

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: June 11, 2010

REGULATION TITLE AND NUMBER: University Traffic and Parking Rules (7.003).

SUMMARY: A Transportation Access Fee Committee was formed to review the parking fees to students, faculty and staff. The Committee was comprised of students, faculty and staff to review the parking program and to make recommendations for an increase to the TAF and the faculty/staff/LLS decal fee. The proposed increase in the transportation access fee is from \$62.40 per Fall and Spring semesters, \$26 per Summer semester to \$64.90 per Fall and Spring and \$27.04 for Summer semester. Faculty and staff decal fees will increase 4 percent for all pay grades. Reserved parking will increase from \$625 to \$650 per space. FAU Regulation 7.003, FAU Traffic and Parking Program, is updated to comply with current procedures and to implement the fee changes.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:
Dennis Crudele, Interim Sr. Vice President for Financial Affairs

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT/REPEAL OF REGULATIONS IS: Myrlande Dessalines, Paralegal, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

Florida Atlantic University

Regulation 7.003

University Traffic and Parking

(1) AUTHORIZATION.

- (a) Any person possessing an operator's license valid in the State of Florida is permitted to operate a properly registered motor vehicle on the campuses of Florida Atlantic University and the Palm Beach ~~Community State~~ College-South Campus, collectively referred to as the "campus" or the "University."
- (b) The University Police Department and ~~the Traffic and Parking Department~~Parking and Transportation Services and individuals designated by ~~the Traffic and Parking Department~~Parking and Transportation Services, are authorized to enforce this Traffic and Parking regulation. Regulatory signs and traffic control devices have the force and effect of University regulations.

[Transportation Services](#) authorizing parking of a vehicle on campus for a specified length of time [in a specified area](#).

- (g) Disabled Accessible Parking Space. A disabled accessible parking space is a space for use only by an individual with a valid disabled parking permit, placard or license plate registered in the individual's name.
- (h) Faculty. Faculty includes all FAU professors, visiting professors, adjunct professors and instructors.
- (i) Immobilized Vehicle. A vehicle that is rendered inoperable by a lawfully attached mechanical device such as a "boot" or clamp device.
- (j) Motorcycle. Motorcycle, for the purpose of this regulation, includes motorcycles, motor-driven bicycles, mopeds, motor scooters and other similar motorized vehicles.
- (k) Non-University Vehicle. A non-University vehicle is a vehicle not registered with ~~the Traffic and Parking Department~~[Parking and Transportation Services](#).
- (l) Permit. A permit is authorization issued by ~~the FAU Traffic and Parking Department~~[Parking and Transportation Services](#) for parking a vehicle on campus for a specified length of time. A permit may be issued [by as a parking decal, temporary parking permit or by hangtag](#).
- (m) Staff. Staff includes AMP, SP and Temporary non-student employees.
- (n) Student. Student, for the purpose of this regulation, includes full-time, part-time, daytime, evening and weekend FAU students and students of any other institutions leasing land or facilities on any FAU campus.
- (o) Lifelong Learning Society Student – for the purpose of this regulation is a non-degree seeking student who is a current member of and is enrolled in the Lifelong Learning Society.
- (p) ~~Traffic and Parking Department~~[Parking and Transportation Services](#)~~. Traffic and Parking Department~~[Parking and Transportation Services](#) includes other offices designated to conduct business on behalf of the Department.
- (q) Transportation Access Fee. All students will be assessed a Transportation Access fee at the time of registration to be paid along with their tuition to support the University's transportation infrastructure and to increase student access to transportation services.
- (r) Vehicle. Vehicle includes all automobiles, trucks, motorcycles, mopeds, motor scooters and other similar conveyances including those that are leased or rented.
- (s) Visitor. Visitor, for the purposes of this regulation, is a person who is neither a student, faculty or staff member, who is driving a vehicle or parking on campus.
- (t) [Reserved Space. See Assigned Space](#)
- (u) [Loading Zones. Areas specifically designated for the sole purpose of loading or unloading materials or equipment. Loading zones are delineated by signs or pavement marking. Use of these areas is limited to 15 minutes unless otherwise posted. Vehicles exceeding the posted maximum period may be issued additional citations every hour after the original citation and/or towed at the](#)

| (v) owner's expense.

Fall	_____	\$62.40 <u>64.90</u>
Spring		\$62.40 <u>64.90</u>
Summer		\$26.00 <u>27.04</u>

- b. All Lifelong Learning Society students are required to pay a Transportation Access Fee at the time of Lifelong Learning registration to be paid along with ~~tuition~~

- b. All employees, except student Temporary employees, are authorized to elect to pay for ~~decal~~permits via payroll deduction. The maximum number of payroll deductions shall not exceed six (6).
- c. Registration Fee Reductions – The following registration fee reductions are authorized to be used in combination with other reductions, but do not apply to temporary parking permits:
 - (i) Fee for employees whose total appointment is halftime or less are one-half of the regular registration fees. A statement, signed by the employee’s immediate supervisor, indicating the employee’s total appointment, is required to qualify an employee for a reduced fee under this provision. This reduction is not available to adjunct professors.
 - (ii) Fees for a second or subsequent faculty or staff vehicle are one-half of the regular registration fee.
 - (iii) Fees for employees whose employment contracts begin after January 1 and before July 30 are one-half of the regular registration fee.
- d. Refunds – Faculty and Staff permits may be returned for a refund upon termination of employment with the University. To receive the refund, permits must be returned to Parking and Transportation Services. The refund amount will be prorated by semester and will not exceed the amount paid for the permit. Due to tax regulations, permits paid for by payroll deduction are not eligible for a refund. All requests for refunds must be received within 15 days of the beginning of each semester. Temporary permits are not eligible for a refund.

