



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (4/25/96)

Agency:

BATES TECHNICAL COLLEGE

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: May 21, 1997

(2) Purpose: To protect and control pedestrian and vehicular traffic for the safety of students, staff and public.

(3) Citation of existing rules affected by this order:

Repealed: NONE

Amended:

Suspended:

(4) Statutory authority for adoption: RCW28B.50.140 (10)

Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 97-07-002 on March 7, 1997 (date).

Describe any changes other than editing from proposed to adopted version: NONE

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

**Permanent Rules
or Expedited Repeal**

- 31 days after filing
- Other (specify) _____ *

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

- Immediately
- Later (specify) _____

NAME (TYPE OR PRINT)

Jon G. Thorpe

SIGNATURE

TITLE

Senior Vice President

DATE

5/28/97

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 30 1997

TIME 4:50 AM/PM AM

WSR 97-12-038

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

| | | | |
|---|----------|--------------|---------------|
| Federal statute: | New ____ | Amended ____ | Repealed ____ |
| Federal rules or standards: | New ____ | Amended ____ | Repealed ____ |
| Recently enacted state statutes: | New ____ | Amended ____ | Repealed ____ |

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 26 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

| | | | |
|---------------------------------------|----------|--------------|---------------|
| Negotiated rule making: | New ____ | Amended ____ | Repealed ____ |
| Pilot rule making: | New ____ | Amended ____ | Repealed ____ |
| Other alternative rule making: | New ____ | Amended ____ | Repealed ____ |



Chapter 495A-141 WAC

PARKING AND TRAFFIC REGULATIONS

NEW SECTION

WAC 495A-141-010 Purpose for adopting parking and traffic regulations. Pursuant to the authority granted RCW 28B.50.140(10), the board of trustees of Bates Technical College, or their designee, is granted authority to adopt rules and regulations for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these regulations are:

- (1) To protect and control pedestrian and vehicular traffic.
- (2) To assure ingress and egress at all times for emergency traffic.
- (3) To minimize traffic disturbances during class hours.
- (4) To facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all.
- (5) To regulate the use of parking spaces.
- (6) To protect students, staff, and state owned property.

NEW SECTION

WAC 495A-141-011 Applicable parking & traffic regulations.

(1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington shall apply on all Bates Technical College campuses.

(2) The traffic code of the city of Tacoma shall apply upon all college lands located within the city of Tacoma.

NEW SECTION

WAC 495A-141-012 Enforcement. The President or designee shall be responsible for the enforcement of the regulations. Parking and traffic regulations will be enforced at all times.

NEW SECTION

WAC 495A-141-013 Liability of college. The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles, or their contents. No bailment of any sort is created by the purchase of a parking permit.

NEW SECTION

WAC 495A-141-014 Definitions. As used in this document, the following words and phrases shall mean:

- (1) "Board" - the Board of Trustees of Bates Technical College

(2) "Campus" - all lands and buildings devoted to, operated by, or maintained by Bates Technical College

(3) "Campus security officer" - employee of the college who is responsible to the Vice President of Business & Finance, or designee, for campus traffic control, parking, security, and safety.

(4) "College" - Bates Technical College

(5) "Safety & security supervisor" - the college's Vice President of Business & Finance, or designee

(6) "Employee" - an individual appointed to the faculty, staff, or administration of the college

(7) "Guests/visitors" - person or persons who come upon the campus as guests and person or persons who lawfully visit the campus

(8) "Continuing permits" - permits issued to employees for an indefinite period of time

(9) "President" - President of Bates Technical College

(10) "President's designee" - Vice President of Business and Finance

(11) "Student permits" - permits issued to students which are valid from the date of issue and for as long as the student is enrolled

(12) "Temporary permits" - permits which are valid for a specific period designated on the permit

(13) "Vehicle" - automobile, truck, motor-driven cycle, scooter, or any vehicle otherwise powered

NEW SECTION

WAC 495A-141-030 Authorization for issuance of permits. The Vice President of Business & Finance, or designee, is authorized to issue parking permits to students, staff, and guests when the following is provided:

(1) When the vehicle information is properly registered with the college.

