

Proposed University Regulation 6C2-2.009, Parking and Traffic Regulations

(1) General Information.

(a) Applicability of Traffic Rule. This rule shall be applicable to all vehicles operated or parked on the Florida State University (FSU) campus at any time, including examination periods, semester breaks, and registration periods. The fines, penalties and other sanctions provided herein may be imposed against any person who shall cause, allow, permit or suffer any vehicle registered either at the Florida Department of Highway Safety and Motor Vehicles or at the University Office of Parking and Transportation Services in the name of, or operated by such person to be parked or operated in violation of any provision of this rule. It is the policy of FSU to enforce the provisions of this rule and seek to impose the fines, penalties or other sanctions provided herein:

1. In the case of a vehicle registered with the Office of Parking and Transportation Services, against the person in whose name such vehicle is so registered.
2. In the case of a vehicle not so registered, if it is determined that the operator at the time of the violation is affiliated with FSU and, in fact, should have registered the vehicle with the Office of Parking and Transportation Services, against the person affiliated with FSU.
3. In the case of a vehicle not so registered and whose operator at the time of the violation cannot be identified, against the title holder of said vehicle.

(b) Applicability of Florida Statutes and Ordinances of the City of Tallahassee. All ordinances of the City of Tallahassee relating to traffic which are not in conflict or inconsistent with this rule shall extend and be applicable to the grounds of the University. A copy of said ordinances shall be available for inspection at the Office of the Director of Parking and Transportation Services. In addition, the provisions of Chapter 316, Florida Statutes, shall extend and be applicable to the grounds of the University.

(c) Responsibility for Implementation. Unless otherwise noted, the Director of Parking and Transportation Services shall be responsible for the supervision and implementation of this rule. All requests for individual consideration with regard to the parking and traffic regulations contained in this rule must be directed to that person at the Office of Parking and Transportation Services.

(d) Definitions. The following words and phrases, when used in this rule, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

1. 1. Access Lane. Any area that is not designated as a parking space, and that provides an avenue for traffic flow and emergency vehicles.
2. Automobile. Any motor vehicle having 4 or more wheels.
3. Permit Registration Year. The period from September 1 of one year to August 31 of the succeeding year

4. Designated Parking Space. Areas governed by FSU parking rules and regulations with parking spaces delineated by red, white, or blue striping, a parking meter, or other physical barriers to include, but not be limited to railroad ties and bumper blocks intended to delineate parking parameters.
5. Director of Parking and Transportation Services. An FSU employee who has been assigned the specific duties of supervising and managing the Office of Parking and Transportation Services.
6. Employee. Any employee of FSU including faculty, administrative and professional personnel, university support personnel system staff, and OPS staff, employed/contracted for 40 or more hours per week.
7. Employees of recognized FSU organizations or Contracted Services. Personnel who work full-time on campus, but who are not University employees, e.g., bookstore employees, beauticians, barbers, food service personnel, credit union employees, staff of religious houses, and employees of the Greek houses.
8. Financial Aid Disbursement. That period of time defined each semester by the Controller's office for the disbursement of financial aid checks.
9. Fire Lanes. Those areas of campus that must be kept clear of all obstructions so as not to interfere with the movement of fire-fighting equipment and which are marked as fire lanes by signs and red painted curbing or fluorescent red and white painted areas, or both.
10. Loading Zones. Areas specifically designated for the sole purpose of loading or unloading materials or equipment. Properly identified service vehicles, commercial vehicles, vehicles bearing valid FSU decals or vehicles properly displaying loading zone permits issued by the Office of Parking and Transportation Services are authorized to use loading zones. Loading zones are delineated by signs or pavement marking. Use of these areas is limited to 20 minute periods. Vehicles exceeding the 20 minute maximum period may be issued additional citations every hour after the original citation.
11. Loading Dock. Areas specifically designated for the sole purpose of loading or unloading materials or equipment at the delivery entrance or designated location to a building. Properly identified service vehicles, commercial vehicles, or vehicles properly displaying loading dock permits issued by the Office of Parking and Transportation Services are authorized to use loading docks. Loading docks are delineated by signs or pavement marking. Vehicles without proper authorization will be issued a citation for permit not authorized for space and/or towed at owner's expense.(fine code -- 01).
12. Motorcycle, Moped, or Motor Scooter. Any motor vehicle having less than 4 wheels.
13. Parking. The standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading merchandise or passengers, as may be permitted by law under the State Uniform Traffic Control Law, Chapter 316, Florida Statutes, or this rule pursuant to Section 240.264 or 240.265.
14. Parking Violations Appeals Board. The University traffic authority established pursuant to Section 240.266, Florida Statutes, to review disputes regarding citations and to render decisions regarding the appropriate penalty to be imposed, including the restriction, removal, or restoration of driving or parking privileges on campus. The Parking Violations Appeals Board will consist of 2 or more divisions of equal authority. Each shall be composed of 4 members appointed for a period of 1 year. There shall also be appointed a pool of alternate members who shall be eligible to serve when called upon by the Appeals Coordinator, when a regular member is unavailable. All appointments shall