- 3. Employee/Student Classification – Graduate Assistants and Teaching Assistants are classified as students for the purposes of this regulation. Full time Temporary employees are considered staff for purposes of this regulation, even if they are registered for classes. Part-time (less than 40 hours per week) Temporary employees who are registered for classes are considered students for purposes of this regulation.
- 4. Continuing Education/Open University Students – Open University & Continuing Education students must display a valid parking permit authorized by ~~the Traffic and Parking Department~~Parking and Transportation Services

- a. The decal must be affixed outside the vehicle, on the driver's side rear windshield. Convertibles and vehicles without a rear windshield are to place the permit on the outside, passenger's side of the front windshield. The entire decal must be displayed unaltered. The decal must be visible at all times while the

5.6.Reproducing or defacing a ~~decal or temporary hangtag~~permit

except those covered in subparagraph (5)(a)(2), must park in appropriate designated lots, unless posted otherwise. After 4:00 p.m. and before 7:00 a.m. on weekdays and anytime on weekends, vehicles with valid ~~decal~~ permits may park in any lot unless posted otherwise.

- ~~f. Unless otherwise posted, parking meters are in effect 24 hours a day, seven days a week.~~
- f. The fee for use of metered parking is set

| ~~(vi)~~(x) ~~(viii)~~ Parking of a trailer, boat, camper, large van,
airplane or commercial truck (except construction
vehicles with FAU permits) is prohibited.

| ~~(vii)~~(xi) Vehicles may not be abandoned on campus. The
registered owner of an abandoned vehicle will be
notified by certified mail that his or her vehicle has

2. Disabled Accessible Parking.

- a. Any student or employee with a valid ~~decal~~ permit, who properly displays a valid state disabled parking permit, placard or license plate that is registered to the student or employee using the

c. Event visitors may park in the garage at the rates estabtesd for

(b) Fines and Fees.

1. ~~Fines and Fees~~ Schedule.

Violation	Fines
No permit or decal improperly displayed <u>expired</u> permit	\$25
<u>Improper display of</u> permit	<u>\$25</u>
Failure to display a valid permit <u>(must already have valid permit)</u>	\$15 <u>\$25</u>
Parking out of assigned area	\$25
Parking in reserved space	\$50
Parking in service vehicle space	\$35
Overtime Meter	\$25
<u>Parking at meter with a permit</u>	<u>\$25</u>
<u>Parking at malfunctioning meter</u>	<u>\$25</u>
<u>Backed into parking space</u>	<u>\$25</u>
Hazardous Parking	\$25
Parking in disabled access aisle	\$250
Parking in disabled accessible space without valid permit	\$250
Failure to display valid disabled parking permit registered to vehicle user	\$25
Defaced or stolen permit	\$100
Replacement Permit	\$15
Administrative Fees (refund)	\$25
Administrative collection fees	\$25
Inappropriate parking of motorcycle or bicycle	\$25
All other violations (except otherwise noted in this regulation)	\$25
Late Fees	\$25
Overnight parking in the Garage	\$25
Tow Fee	\$50
Boot Fee	\$75 <u>\$85</u>
Parking over lines or doubled parked	\$25
Parking on grass/sidewalk/crosswalk	\$25
Parking in wrong direction	\$25
Parking in fire lane	\$50

2. ~~Fines and Fees~~ Information.

a.

Immobilized, towed or stored vehicles will be released when all unpaid fines and fees have been paid to the University.

- c. Payment of fines and fees shall be made by cash, check, money order or credit card.

(7) TRAFFIC COMMITTEES AND PARKING VIOLATIONS APPEAL BOARD.

- (a) The Parking Violations Appeal Board, referred to as the “Board” for purposes of this regulation, is established by the President of the University to serve as an advisory group to ~~the Traffic and Parking Department~~Parking and Transportation Services. The Board is composed of seven (7) members: two (2) faculty, three (3) staff members from the University community, two (2) students and two (2) alternates. The Director of the University Police Department or designee will act as advisor to the Board. The Board must establish a quorum to hear appeals. A quorum shall be defined as a minimum of five (5) members of the Parking Violations Appeal Board.
- (b) The Parking Violations Review Committee, referred to as the “Committee” for purposes for this regulation, is composed of the Assistant Director of ~~Traffic and Parking~~Parking and Transportation Services, the Operations Manager of ~~Traffic and Parking~~Parking and Transportation Services and the Chief of Police or designee, who sit as an appellate body. The Committee will meet as often as necessary to discharge its duties. A majority of voting members present will be required to render decisions and take action.
- (c) The Director of ~~the Traffic and Parking Department~~Parking and Transportation Services, the Parking Violations Review Committee and the Parking Violations Appeal Board are ~~both~~ designated as University Traffic Authorities to hear violations of parking regulations. In carrying out its duties, either University Traffic Authority may sustain or dismiss charges and, in its discretion, impose appropriate penalties and fees but it may not contradict the prevailing parking regulations.

decision, unless a final appeal is timely filed.

(b) A final appeal of the citation may be made by requesting a hearing before the Parking Violations Appeal Board. A final appeal of a citation is submitted through an interactive online form after the individual has logged into their ~~Traffic and Parking~~ [Parking and Transportation Services](#) account. This appeal must be submitted within fourteen (14) calendar days of the Director's decision. The documentation that was reviewed by the Director will be forwarded to the Board, however the Board will make a new determination of the case. The individual appealing the citation may indicate on the form an intention to