

**WAC 132H-116-095 Appeals.** (1) Appeals of fines and penalties:

(a) Anyone who receives a citation for an alleged violation of these parking and traffic rules has the right to appeal.

(b) Appeals must be submitted within 21 calendar days from the date the citation is issued. Appeals are to be submitted in writing through the online form on the public safety website. A person who fails to file a written appeal in conformance with these rules shall be deemed to have waived the right to appeal.

(c) If an individual is in possession of an ADA placard that was not visibly present on the vehicle while parking in an ADA space their citation will be automatically waived, if they can provide documentation to public safety that the placard is registered to them.

(d) Grounds for parking citation appeals include, but are not limited to, the following:

(i) Incomplete or incorrect citation;

(ii) Received citation within 20 minutes of paying for parking;

(iii) Financial hardship.

(2) Citation review committee:

(a) Appeals shall be considered by the Bellevue College citation review committee in a brief adjudicative proceeding pursuant to procedures set forth in chapter 132H-108 WAC. The citation review committee may uphold, reduce, or waive the fine(s) associated with the parking and traffic citation.

(b) Any fine(s) still levied against the appellant must be paid within the specified deadline in the committee's initial order, unless the appellant seeks review of the committee's initial order.

(c) Nonpayment after the deadline has passed may result in any of the college actions referred to under WAC 132H-116-075 and 132H-116-085.

(d) The committee is made up of one student, one faculty representative and one classified staff representative. An exempt employee may substitute for a classified staff or faculty member for no longer than 120 days while an appropriate classified staff or faculty member can be identified. The committee members are appointed by the vice president of administrative services upon consultation with representative groups. The assistant director of public safety will serve as the nonvoting presiding officer of the committee. A public safety representative will serve as a nonvoting advisor and provide administrative support to the committee.

(e) The citation review committee will hold regularly scheduled meetings throughout the academic year.

(f) The committee shall consider each appeal on its merits based upon the parking and traffic regulations.

(g) Appellants may request to present their case to the appeals committee. In such case, an appellant will be notified of the hearing date and location via the email address they provided in their appeal. Hearings may be held virtually. If an appellant does not request to present their appeal or does not appear at the hearing, the committee will make a decision in the appellant's absence and consider the written appeal during its deliberations.

(h) The committee will issue an initial order containing a brief statement with the reasons for its decision within 10 calendar days after the hearing. Decisions will be communicated by email and first-class mail. Any fine(s) levied against the appellant in the initial order must be paid within 21 calendar days after the committee has issued a decision and mailed its initial order, unless the appellant seeks review of the initial order.

(i) Default decision: If the committee, without a showing of good cause, fails to conduct a hearing on an appeal within 60 days of receiving the notice of appeal, the fine shall automatically be considered waived.

(3) Review of initial order: An appellant who is not satisfied with the initial order has the right to seek review by the director of public safety. The appellant must submit their appeal using the online appeal form. An appeal from the initial order must be submitted within 21 calendar days of receiving the initial order. The director of public safety will issue a final order containing a written explanation of their decision within 10 calendar days after receiving the request for review. The director of public safety's decision constitutes final agency action and may be judicially appealed pursuant to the procedures set forth in chapter 34.05 RCW.

(4) Any appellant who has paid the fine(s) affirmed or set by the citation review committee has forfeited the right to an appeal.

(5) Right to appeal revocation: As established by WAC 132H-108-450(4), parking permit denials or revocations may be appealed to the vice president of administrative services. Appeals are to be submitted in writing through the online form on the public safety website.

[Statutory Authority: RCW 28B.50.140(13) and chapter 34.05 RCW. WSR 22-13-135, § 132H-116-095, filed 6/17/22, effective 7/18/22.]