be made by the Vice President for Finance and Administration from a list of persons nominated from the University Committee on Appointments. The positions on each division of the Board shall be occupied by faculty, staff (A&P or USPS) and student members. The Chairperson shall be elected annually from among the members of the Board and shall have full voting rights. This Board shall function on a year-round basis. A quorum shall consist of at least 2 members of the Board. When a quorum is not available, and the appellant has arrived on time for their scheduled hearing, the citation(s) will be dismissed.

15. Part-Time Non-Student Employee. Any person employed/contracted by FSU for less than 40 hours per week who is also not enrolled as a student at Florida State University.
16. Permit. Vehicle registration document which allows the registered vehicle to be parked on the grounds of the University, as set out in this rule. The words permit and decal are used interchangeably in this rule.
17. Persons Affiliated with FSU. Employees or students of FSU or employees of recognized FSU on-campus organizations.
18. Restricted Hours. Between 7:30 a.m. and 4:30 p.m., Monday through Friday on all class days, examination periods, semester breaks, and registration periods.
19. Service Vehicle Area. Areas reserved for properly identified service or emergency vehicles performing maintenance or repair of University owned or leased equipment or facilities, commercial vehicles, or vehicles bearing proper authorization from the Office of Parking and Transportation Services. Non-Service State vehicles are prohibited from parking in service vehicle spaces. Service vehicle areas are reserved during restricted hours and are delineated by signs or pavement marking. Vehicles without proper authorization will be issued a citation and/or towed at owner's expense for parking in a reserved space without authorization (fine code – 01).
20. Short Term Parking -- Those spaces designated by signage with a two-hour maximum stay. Appropriate permits must be obtained from the Office of Parking and Transportation Services.
21. Student. Any person not classified as faculty, administrative and professional personnel or university support personnel system staff who is enrolled and carrying 1 or more credit hours of undergraduate or graduate work at FSU.
22. Vehicle. Any automobile, motorcycle, moped or motor scooter as defined.
23. Visitors. Persons who are not employees or students of FSU and who do not work on campus for other organizations.
24. Working Day. Any day that the University is officially open. This does not include official holidays.
25. Commuter Lot. Designated lot(s) that prohibit the parking of vehicles between the hours of midnight and 6:30 a.m., except on Friday and Saturday evenings or as posted on the entrance of the lot.

(2) Permits.

(a) All vehicles parked by FSU affiliates on the campus must display the appropriate permit as instructed. The following, however, are excepted:

