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## **PART 586**

### **STATE UNIVERSITY OF NEW YORK INSTITUTE OF TECHNOLOGY**

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#### **§ 586.1 Purpose.**

The following regulations are established so that a safe, orderly flow of traffic is maintained, and some control of motor vehicles is exercised. The registration of motor vehicles is a necessary function so that the public safety force can easily identify the motor vehicles of the college community to the mutual advantage of the individual owner and to the college.

#### **§ 586.2 Scope.**

The regulations apply to the use of all motor vehicles, as described by the New York State Vehicle and Traffic Law, upon all properties owned or leased by the SUNY Institute of Technology. The regulations apply to all operators of such motor vehicles including faculty, staff, students and visitors.

#### **§ 586.3 Authority and enforcement.**

Section 360 of the Education Law authorizes the State University to develop its own rules regarding traffic and parking, not inconsistent with the New York State Vehicle and Traffic Law. This legislation provides that punishments for violations of such campus-created rules be administered by the institution. Violations of provisions of the New York State Vehicle and Traffic Law, applicable to the campus, shall be adjudicated by the magistrate's court having jurisdiction. Under companion legislation, campus public safety officers have the designated authority and shall enforce both the campus regulations and applicable State vehicle and traffic statutes.

#### **§ 586.4 Parking regulations.**

(a) Registration. All vehicles to be operated or parked on property owned or leased by the SUNY Institute of Technology must be registered with the public safety office. The registration decals must be displayed in accordance with the instructions given at the time of issuance. The registration decals issued are valid until the date designated by public safety, when all registration decals must be revalidated. Vehicles must be registered during the period of class registration or within the first academic business week following acquisition of a vehicle. 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 Institute of Technology.

(b) Special parking. Special parking permits for physically handicapped persons (as certified to by a physician) will

be issued on an individual basis. Persons seeking such privileges must fill out an application for approval with the public safety office.

(c) No person shall park a vehicle on the premises of the college in such a 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.

(d) No person shall fail to observe and obey any duly posted signs regulating traffic or parking.

(e) Speed limit. No person shall drive a vehicle in parking areas at a speed which is 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 25 miles per hour unless otherwise posted. Pedestrians have the right of way at all times.

(f) No person shall park his vehicle in any area not designated to be a parking space. The map of the parking areas indicates certain reserved areas and those areas designated for open parking. Faculty, staff and students use the same areas on a first-come, first-served basis.

(g) Notwithstanding any of the foregoing provisions and regulations, a driver of a vehicle shall not fail to obey the lawful traffic commands of an officer of the public safety force.

(h) Overnight parking is prohibited in all lots except E, F, H, I, J, K, L and M. Prior authorization is required for overnight parking in any other lot. Overnight parking is available in G lot for persons taking State vehicles on overnight trips.

(i) No person shall park at any time along the campus roadways or on the grassy areas adjacent to any such roadways.

(j) 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.

**§ 586.5 Penalties.**

(a) Any person who violates these regulations or rules, approved by the board of trustees, shall be subject to:

(1) a fine, revocation of campus vehicular registration, or other penalty provided, after a hearing conducted by a hearing officer or board designated by the chief administrative officer;

(2) prosecution in the local traffic court in those situations in which a New York State uniform traffic summons is issued for a violation of New York State traffic laws.

(b) Fine schedule.

(1) Parking violations \$10 each

Failure to register vehicle \$15 each

Parked in handicap zone \$50 each

Parked in fire lane \$50 each

Blocking fire hydrant \$50 each

(2) Once five or more campus parking violations have been received, the registrant will have his/her motor vehicle registration revoked and a loss of parking privileges for the balance of the academic year or until all fines are paid to date.

(c) The complaint (parking ticket) issued for violations of campus regulations shall indicate the fine schedule and advise that the person must appeal within seven calendar days of the date of issuance. An alleged violation cannot be appealed or disputed beyond this seven-day period. Such fines must be paid; in the case of an employee of the college, the fine may be deducted from the salary or wages of such employee; in the case of an unpaid fine against a student, the college will withhold transcripts and grades.

(d) Towing. Any motor vehicle operated or parked on campus in violation of this Part may be removed or towed

away at the operator's expense.

**§ 586.6 Notice, hearing and disposition.**

(a) A complaint (traffic ticket) regarding any violation of the State Vehicle and Traffic Law or any traffic ordinance which a locality is permitted to adopt shall be processed in accordance with the requirements of applicable laws.

(b) A complaint (parking ticket) regarding any violation of a campus rule approved by the board of trustees shall recite the time and place of the violation and the title, number or substance of the applicable rule.

(1) The complaint (parking ticket) 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 (parking ticket) shall also indicate the fine schedule for the violation and advise that, if the person charged does not dispute the violation, such fines must be paid at the office of the bursar within seven calendar days of the date of issuance.