(2) When a temporary parking permit is necessary to enhance the business or operation of the college.

Permits are available to individuals who may wish to register additional vehicles. Only one vehicle registered to an individual shall be permitted to park on campus at any one time.

NEW SECTION

WAC 495A-141-035 Responsibility of person to whom permit is issued. The individual to whom a parking permit is issued shall be responsible for any violations of state, college or city traffic rules and regulations involving the vehicle. In the event that a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the above stated rules and regulations.

NEW SECTION

WAC 495A-141-040 Vehicle parking permits. (1) All employees and students of the college shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for day classes.

(2) All persons parking on the campus shall secure and display a currently valid parking permit within five days from the student's date of registration or from the first day of employment.

NEW SECTION

WAC 495A-141-045 Visitor permits. All guests/visitors (including salespersons, vendors, etc.) may park in appropriate staff parking areas after obtaining a temporary permit from the business office.

Visitors from other state or governmental agencies or institutions may display their business card on the dashboard (or other clearly visible location) in lieu of obtaining a temporary permit for short-term business at the college.

NEW SECTION

WAC 495A-141-050 Display of permits. The parking permit issued by the college shall be visibly affixed on the inside of the rear window of the vehicle for which the permit was issued, on the lower left hand corner of the window as viewed from the rear of the vehicle. If this is not feasible then the permit shall be affixed to the driver's side windshield lower corner. Motorcycle permits must be affixed in a conspicuous place.

WAC 495A-140-055 Transfer of permits. Parking permits are not transferable. Each new vehicle must be registered with the business office and be issued a separate parking permit.

NEW SECTION

WAC 495A-141-060 Permit revocation. Permits are licenses and the property of the college, and may be revoked for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used on an unregistered vehicle or by an unauthorized person.

(3) Falsification on the application for parking permits.

(4) Continued violations of parking and traffic regulations.

(5) Counterfeiting or altering of permits.

NEW SECTION

WAC 495A-141-065 Right to refuse permit. The Vice President of Business & Finance, or designee, reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking conduct indicates a disregard for the rights or safety of others.

NEW SECTION

WAC 495A-141-070 Right to appeal permit revocation/refusal. When a parking permit has been revoked or has been refused or when a fine or penalty has been levied against a violator of the rules and regulations, such action by the Vice President of Business & Finance, or designee, may be appealed.

NEW SECTION

WAC 495A-141-080 Designation of parking. The parking spaces available on campus may be allocated and designated by the Vice President of Business & Finance, or designee, in such a manner as will best achieve the objectives of these rules and regulations.

(1) Special provisions shall be made for physically disabled employees, students, and visitors. Physically disabled individuals utilizing disabled parking spaces must display in that vehicle a valid state-issued disabled parking permit or license plate. Temporary disabled permits will be issued by the business office. In addition to the disabled permit, valid college parking permits must be displayed on the vehicle.

(2) Guests who visit the campus for college related business for a maximum time of thirty (30) minutes, a temporary permit is not required. Visitors requiring parking for longer than thirty (30) minutes may obtain a temporary permit through the business office when verified by host department.

(3) Parking spaces may be designated for special purposes as deemed necessary.

(4) No vehicle shall be parked on the campus except in those areas set aside and designated for parking.

(5) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall.

NEW SECTION

WAC 495A-141-090 Regulatory signs, markings, barricades. The Vice President of Business & Finance, or designee, is authorized to make and erect signs, barricades, and other structures, and to paint marks and other directions upon the streets, entry/exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers or vehicles shall observe and obey all the signs,

barricades, structures, markings and directions given them by the campus security officer in the control and regulation of traffic and parking.

NEW SECTION

WAC 495A-141-100 Speed limit. No vehicles shall be operated on the campus at a speed in excess of posted speed limits, or such slower speed as is reasonable and prudent to the circumstances.

NEW SECTION

WAC 495A-141-110 Pedestrian right of way. (1) The operator of a vehicle shall yield right of way to any pedestrian. Pedestrians shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall utilize the sidewalk or crosswalk.