1. Board of Trustees. Vehicles bearing a valid "Board of Trustees" permit may be parked in any designated, unreserved parking space on campus.
2. "State" Tag Vehicles. Vehicles bearing a duly issued "State" license tag need not be registered or pay parking meter fees. Such vehicles may be parked in any designated, unreserved parking space, short-term space (2 hour maximum) or loading zone (20 minute maximum) on campus.
3. News Media Vehicles. Press Representatives, Reporters, Correspondents, and other representatives of the news media not otherwise affiliated with FSU, who are on campus on official news or press business, may park in any designated, unreserved space, Short Term space (2 hour maximum) and loading zone (20 minute maximum), and need not be registered, if a valid Press identification is prominently displayed on their vehicles. Students, faculty and staff are not eligible for this exemption.
4. Commercial Representatives in Commercial Vehicles. Marked delivery trucks, telephone and power service vehicles, limousine service automobiles, taxis, and buses making brief stops at 1 or more points on campus are not required to buy a decal or display a permit. Vehicles used by persons required to perform emergency service or maintenance on University owned or leased equipment or facilities should have appropriate FSU parking permit displayed. These vehicles may be parked in any designated, unreserved parking space. Parking meters must be paid.
5. Contractors. Contractors and contractor personnel engaged in FSU construction projects may park within the fenced enclosure of the construction site. Other parking must be off campus, or other on-campus locations specifically designated by the Office of Parking and Transportation. Construction permits must be displayed in the windshield.
6. Vehicles Transporting Handicapped Individuals; Disabled Veterans.
 - a. In accordance with the Florida Statutes, a vehicle bearing a parking permit issued pursuant to Sections 320.0848, 320.0842, 320.0843, and 320.0845, Florida Statutes, or a license plate issued pursuant to Section 320.084 or Section 320.0848, Florida Statutes (disabled veterans and veterans confined to wheel chairs), may park in designated handicapped spaces if such vehicle is transporting a person eligible for such parking permit or license plate. Any person who is chauffeuring a disabled person shall be allowed momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking. Such vehicles shall not, however, be parked in a bus loading zone, fire zone, handicapped access aisle, service vehicle space, permit designated parking area or any other area posted as a "No Parking" zone. Employee and student affiliates are required to purchase the appropriate parking permit in order to park on campus. Vehicles bearing a valid FSU parking permit and the disabled permit issued by the state may park in metered, loading zone, short-term, and other unreserved permit designated spaces as long as time restrictions are observed, and meter fees are paid. Visitors displaying a disabled permit issued by the state may park in designated handicapped accessible spaces, metered, and/or hourly toll lot spaces provided the regular rate/fee is paid.
 - b. Any person who fraudulently obtains or unlawfully displays a disabled permit that belongs to another person while occupying a disabled parking space or an access aisle as defined in s.553.5041 while the owner of the permit is not being transported in the vehicle or who uses an unauthorized replica of such a disabled parking permit with the intent to deceive is guilty of a misdemeanor of the second degree, punishable as provided

in s.775.082 or s. 775.083.

c. Parking and Transportation services will boot any fraudulent vehicle and contact The FSU Police Department to issue the citation.

7. Visitors may park in toll spaces on campus provided time is kept on the meter or other mechanical ticket dispensers.

(b) The permit year begins on September 1 and ends the following August 31. All permits expire the last day of August each year.

(c) Permit Information: All faculty, staff and student affiliates parking on university property are required to purchase a parking permit or pay appropriate transportation fees.

(d) The Office of Parking and Transportation Services reserves the right to deny, restrict or revoke parking privileges to any individual who is in violation of the provisions of this rule. The fraudulent acquisition of a permit by giving incorrect information, falsified proof of status, or by other means shall result in the issuance of violation(s), false registration -- fine code 05, to the individual(s) involved.

(e) Replacement Permits and Gate Access Cards; Refunds. A Replacement permit and gate access card, if applicable, will be issued when a permit or gate card is no longer serviceable or a vehicle bearing a permit is replaced. The original "RP" permit or gate card must be returned to the Office of Parking and Transportation Services to qualify the holder for a replacement permit or gate card due to defect. If a permit cannot be produced, a replacement shall be issued upon execution of an explanatory Permit Replacement Statement, FSU Form #DAF1000 (Eff. 9/94) incorporated herein with documentation of replacement need filed with the Office of Parking and Transportation Services. Upon return of an original decal, refunds will be given on a pro-rated basis as contained in (3) Parking Fees and Penalties. No refunds will be issued for returned temporary permits or gate cards. Refunds for student permits issued from the assessment of the transportation fee shall be consistent with the University refund policy for local fees.

(f) Parking Permits.

1. Faculty, Administrative and Professional personnel, University Support Personnel System staff, and Non-Student OPS employees of recognized FSU affiliated organizations or contracted services employees are eligible to purchase an "R" or "RP" decal taglet, authorizing parking only in designated "R" parking areas or in areas specified for "all FSU permits." Persons utilizing an "R" or "RP" permit must display their permit/taglet on the rear license plate (secured by bolt) or on the plastic holder with the suction cup secured on the front windshield on the driver's side in order to validate their "R" or "RP" permit.
2. Visitors are eligible to purchase a "V" permit, authorizing parking only in designated "W" and "R" non-gated parking areas. Faculty, staff and student affiliates are not eligible to purchase a "V" permit. Non-student OPS employees are not eligible for an "RP" permit.
3. Vehicles bearing a "W" permit are authorized to park in designated "W" parking areas between the hours of 7:30 a.m. and 4:30 p.m. on all class days. An individual may

purchase and maintain only 1 automobile and 1 motorcycle permit at a time during each permit year. This excludes replacement permits.

