



Rule-Making Order
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Clark College

- Permanent Rule
Emergency Rule
Expedited Adoption
Expedited Repeal

(1) Date of adoption: September 25, 2000

(2) Purpose: To revise and update parking and traffic rules and regulations.

(3) Citation of existing rules affected by this order: 132N-156-
Repealed:
Amended: 300, 310, 320, 330, 440, 450, 500, 530, 550, 570, 600, 620, 650, 730, 740, 750
Suspended:

(4) Statutory authority for adoption: Chapter 28B.50 RCW
Other authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)
Adopted under notice filed as WSR 00-15-044 on July 19, 2000 (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 Rule Making
31 days after filing
Other (specify)
Emergency Rules
Immediately
Later (specify)

NAME (TYPE OR PRINT)
Tana L. Hasart

SIGNATURE
Tana L. Hasart

TITLE
President

DATE
9/26/00

CODE REVISER USE ONLY

SEP 28 2000
9 37
00-20-034

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New _____ Amended _____ Repealed _____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New 3 Amended 16 Repealed _____

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

New 3 Amended 16 Repealed _____

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>3</u>	Amended	<u>16</u>	Repealed	_____

AMENDATORY SECTION (Amending WSR 93-20-080, filed 10/4/93, effective 11/4/93)

WAC 132N-156-300 Purpose. The parking and traffic rules and regulations contained herein provide a fair and uniform method of regulating college vehicular, nonvehicular, and pedestrian traffic and are based on the following objectives:

(1) To protect and control vehicular, nonvehicular, and pedestrian traffic.

(2) To assure access (~~((at all times))~~) for emergency equipment at all times.

(3) To minimize traffic disturbances during class hours.

(4) To facilitate the work of the college by assuring access for college vehicles and by assigning the limited parking spaces to the most efficient use.

(5) To protect college facilities.

Permission to park or operate a vehicle on college property is governed by these regulations. The purchase of a permit for designated parking does not ensure the regular availability of a parking space.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-310 Authority. Pursuant to RCW 28B.50.140(10) the board is granted authority to establish rules and regulations for pedestrians and vehicular and nonvehicular traffic over property owned, operated, and/or maintained by the college.

The enforcement of these rules and regulations shall be the responsibility of the security/safety office.

Security officers are authorized to issue parking and traffic citations, impound and/or immobilize vehicles, and control and regulate facilities use, traffic, and parking as prescribed in these rules and regulations.

Any person interfering with a college security officer in the discharge of the provisions of these rules and regulations shall be in violation of RCW 9A.76.020, Obstructing governmental operation, and may be subject to arrest by a peace officer.

Failure by students to abide by these rules and regulations may be considered to be a violation of the code of student conduct (chapter 132N-120 WAC, as applicable).

Compliance with these rules and regulations is considered a standard part of job performance for all employees. Failure by

faculty or staff of the college to abide by these rules and regulations may result in disciplinary action or other authorized sanctions.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-320 Definitions. College - Clark College, Community College District 14.

College property - Campus property, parking lots, or land owned, leased, controlled or maintained by Clark College.

Immobilization - Rendering a vehicle inoperable by use of a wheel-lock device.

Impoundment - Removal of a vehicle to a storage facility.

Pedestrian - Any person afoot or who is using a wheelchair, including powered wheelchairs commonly used by the disabled or infirm, or a means of conveyance propelled by human power other than a bicycle.

Student - Any individual currently registered for classes at the college.

Vehicular traffic or vehicles - Those devices defined as "vehicles" in RCW 46.04.670.

Nonvehicular modes of transportation - Nonvehicular transportation devices shall include, but not be limited to, skateboards, snowmobiles, roller skates and roller blades, snow sleds, and scooters.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-330 Liability of the college. The college assumes no liability for vehicles parking or traveling on college property, nor shall it be held responsible for the loss of goods or property from vehicles parked on college property.

The college, the security/safety office, security officers, or other employees or agents shall not be held liable for any damages, claims, or losses occurring to or from vehicles or equipment when rendering motorist assistance, impounding vehicles, or performing any duties as described in these rules and regulations. This section also applies to nonvehicular modes of transportation.

The college provides only limited maintenance to college parking lots during periods of inclement weather. Persons using the college parking lots do so at their own risk. The college will not be responsible for any liability or damage claims arising from

weather ((-)) or other natural disaster-related causes or conditions.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-440 Traffic accidents. Persons involved in traffic accidents on college property are to report the accident to the security/safety office. ~~((An officer will be dispatched to))~~ Security personnel will investigate the incident and, in the case of injury, extensive property damage, apparent criminal activity, or unusual circumstances, file an accident report. In addition, RCW 46.52.030 requires that accidents on college property involving injury or property damage in excess of five hundred dollars be reported to local law enforcement agencies within twenty-four hours. Security officers are authorized to obtain and share with all parties to an accident information on the insurance coverage of the parties.