(3) The complaint (parking ticket) shall recite that a hearing to appeal the alleged violation(s) may be requested in writing within seven calendar days after being served with the ticket. The complaint (parking ticket) will indicate where the appropriate appeal forms may be attained.

(4) Should the alleged violator fail to appear at the time fixed for the hearing, or should no hearing be requested within the prescribed time, the complaint is proved an automatic guilty plea.

(5) Hearings shall normally be scheduled within two weeks of the date on which the appeal was filed. Adjournments and/or extensions may be granted by the hearing board.

(6) The decision of the appeals board is final.

(c) A hearing officer and/or board is designated by the chief administrative officer of the college to hear appeals for alleged violations of campus traffic and parking regulations. Such hearing officer and/or board shall not be bound by the technical rules of evidence, but may hear or receive any testimony or evidence directly relevant and material to the issues presented.

(d) At the conclusion of the hearing, or not later than five days thereafter, such hearing officer or board shall file a decision and report. 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) the 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.

**§ 586.7 Amendments to rules (Marcy Campus).**

(a) "Campus Drive" will be the name for the main campus road.

(b) "Service Drive" will be the name of the service road. This road will be a two-way roadway restricted to college maintenance and service vehicles. The speed limit will be 15 MPH.

(c) "Governor Horatio Seymour Road" will be the name of the main campus entrance road that terminates at the cul-de-sac in front of the ALC building. There is absolutely no parking on this road. Its primary use is for bus pickup/drop-off. All vehicles will keep right when entering the cul-de-sac.

(d) "Residential Drive" will be the name of the roadway connecting (North) Campus Drive with (South) Campus Drive.

(e) Parking lots will be named:

- (1) Parking Lot A
- (2) Parking Lot B
- (3) Parking Lot C
- (4) Parking Lot D
- (5) Parking Lot E
- (6) Parking Lot F
- (7) Parking Lot G
- (8) Parking Lot H
- (9) Parking Lot I
- (10) Parking Lot J
- (11) Parking Lot K
- (12) Parking Lot L
- (13) Parking Lot M

(f) Handicap individuals must park within designated handicap areas of the lots.

(g) Visitor parking will primarily be in Parking Lots B, E, F and J. Vehicles parked outside of the designated visitor spaces must be registered with Public Safety and display a valid registration decal or must display a visitor/guest pass.

(h) Driving on any of the pedestrian walks on the campus is a violation of this Part. Emergency vehicles or college maintenance vehicles are exempt from this Part.

(i) Drivers are required to obey the instructions conveyed by traffic control devices. Failure to obey these instructions is a violation of the New York State Vehicle and Traffic Law.

(1) The following intersections are STOP intersections:

- (i) exits from the service road to Residential Drive and Campus Drive;
- (ii) junction of the Campus Drive and Governor Horatio Seymour Road; vehicles traveling on Campus Drive are required to stop before crossing or entering Governor Horatio Seymour Road;
- (iii) intersection of Flanagan Road and Campus Drive; vehicles exiting Flanagan Road are required to stop;
- (iv) intersection of Flanagan Road and Mulaney Road; vehicles exiting from Flanagan Road are required to stop;
- (v) intersection of Campus Drive and Edic Road; vehicles exiting Campus Drive are required to stop;

- (vi) intersection of Residential Drive and Campus Drive (north end);
- (vii) intersection with Residential Drive and Campus Drive (south end);
- (viii) exit from south end of Lot I to Residential Drive;
- (ix) entrance to north end of Lot H from Residential Drive;
- (x) intersection of Campus Drive and Flanagan Road when traveling east on Campus Drive;
- (xi) intersection of Campus Drive and Flanagan Road when traveling west on Campus Drive;
- (xii) all exits from K, L and M Lots to Flanagan Road;
- (xiii) entrance to K and L lots from Flanagan Road; and
- (xiv) exit from L Lot going north.

(2) The following intersections are YIELD intersections:

- (i) exit from Lot A to Campus Drive;
- (ii) exit from Lot B to Campus Drive and exit from Lot B to Governor Horatio Seymour Road;
- (iii) exit from Lot C to Governor Horatio Seymour Road and exit from Lot C to Campus Drive;
- (iv) all exits from Lot D to Campus Drive;
- (v) all exits from Lot E to Campus Drive;
- (vi) all exits from Lot F to Campus Drive;
- (vii) exit from Lot G to Residential Drive;
- (viii) all exits from Parking Lots H and I to Residential Drive; and
- (ix) all exits from Lot J to Residential Drive.

(3) The following are ONE WAY roadways:

- (i) exit roadway south end of Parking Lot I to Residential Drive; and
- (ii) entrance roadway to north end of Parking Lot H from Residential Drive.

**§ 586.8 Amendments to rules.**

This Part shall be subject to amendment or revision through the existing college governance structure. Any amendments or revisions thereof shall be filed as required by the board of trustees within 30 days after adoption by the Board of Trustees of the State University of New York.