4. On the day preceding a home football game or as designated on the signage, all vehicles must be removed by 6:00 p.m. in designated football lots.
5. Commercial vendors and sales and service representatives are eligible to purchase commercial ("C") permits. Vehicles bearing "C" permits may park in any designated, non-gated unreserved parking space on campus. Commercial decal holders may also utilize designated loading areas for 20-minute periods only, short term parking spaces (2 hour maximum), service vehicle spaces and parking meters, provided time is kept on the meters.
6. Individuals operating motorcycles, mopeds or motor scooters may purchase an "MC" permit authorizing parking in motorcycle parking spaces only. Students and non-payroll deducted faculty and staff will be issued an "MC" adhesive style decal. Faculty and staff selecting payroll deduction will be issued an "MP" taglet style permit.
7. A temporary permit must be obtained when a substitute vehicle is parked on campus in lieu of a permitted vehicle. Temporary parking permits have the same parking and driving restrictions as do vehicles bearing the identically lettered permanent permits. Except as otherwise stated, temporary permits are issued for a maximum of 10 working days per academic year. Anyone requesting a temporary permit for more than 10 working days must file a written statement certifying the extraordinary circumstances for the extension, including the reason the registered permit is not available for use and certifying that the substitute permit and the registered permit will not be used on campus simultaneously during the period. There is no charge for a temporary permit issued to the holder of a registered permit for use on a substitute vehicle for a maximum of 10 working days per year.
8. Loading Zone Permits may be purchased on an individual basis to afford access to designated loading zones for loading or unloading of materials or equipment.
9. Service vehicle permits may be purchased by eligible service and technical support representatives. Vehicles bearing a valid "SV" permit are eligible to park in designated service vehicle spaces with no time restriction and loading zones for a maximum of twenty (20) minutes.
10. Persons with FSU retired status who are no longer receiving any form of financial compensation for active employment may purchase an "E" permit. The "E" permit authorizes parking in any designated faculty-staff parking area.
11. Temporary handicapped parking permits will be issued by the Office of Parking and Transportation Services, upon determining eligibility, for a period not to exceed 21 calendar days. To be eligible for applying for a temporary handicapped parking permit the individual must have purchased a valid decal and have it properly displayed. Extension of the eligibility of a temporary permit for more than 21 calendar days will only occur upon receipt of a duly executed Florida Department of Highway Safety and Motor Vehicles Form 83002 or Form 83039 (8/90) S, which are incorporated herein by reference which contain "Disabled Person's Parking Permit a Physician's Statement of Certification", for issuing disabled person's parking permits at which time a permit will be issued for an additional period not to exceed 35 calendar days. This temporary handicapped parking permit is non-renewable.

(g) The permit shall be displayed as directed by the Office of Parking and Transportation Services at point of distribution.

(h) Motor scooter, mopeds and motorcycle decals designed and intended to be visibly affixed to a motor scooter or motorcycle shall be visibly affixed to the license plate on the registered vehicle.

(i) Vehicle permits and decals are issued to specific individuals and are not transferable between individuals. The owner of the taglet and/or hangtag style decal accepts responsibility of all fines when the permit is displayed on any vehicle.

(3) Parking Fees and Penalties.

(a) "W" Student Transportation Access Fee. To be assessed each semester to all registered students. At the beginning of each academic year or upon the first registered semester for the academic year an annual parking permit can be obtained by each student who has registered for classes. Each student who requests a permit shall be issued a "W" permit for their automobile. Students owning only a motorcycle must request a "MC" permit at the time of issuance. If a student owns both an automobile and a motorcycle, they shall be issued the "W" permit and are authorized to purchase a "MC" permit as their secondary permit for the motorcycle. It is the responsibility of the student to retrieve the parking permit from the designated point of distribution. All annual permits shall expire on August 31st of each year.