Nothing in this section should be interpreted so as to delay the immediate reporting of traffic accidents which involve injury or loss of life to appropriate noncollege authorities.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-450 Traffic offenses. When safety considerations warrant, security officers may issue a citation for any of the following traffic offenses:

- (1) Failure to yield right of way (posted) ((τ))₊
- (2) Failure to yield right of way to pedestrian ((τ))₊
- (3) Failure to yield right of way to vehicle ((τ))₊
- (4) Failure to obey one-way directional arrows ((τ))₊
- (5) Failure to yield right of way to emergency vehicle ((τ))₊
- (6) Driving with excessive speed ((τ))₊
- (7) Failure to stop at traffic signal/sign ((τ))₊
- (8) Failure to use due care and caution ((τ))₊
- (9) Driving without lights after dark ((τ))₊
- (10) Having a passenger or animal outside of vehicle while in motion ((τ))₊
- (11) Driving with an obstructed view ((τ))₊
- (12) Driving on shoulder, or sidewalk or intracampus sidewalk or lane without authorization ((τ))₊
- (13) Disobeying flagger, peace officer, security officer, fire fighter, or other agent of the college ((τ))₊
- (14) Damaging college property including₊ but not limited to₊

landscape and plant material, curbs, sidewalks, utilities, etc.

(15) Driving while under the influence of intoxicants or with an open container of intoxicants.

(16) Allowing an unattended vehicle to roll, obstruct traffic, or damage property.

All traffic offenses carry a fifty-dollar fine.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-500 Allocation of parking space. The parking spaces available on college properties shall be assigned by the office of administrative services in a manner which will best attain the objectives of these regulations. The plant services department is authorized to mark various parking areas on college property with numbers or titles or by posting signs, or marking the pavement.

Open parking - Open parking is limited to those parking areas not otherwise marked as reserved for faculty/staff, physically disabled persons, special use, service vehicle, or visitor. Users of open parking are not required to display a parking permit.

Faculty/staff parking - Faculty, staff and administrators using college-owned or leased parking facilities (~~up to 10:00 p.m.~~) between 7:00 a.m. and 10:00 p.m. Mondays through Fridays during ((the academic year)) fall, winter, and spring quarters are to purchase parking permits.

Faculty/staff parking spaces are marked on the pavement with an F/S. Only college employee vehicles displaying a valid parking permit may park in faculty/staff parking spaces. Faculty/staff parking spaces shall be considered open parking (~~((zones))~~) spaces from 10:00 p.m. to 7:00 a.m. ((when the college is in regular session)) and on weekends during fall, winter, and spring quarters, and at all times during summer quarter.

Vehicles with approved faculty/staff parking permits are permitted to park in open parking areas only when the designated parking faculty/staff spaces are full.

Visitor parking - All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public, may park on college property in open parking, in designated special use visitor zones, or as directed by the security/safety office.

Use of vehicle as habitation - No vehicle or vehicle trailer may be used as a place of habitation on any college facility without permission from the security/safety office.

Handicapped parking - Physically disabled persons parking zones may be occupied only by vehicles displaying a valid temporary parking permit issued by the college or a valid permanent or temporary permit issued by the state of Washington in compliance

with RCW 46.16.381 and 46.16.390. Temporary parking permits are available in health services. Valid parking permits issued by other states will be honored.

Motorcycle parking - Motorcycle parking zones are reserved for motorcycles and motor-driven cycles. These vehicles are not to occupy regular automobile parking spaces or other areas not designed for parking.

Service vehicle parking - Service vehicle parking zones are limited to use by authorized college service or contractor vehicles only.

AMENDATORY SECTION (Amending WSR 93-20-080, filed 10/4/93, effective 11/4/93)

WAC 132N-156-530 Impounding of disabled/abandoned vehicles. No disabled or inoperative vehicle shall be parked on college property for a period in excess of twenty-four hours, unless permission is granted by the security/safety office. Vehicles which have been parked in excess of twenty-four hours may be impounded and stored at the expense of either or both the owner or operator thereof. Notice of intent to impound will be posted on the vehicle at least twenty-four hours prior to impoundment unless a vehicle is illegally or hazardously parked. Neither the college nor college employees shall be responsible for claims, loss or damage of any kind resulting from such impounding and storage.

