearing, or not later than five days thereafter, such hearing officer or board shall file a report in its official records and shall transmit a notice of decision to the alleged violator. Such report for the official records of the hearing officer or board shall include:

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

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

(3) the regulation(s) violated;

- (4) a concise statement of the facts established on the hearing based upon the testimony or other evidence presented;
- (5) the time and place of the hearing;
- (6) the names of all witnesses;
- (7) each adjournment, if any, 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.

§ 582.10 Penalties and remedies.

(a) Fines.

(1) A violation of any procedure, rule, or regulation contained in any section of this Part shall be punishable by a fine of \$25 for the first offense, and \$40 for each second and subsequent violation of the same provision within the same academic year, except that the fine for any violation of handicapped or fire lane provisions shall be \$75. All fines are payable in cash or certified check to the State University College at New Paltz within five business days from the date of the hearing officer or board's decision, if a hearing is requested; otherwise within 10 days of the citation's issuance. A late fee of \$25 will be added to any fine not paid within these time periods.

(2) The prosecution and collection of fines involving persons who are neither students nor employees shall be in accordance with applicable law.

(3) In the case of students, grades and transcripts may be withheld until all fines are paid. Fines shall be deposited in the State University income fund.

(b) Revocation of vehicular registration. Upon a finding that 10 or more violations of this Part, for which fines are paid or unpaid, have been incurred during one academic year, such vehicle registration(s), as may be issued in the name of such offending registrant, shall be revoked for the balance of the academic year, and such person shall be barred from applying for any vehicular registration or renewal during the period of revocation.

(c) Removal of vehicles. In addition to the penalties prescribed herein, the college may boot or remove, or have removed, by towing or otherwise, at the expense of the removed vehicle's owner or registrant any vehicle which is parked in violation of this Part. Vehicle's owner or registrant who has had a vehicle booted on campus may be charged a fee to have the booting device removed and may be charged a towing service fee by the college for its towing of vehicles from any location on campus. The amount of the fee shall be substantially based on the costs incurred by the campus.

(d) 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 a motor vehicle registration.

§ 582.11 Vehicle and Traffic Law applicable to cases not covered.

In all cases not specifically covered by this Part, the provisions of the Vehicle and Traffic Law of the State of New York shall apply.