(b) Fees for Parking. The fees assessed for each type of parking permit described, with the exception of the Student Transportation Fee and departmental charges, are subject to a sales tax mandated by the State Legislature, and shall be as follows, beginning with the Fall 2005 Academic Year:

Student Transportation Access Fee: \$6.00 per credit hour

Fee Table: excludes tax, which will be accessed at purchase

MC Permit (annual)	\$ 55.00
R/RP Permit (annual)	\$ 232.56
C Permit (annual)	\$ 290.19
E Permit (annual)	\$ 9.35
SV Permit (annual)	\$ 50.94
LZ Permit (annual)	\$ 12.38
V Permit (per semester)	\$ 48.37
1-day Temporary (daily)	\$ 2.81
Law School Gate Card (annual)	\$ 14.02

Replacement Costs:

All Gate Cards	\$ 4.67
All Permit Types	\$ 4.67

(c) Reserved Spaces. The fee for a reserved space as approved by the President shall be \$330.00 if purchased during the fall semester, \$220.00 if purchased during the spring semester, \$110.00 if purchased during the summer semester, in addition to the R permit charge.

(d) Parking Meters. Fees for a metered space are: 50 cents per hour.

(e) Attended Lots. Fees for attended toll lots shall be determined by the Director of Parking and Transportation Services and fee rates posted at the entrance of the lot.

(f) Refund of Fees.

1. The Student Transportation Access Fee refund policy will be in accordance with University refund guidelines for local fees.
2. Permits purchased on an annual or semester basis will be prorated on a monthly scale and must be turned in for a refund at the Office of Parking and Transportation Services by the last day of the month to receive credit for future months.
3. No refunds will be issued for temporary permits or payroll deducted permits.

(g) Towing and Related Charges. If a vehicle is towed from University property, the standard towing fees will be paid by the owner or user of the vehicle directly to the commercial towing companies providing services authorized at the request of the University.

(4) Operation of Vehicles. Persons who drive vehicles on campus location are subject at all times to the motor vehicle laws of the State of Florida, the rules and regulations of Florida State University and to the ordinances of the City of Tallahassee, where applicable.

(5) Parking of Vehicles.

(a) FSU reserves the right to regulate the use of any or all parking facilities, including the right to deny or revoke vehicle parking privileges to an individual or groups of individuals and to reserve parking facilities for the exclusive use of selected and designated individuals.

(b) The responsibility of locating a legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse or reason for violating any parking regulation.

(c) Wrecker Services. Due to the nature of the University's on and off street parking control activities the University utilizes local wrecker services acceptable to the City of Tallahassee on a rotation basis pursuant to City Commission Resolution 93-R-0019, approved June 23, 1993, and the Tallahassee Code Article VI, Rotation System Towing, copies of which are on file at the Office of Transportation and Parking.

(d) Vehicles parked in violation of the provisions of this rule, abandoned on campus, deemed as a safety hazard by FSU Public Safety or Environmental Health and Safety, or failing to display a current and valid permit or decal shall be towed away and placed in commercial or University storage. Towing and storage charges, and any appropriate University fines, will be borne by the vehicle owner and must be paid before the vehicle will be released.

(e) All parking and traffic regulations apply 24 hours a day, 7 days a week except as follows:

1. "R" parking areas are reserved for the use of the vehicles bearing parking permit "R", "RP", "C", and "E", between the hours of 7:30 a.m. and 4:30 p.m. on all class days, examination periods, semester breaks and registration periods. "V" permits may utilize ungated lots only. These areas are delineated by signs and/or red parking lines. After 4:30 p.m., Monday through Thursday, all valid FSU permits are honored unless otherwise noted by signage.
2. "W" parking areas are reserved for the use of vehicles bearing parking permit "W", "V" and "C" between the hours of 7:30 a.m. and 4:30 p.m. These parking areas are delineated by signs and/or white painted parking lines.
3. Between 4:30 p.m. and 6:00 p.m. all parked vehicles must bear any valid FSU parking permit or decal and may park in any unreserved parking area without regard to permit designation and may park in general metered spaces without charge.

(f) General handicapped spaces are restricted 24 hours a day, 7 days a week to vehicles bearing valid State handicapped parking permits as provided in section (2)(a)6. of this rule, or temporary handicapped parking permit as provided in section (2)(f)11. Visitor vehicles parked in handicapped metered spaces must pay the appropriate charges during restricted hours.