NEW SECTION

WAC 495A-141-120 Motorcycles or bicycles. Bicycles are to be parked in bicycle racks where provided. No person shall park a motorcycle or bicycle inside a building, by a doorway, on a path, sidewalk, walkway, or in such a manner as to block or obstruct the normal flow of pedestrian or vehicle traffic.

NEW SECTION

WAC 495A-141-130 Report of accidents. (1) The operator of any vehicle involved in an accident on campus resulting in injury or death of any person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report such accident to the security officer on duty or Operations Office. Accidents occurring after the close of business shall be reported the next working day. The operator shall file a state of Washington motor vehicle report within twenty-four hours after such accident.

(2) Other minor accidents may be reported to the security officer on duty or Operations Office for insurance record purposes.

NEW SECTION

WAC 495A-141-140 Impounding disabled & inoperative vehicles. (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding twenty-four (24) hours, without authorization from the Vice President of Business & Finance, or designee.

(2) Vehicles parked over twenty-four hours without authorization may be impounded and stored at the expense of either, or both, the owner and operator thereof.

NEW SECTION

WAC 495A-141-150 Violation of parking & traffic regulations.

(1) Operators of illegally operated or parked vehicles shall be warned or cited through appropriate means that they are in violation of these regulations. All fines are payable at the business office.

(2) In instances where violations are repeated, and in the judgment of the Vice President of Business & Finance, or designee, with appropriate documented evidence, said vehicles may be impounded.

NEW SECTION

WAC 495A-141-160 Fees. The Board of Trustees of Bates Technical College shall set and review, as necessary, parking permit fees. (1) Fees shall be levied in accordance with the current published fee schedule.

NEW SECTION

WAC 495A-141-165 Fines & penalties. The Vice President of Business & Finance, or designee, is authorized to impose the following fines and penalties for violation of the regulations:

(1) A schedule of fines shall be set by the board of trustees.

The schedule shall be published by the college and included on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedules as established by the board of trustees for the following violations:

- (a) No valid permit displayed
- (b) Occupying more than one parking space
- (c) Occupying space/area not designated for parking
- (d) Parking in area not authorized by permit
- (e) Parking in reserved staff space without authorization
- (f) Disabled parking violation

(g) Blocking or obstructing traffic (may be towed if creating a safety hazard)

(h) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)

(i) Parking in fire lane (may be towed if creating a safety hazard)

(j) Parking in zone or area marked "no parking"

(k) Speeding

(l) Reckless/negligent driving (1) 1st offense - warning, (2) 2nd offense - posted rate (if paid within twenty-four hours fine will be reduced by one-half), (3) 3rd offense - fine triples, (4) Any subsequent offense could result in loss of parking privileges on campus.

(3) At the discretion of the Vice President of Business & Finance, or designee, an accumulation of citations by a staff member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection

procedures may be initiated as deemed necessary.

(4) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas may be subject to a fine and may be impounded. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(5) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.

(6) The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(7) Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.

(8) Persons may appeal the issuance of a citation.

(9) In the event a student fails or refuses to pay an uncontested fine which has been outstanding in excess of five days, the Vice President of Business & Finance, or designee, may initiate the following actions:

(a) Student may not be able to obtain transcript of credits until all fines are paid.

(b) Student may not receive a degree/diploma/certificate of completion until all fines are paid.

NEW SECTION

WAC 495A-141-170 Appeal proceedings/appeal of fines & penalties. (1) Appeals must be presented in writing, giving full particulars, listing witnesses, evidence, etc.

(2) Appeals must be submitted to the Vice President of Business & Finance within five business days from date of citation.

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he/she shall have five additional business days from receipt of decision by the Vice President of Business & Finance to appeal to the parking advisory committee.

NEW SECTION

WAC 495A-141-180 Parking advisory committee. The parking advisory committee shall be structured and responsible for the following purposes:

(1) To review and recommend necessary changes to the college parking and traffic regulations annually.

(2) To receive and hear appeals related to parking and traffic violations. All decisions made by the parking advisory committee relative to parking/traffic appeals shall be final.

(3) Membership shall consist of at least:

(a) Three student representatives

(b) One faculty representative

(c) One classified representative

(d) One administrator

(e) One security officer

(f) Vice President of Business & Finance or designee - ex officio