Vehicles under repair in the college's instructional program must be parked in a designated area and must have an approved "vehicle in repair" notice visibly posted within the vehicle. This includes vehicles upon which service has been completed and which are awaiting pick up by the owners.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-550 Illegal parking. No person shall stop, place, or park a vehicle at any place where official signs, curbs, or pavement markings prohibit parking, or within fifteen feet of a fire hydrant, or at any place for which the vehicle does not have a valid parking permit. Any vehicle not parked in a parking stall shall be considered illegally parked.

Drivers who are instructed by a security officer to either move an illegally parked vehicle or not to park in violation of this section, and refuse, will have their vehicle immediately impounded or immobilized.

Security officers may issue citations resulting in fines if the vehicle is found in the commission of any of the following parking violations:

(1) Parking in a faculty/staff parking zone without a valid permit.

(2) Parking a disabled or inoperable vehicle on campus in excess of twenty-four hours without appropriate permission.

(3) ~~((Occupying more than one parking space-))~~ Parking any vehicle in such a manner as to obstruct, impede, hinder, or prevent the use of another parking space. This violation includes, but is not limited to, parking over the line, parking an oversized vehicle in a space too small, allowing part of a vehicle to protrude into another space, and parking too close to another vehicle.

(4) Parking in a space not designated for parking.

(5) Parking in an area not authorized.

(6) Blocking vehicular or pedestrian traffic.

(7) Parking within fifteen feet of a fire hydrant.

(8) Parking in a fire lane, sidewalk, or intracampus avenue.

(9) Parking in a "No Parking" zone.

(10) Parking on the grass.

(11) Parking overnight without security office permission and/or permit.

(12) Parking of a bicycle illegally.

(13) Parking in physically disabled persons parking zone without an authorized parking permit.

(14) Use of a vehicle for habitation without permission.

(15) Illegal use of or failure to display permit.

(16) Creating a safety hazard in the opinion of the security officer.

(17) Allowing a vehicle alarm to sound, repeatedly or for an extended period of time (false alarm).

All parking citations carry a twenty-dollar fine, with the exception of physically disabled persons parking violations which carry a fifty-dollar fine.

Illegally parked vehicles which require removal will be done so at the owner's or operator's expense.

AMENDATORY SECTION (Amending WSR 93-20-080, filed 10/4/93, effective 11/4/93)

WAC 132N-156-570 Bicycle parking. Bicycles shall be parked in bicycle racks or other facilities provided for the purpose. ~~((Where such facilities are provided,))~~ At no time shall a bicycle be parked in a building, against a building, near a building exit, on a path or sidewalk, or chained or otherwise secured to trees, lamp standards, utilities, stairway railings, or sign posts. Any bicycle found in violation of this section may be cited for illegal parking and impounded by the security/safety office without

warning.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-600 Faculty and staff parking permits. All college faculty, staff, and administrators using college parking facilities at any time between 7:00 a.m. and 10:00 p.m. Mondays through Fridays during fall, winter, and spring quarters are to purchase and display a valid parking permit. The fact that an employee may be eligible to park in a physically disabled persons parking zone will not relieve the employee of this requirement. A valid faculty/staff parking permit may not, by itself, constitute authority to park in other parking facilities leased or owned by the college.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-620 Fees for parking permits. The fees charged by the college for the issuance of permits shall be those established by the board of trustees. Parking permits are issued as a license to park at college facilities.

Fees collected will be utilized for parking operations including parking enforcement, parking lot maintenance, and for those transportation demand management and commute trip reduction activities and programs permitted by law.

Current faculty/staff parking permit fees are seven dollars and fifty cents per quarter for one vehicle, and an additional one dollar per quarter for each additional vehicle. ~~((Permits may be purchased on either a permanent, annual, or quarterly basis.))~~ Permits are required for fall, winter, and spring quarters. Administrators, exempt staff, permanent classified staff, and tenure-track faculty may purchase permanent permits. Adjunct faculty and temporary classified staff may purchase quarterly permits. Annual permits may be purchased by full-time temporary faculty and adjunct faculty who have received approval from the security/safety manager.

NEW SECTION

WAC 132N-156-645 Guest parking permits. College faculty or staff who have invited a guest speaker, lecturer, presenter, or other special guest to the college may apply to the security/safety office for a guest parking permit. A guest parking permit will entitle the holder to park in faculty/staff parking, and to park in visitor parking without registering, in order to facilitate their appearance at the college. Permits will be valid only for the day(s) specified on the permit. Guest parking permits will not be issued for personal guests of college employees or for staff employed by the college on a temporary basis.