(g) General handicapped spaces may be designated as time limited. The time limitation will be posted on the sign. Vehicles parked in the time limited handicapped space for longer than the maximum time are subject to the issuance of a fine code (01) citation. Handicapped spaces in gated lots shall be designated for faculty, staff or student affiliates whose vehicle bears a valid FSU parking permit and valid Department of Motor Vehicle Disabled Parking permit. Vehicles without a valid FSU parking permit are not authorized to park in the restricted handicapped spaces.

(h) Spaces reserved for individuals, University/State vehicles or specific University facilities are restricted 24 hours per day, 7 days a week, unless otherwise posted.

(i) Motorcycle, moped, or motor scooter spaces are restricted to motorcycles, mopeds or motor scooters 24 hours per day, 7 days a week. Motorcycles, mopeds, or motor scooters may park in metered spaces as long as time is kept on the meter.

(6) Fine Structure.

(a) The following practices are specifically prohibited. The fine for each infraction shall be as follows:

1. Parking illegally on University property to include but not limited to: no permit in restricted lots, parking in an access lane, blocking access, parking in a reserved space without authorization, permit not authorized for space, parking in a restricted or reserved lot, improper parking in a loading zone, parking on lawns, landscape or sidewalks, parking in a "No Parking" or non-designated parking area, overtime parking in a metered space or time limited space -- fine code 01. The fee assessed for this violation: \$20.00.
2. Boot Fee. Administrative charge for vehicle that is immobilized for unpaid parking citations. Citation is placed on identified vehicle and the payment must be paid with other outstanding citations before the boot is removed from the vehicle. Fine code 02 violation. The fee assessed for this violation: \$30.00.
3. Parking in a fire lane -- fine code 03. The fee assessed for this violation: \$100.00.
4. Parking in a handicapped space without authorization or blocking handicapped access or with an "HC" permit being used fraudulently -- fine code 04. The fee assessed for this violation: \$250.00.
5. False registration. Falsification of proof of status to obtain an FSU parking decal or purchase of a decal by an authorized individual for use by or resale to an unauthorized individual. Failure to provide correct vehicle information within seven working days. Misuse and fraudulent use of a permit -- fine code 05. The fee assessed for this violation: \$100.00.

(b) Late Fee. A \$10.00 late fee is assessed on all parking citations that are unpaid or uncontested after ten (10) calendar days from issuance.

(7) Disposition of University Parking Citations.

(a) Uncontested. Persons wishing to pay the fine for any University Parking Citation shall do so at Student Financial Services or designated point of payment, in accordance with the schedule of fines.

(b) Contested. Any person wishing to contest a University Parking Citation shall proceed as follows:

1. Notice. Such person shall, within 10 calendar days from the date on which the citation was issued, file a written notice of election to contest the citation with the Office of Parking and Transportation Services.
2. The Florida State University Parking Violations Appeal form, identified as FSU Form No. MP-03, Eff. 8-89, and the instructions contained therein are adopted by reference. Copies of the form may be obtained from the Florida State University, Office of Parking and Transportation Services, Tallahassee, Florida.
3. Disposition by Director. The Director or designee shall review timely received written appeals or completed Form MP-03, and as soon thereafter as practicable, issue a written finding that the person charged is either in violation or not in violation of the University parking rule designated on the citation. Any person found to be in violation shall within 14 calendar days of issuance of the Director's written findings, either pay the applicable fine or give notice of his or her intent to seek review by the Parking Violations Appeals Board. Such notice shall be given by completing a Parking Violations Appeals Board

Form MP-01 and filing it with the Coordinator of the Parking Violations Appeals Board. At the time of filing Form MP-01, if applicant wishes to have the issuing officer present at the Appeal Board hearing they must specifically indicate this request on Form MP-01. This is the only time the request can be made.

4. The Florida State University Parking Violations Appeal Board form, identified as FSU Form No. MP-01, Eff. 8-89, and the instructions contained therein are adopted by reference. Copies of the form may be obtained from the Florida State University, Office of Parking and Transportation Services, Tallahassee, Florida.
5. Parking Violations Appeals Board. Any person for whom an appearance before the Board has been scheduled may appear personally, or submit a written presentation, or both. Any person making a written submission only, must submit it to the Board Coordinator at least 1 working day prior to the date on which the appearance is scheduled. A person appearing in person before the Board desiring to have the presence of the issuing officer at the hearing must request the presence of the officer at the time of scheduling the date and time of hearing. This request will be indicated on the filed Form MP-01. If an individual indicates a desire to appear personally, the Coordinator will schedule an appearance and give the person written notice of the date, time, and place thereof. A person appearing in person before the Board may also introduce witnesses, but shall be responsible for securing the presence of such witnesses. In any appearance before the Board, whether in person or in writing, a person may raise any matter relevant to the Board's decision. Any person who is unable to appear personally at the time scheduled, but wishes to do so, can reschedule an appearance by contacting the Coordinator at least 3 working days prior to the originally scheduled appearance and showing good cause why the appearance should be rescheduled. The Board shall have the authority to continue any person's appearance to a subsequent date, time, and place, whenever the Board Chairperson determines that such a continuance is necessary to dispose of the matter. The Appellant may only cancel and have rescheduled one Board hearing. After one such cancellation the board will proceed with the rescheduled hearing and in the absence of the Appellant, will consider the Appellant's completed Parking Violations Appeal Form MP-03 as the Appellant's appeal presentation. After the conclusion of a proceeding before the Board, the Board shall issue in writing its decision to either affirm the Director's findings, affirm the Director's decision and reduce the fine, or reverse the Director's decision and dismiss the citation. The decision of the Board shall be final. The proper initiation of a proceeding to contest a citation shall serve to toll the 7 working day deadline for timely payment of fines for the period that the proceeding is pending.

(c) Automatic Adjudication. All persons are subject to an automatic adjudication of guilt for failure to respond to a citation within 10 calendar days following the violation. In such case, the appropriate fine, plus an additional penalty, shall be imposed. Any person who is automatically adjudicated guilty may appeal in writing to the Parking Violations Appeals Board for waiver of the automatic adjudication of guilt and the additional penalty. This appeal must be made within 180 calendar days from the date of the issuance of the citation. If the Board determines that there are extenuating circumstances justifying waiver, the individual shall be given the prerogative of appealing the citation itself to the Board.

(d) Confidentiality. In any case in which a student is the alleged violator, the records of proceedings before the Director and the Board shall be disclosed only in accord with Sections 228.093 and 240.237, Florida Statutes.

(e) Non-Compliance, Sanctions. In addition to the obligation to pay the appropriate fine and penalty, the following additional actions shall be taken and sanctions imposed in the following circumstances:

1. In the case of a person who fails to either pay the applicable fine or give notice of his or her election to contest a University Parking Citation, within 10 calendar days of the date of issuance of such citation; or who fails to pay the applicable fine within 10 calendar days of the date of issuance of written decision of the Parking Violations Appeals Board, affirming the individual's adjudication of violation, the Director of Parking and Transportation Services is authorized to revoke, suspend, or restrict the on-campus driving and parking privileges of such individual and take such further action as necessary to enforce the revocation or restriction of privileges and shall cause the matter to be referred as appropriate to the University Controller or University Personnel Relations Department, or both, for further action.
2. All matters so referred to the University Controller shall be deemed to be accounts receivable and the Controller shall take the necessary action to collect such debts. In the case of students such necessary action shall include: refusal of permission for such students to register, and withholding of transcripts and diplomas from such students until the debt has been paid. In the case of employees such necessary action shall include: involuntary payroll deductions, pursuant to Rule 6C2-2.022, F.A.C., until the debt has been paid.
3. All matters involving faculty employees shall be referred to the Office of the Dean of the Faculties for appropriate action taken in accordance with applicable provisions of the Florida Statutes, University Rules governing faculty employment, and any applicable faculty collective bargaining agreement. All matters involving non-faculty employees shall be referred to Assistant Vice-President and Chief Human Resources Officer or designee for appropriate action taken in accordance with applicable provisions of Florida Statutes, Rule 6C2-4.070, and any applicable collective bargaining agreement.
 3. All matters involving employees of whatever category shall, upon referral to the Director of Personnel Relations, result in appropriate action being taken in accord with applicable provisions of the Florida Statutes, 6C2- 4.070, F.A.C. (University Support Personnel System employees), 6C2-4.059 and 6C2-4.0592, F.A.C., and Article 16, UFF/BOR Agreement (Administrative and Professional employees), and Article 16, UFF/BOR Agreement (Faculty).
4. Following revocation, suspension or restriction of on-campus driving and parking privileges, the Director shall lift said revocation, suspension or restriction once the applicable fines, charges, and penalties have been paid and all other requirements for registration have been met.
5. Either the Director of Parking and Transportation Services or the Parking Violations Appeals Board, shall, for good cause shown, provide for a longer period of time in which to pay the applicable fine. Good cause shall include, but not be limited to: (1) compelling personal or family financial obligations or inability to pay; or (2) percent of fine in

relation to an individual's available income exceeds 25%. In such cases, no further sanction or penalty as described herein shall be imposed on account of the outstanding fine, until such time period has elapsed without full payment being made.