Requestors will provide the security/safety office with the name of the guest and the date, time, place, and nature of appearance at the college. Permits may be picked up at the security/safety office, or security/safety can mail the permit directly to the guest. Staff should apply for guest parking permits far enough in advance of the appearance to allow for delivery of the permit.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-650 Revocations. Parking permits are licenses and the property of the college and may be revoked for any of the following reasons:

- (1) The purpose for which the permit was issued changes or no longer exists.
- (2) The permit is used on an unregistered vehicle or by an unauthorized individual.
- (3) A parking permit application form was falsified.
- (4) These parking regulations were violated.
- (5) The parking permit was counterfeited or altered or transferred without authorization.
- (6) There has been failure to comply with a specific determination, decision, or directive by college officials.

Appeals of parking permit revocations may be made within twenty days to the security/safety manager for a brief adjudicative procedure. Appeals to the ((~~dean~~)) vice-president of administrative services must be filed within twenty-one days of the date of notice of revocation. The decision of the ((~~dean~~)) vice-president is final.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-730 Appeals. Alleged violators may appeal to the security/safety manager for a brief adjudicative procedure within twenty days of the date of the citation. The security/safety manager may dismiss, suspend, impose any lesser fine, and/or grant an extension of time within which to pay the fine.

Appeals of the decision of the security/safety manager are to be submitted to the ((~~dean~~)) vice-president of administrative services without posting of fine within twenty-one days. Written notification of the ((~~dean's~~)) vice-president's decision shall be made within twenty days of the appeal and shall be final.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-740 Security/parking advisory committee. The security/parking advisory committee is responsible for advising the security/safety office on security and parking operations. Committee functions include, but are not limited to, the following:

(1) Reviewing parking regulations and fees and recommending their adoption.

(2) Reviewing and recommending changes to parking lot configuration and use to improve quality and quantity of parking on campus.

(3) Reviewing provisions for security on campus and recommending practices and procedures for the enhancement of security.

The security/parking advisory committee meets as needed, when the college is in session, and consists of the following:

(a) ((~~Dean~~)) Vice-president of administrative services, chair.

(b) Security/safety ((~~supervisor~~)) manager.

(c) Two faculty members.

(d) Two classified employees.

(e) One student.

(f) ((~~Director of veterans affairs/disabled services/sponsored programs~~)) Disability support services manager.

AMENDATORY SECTION (Amending WSR 97-23-018, filed 11/10/97, effective 12/11/97)

WAC 132N-156-750 **Unpaid fines.** If any fine remains unpaid, any or all of the following actions may be taken by the security/safety office.

- (1) A hold may be placed on transcripts.
- (2) Registration for the following quarter may be delayed.
- (3) Parking privileges may be revoked.
- (4) The amount due as a result of fines due and payable may be deducted from paychecks of college employees.
- (5) Outstanding fines may be referred to a collection agency.
- (6) The vehicle may be immobilized or impounded.

If a violator has two or more unpaid fines, his/her vehicle will be impounded or immobilized and held until all outstanding fines are paid. Immobilization of a vehicle may result in an additional \$20.00 fine.

These procedures will be applicable to all students, faculty, and staff or other persons utilizing college facilities who receive fines for violations of these rules and regulations. Visitors who have received citations for parking violations may (~~consider the citation a courtesy notice if returned~~) return the citation to the security/safety office with name, address, and a brief explanation. The security/safety manager may void the citation as a courtesy notice.

RESERVED PARKING

NEW SECTION

WAC 132N-156-800 **Policy.** College faculty or staff who coordinate special events involving the participation of dignitaries from off-campus may request that parking spaces be reserved for those participants on the day of the event. All requests for reserved parking will be made in writing to the office of the president at least a week in advance. Aside from traffic revisions necessary for construction and maintenance work, the security/safety office will not reserve parking spaces without prior approval from the president's office.

NEW SECTION

WAC 132N-156-810 Process. The requesting party will forward a copy of the approved request to the security/safety manager for implementation. After receiving an approved request, the security/safety manager will contact the requesting party to confirm the details and to assign the reserved spaces. All attempts will be made to accommodate the needs of the participants and the event, but the final decision on the allocation of spaces rests with the security/safety manager.

Reserved spaces will be established only for arrival of participants to the event; no "in and out" areas will be maintained.

On the day of the event, the security/safety office will set up barricades or otherwise designate the reserved spaces. Unless other arrangements are made, it will be the responsibility of the requesting party to provide personnel to meet those individuals authorized to park in the reserved spaces and to remove the barricades to allow them to park. If the requesting party wants to have a security officer staff the parking spaces, they must make prior arrangements for staffing. Security officers will be assigned to such duty only if available, and their time will be charged to the requesting party.