6. Immobilization; "Booting". A motor vehicle parked upon the University campus may, at any time, by or under the direction of an officer or staff member of the Department of Public Safety or an employee of the Office of Parking and Transportation Services, be immobilized in such a manner as to prevent its operation. A vehicle will be considered "bootable" in accordance with due process and based on a citation history, when 3 or more parking citations are outstanding against a responsible individual or if pending parking citations total \$50.00 or more.

- a. Upon immobilization of such motor vehicle, the officer or employee shall cause to be placed on such vehicle, in a conspicuous manner, sufficient notice to warn any individual that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to the vehicle and is grounds for criminal charges for grand theft.

- b. The individual responsible for the vehicle shall have the right to a probable cause hearing before the chairperson of the Parking Violations Appeals Board or his or her designee, provided such a hearing is requested within 15 calendar days from the date the notice of immobilization is received. The purpose of the hearing is to determine if there is probable cause for continued detention of the vehicle. No hearing will be held unless requested in writing by the individual responsible for the vehicle or his or her agent at the Office of Parking and Transportation Services. The hearing shall be held within 72 hours from receipt of said written request, and the decision shall be issued in writing within 24 hours from the close of the hearing. In lieu of the probable cause hearing, or pending such hearing, where probable cause is found at such hearing, the individual responsible for the vehicle or his or her agent may obtain release of the vehicle by depositing security in the amount of immobilization charges and all delinquent fines and penalties to the Director of Parking and Transportation Services, or his/her designee.

- c. If the chairperson or his or her designee finds probable cause to immobilize a vehicle, upon request of the individual responsible for the motor vehicle a date shall be set for full evidentiary hearing before the Parking Violations Appeals Board. Pending this hearing, the vehicle may be released as provided in (6)(b) above.

- d. If no probable cause is found to impound a motor vehicle, it shall be released without requiring the individual responsible for the vehicle to pay the administrative charge for immobilization. If the motor vehicle was previously released upon payment of security, such payment shall be refunded.

- e. Failure to request a probable cause hearing within 15 calendar days from the date of the notice of impoundment is received, constitutes a waiver of said hearing and the vehicle shall be released only upon payment of the impoundment charges and delinquent fines or penalties.

- f. The immobilization device or mechanism shall remain in place for 48 hours, unless the individual responsible for the vehicle has complied with subsection (b) above. If such compliance has not occurred within 48 hours, the vehicle shall be towed and impounded. This subsection does not preclude the towing in the first instance of the vehicle which, because of the number of outstanding parking citations against it, is subject to towing and impoundment pursuant to the other provisions of this rule.

(8) Parking Garage.

(a) The parking garage on Stadium Drive and Connector Road will be closed during posted night time hours; all vehicles must be removed before the garage is closed. The vehicle will be deemed abandoned after 48 hours if unmoved, and can be towed. All associated costs will be paid before the vehicle will be released.

(b) Vehicles must be parked "nose in" in the spaces in the parking garage on Call Street. Backing into a space is prohibited and will be assessed the fee listed under fine code 01.

(c) After the garage is officially closed, all remaining vehicles will be cited as parking in a reserved space (fine code 01).

(d) During the time the garage is closed, a vehicle may be retrieved by notifying the University police, or the designated on-call person.

Specific Authority 1001.74(4) FS Law Implemented 1006.66, 1001.74(35) History--New 9-30-75, Amended 3-2-77, 8-28-79, 8-12-85, 4-16-86, Formerly 6C2-2.09, Amended 7-14-87, 8-1-88, 8-1-89, 4-24-90, 11-4-91, 8-17-92, 9-27-93, 12-14-93, 10-28-94, 9-17-95, 8-25-98, 7-20-99, 8-17-00, 8-3-05