

WSR 24-11-154

PROPOSED RULES

WASHINGTON STATE UNIVERSITY

[Filed May 22, 2024, 10:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-08-081.

Title of Rule and Other Identifying Information: Campus parking and traffic regulations for Washington State University (WSU) Vancouver, chapter 504-19 WAC.

Hearing Location(s): On June 25, 2024, at 4:00 p.m., Zoom meeting. Join from wsu.zoom.us/ or the Zoom app, Meeting ID 959 3913 9538, Passcode 495609, phone 1-253-215-8782. For help connecting to a WSU Zoom meeting see <https://tinyurl.com/2kbrhrjt>. No in-person hearing locations are being scheduled for this hearing.

Date of Intended Adoption: June 26, 2024.

Submit Written Comments to: Deborah Bartlett, Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, email prf.forms@wsu.edu, beginning June 5, 2024, by June 25, 2024, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Joy B. Faerber, phone 509-335-2005, email prf.forms@wsu.edu, by June 20, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The university is updating WSU Vancouver campus parking and traffic regulations including the addition of virtual parking permits.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSU, public.

Name of Agency Personnel Responsible for Drafting and Enforcement: Jeannette Hurt, Director of Public Safety and Parking Services, Classroom (VCLS) 120, WSU Vancouver, Vancouver, WA 98686-9600, 360-546-9004; Implementation: Emile Netzhammer, Chancellor, Dengerink Admin Bldg (VDEN) 230, WSU Vancouver, Vancouver, WA 98686-9600, 360-546-9589.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. WSU does not consider this rule to be a significant legislative rule and is not making significant amendments to a policy or regulatory program.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute; and rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The amendments to WSU Vancouver parking regulations only apply to students, employees, and visitors at the

WSU Vancouver campus, and do not affect business or commerce in any way.

Scope of exemption for rule proposal:
Is fully exempt.

May 22, 2024
Deborah L. Bartlett, Director
Procedures, Records, and Forms and
University Rules Coordinator

OTS-5372.1

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-010 Authorization. Pursuant to the authority granted by RCW 28B.30.125, 28B.30.150, 28B.10.560, and chapter 34.05 RCW, the board of regents of the university, or the university president or designee, as applicable, adopts this chapter to govern parking and traffic at Washington State University Vancouver, hereinafter referred to as WSUV.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-020 Purposes of regulations. (1) The purposes of these regulations are to:

- (a) Expedite university business and provide maximum safety, order, and access;
- (b) Regulate parking, with priority given to:
 - (i) Services of the university;
 - (ii) ~~((Persons))~~ Individuals who require the use of vehicles in connection with their on-campus work; and
 - (iii) Staff and students who require the use of private vehicles because of a disability or other approved reason; and
- (c) Provide and maintain suitable campus parking and ~~((traffic facilities))~~ transportation systems.

(2) The vice chancellor or designee whose responsibilities include supervision of ~~((the parking department))~~ parking services shall have the authority to designate particular locations as parking, temporary parking, restricted parking, or prohibited parking, as well as the authority to designate permanent and temporary areas as being closed to vehicular traffic.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-080 Severability. If any provision of this chapter, chapter 504-19 WAC, or its application to any ~~((person))~~ individual or

circumstance is held invalid, the remainder of the chapter or its application to other ~~((persons))~~ individuals or circumstances is unaffected.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-100 Definitions. The definitions in this section are applicable within the context of this chapter.

(1) Access-control/gate card. A plastic card that provides access to a location, building, or parking area, and/or activates a gate or similar device controlling access to certain parking areas.

~~(2)~~ Campus. Describes all property owned, leased, ~~((and/))~~ or controlled by WSUV which is or may hereafter be dedicated mainly to the educational, research, housing, recreational, parking, or other activities of WSUV.

~~((2))~~ (3) Day. Unless otherwise specified, the term "day" refers to a calendar day.

~~((3))~~ (4) Disability zone. A parking zone designated for exclusive use by ~~((persons))~~ individuals with disability and identified with a sign bearing the associated international symbol.

~~((4))~~ (5) Electric-assisted bicycle. As defined under RCW 46.04.169.

(6) Fire zone. An area needed for emergency access to buildings, fire hydrants, or fire equipment. Such areas include, but are not limited to, areas with adjacent curbs or rails painted red.

~~((5))~~ (7) Illegal use of permit. A parking violation in which a parking ticket is issued under the following circumstances:

(a) Use of a parking permit or indicator on a vehicle other than the specified vehicle identified by a license number on the permit.

(b) Use of a counterfeit parking permit or indicator.

(c) Use of a parking permit or indicator obtained under false pretenses.

~~((e))~~ (d) Use of a modified parking permit or indicator.

~~((d))~~ (e) Use and/or retention of a parking permit or indicator by ~~((person(s)))~~ individual(s) ineligible, or no longer eligible, for such permit as described and authorized in this chapter.

~~((6))~~ (8) Impound. To take and hold a vehicle in legal custody, either by use of a ~~((wheel lock and/or))~~ vehicle immobilization device or towing.

~~((7))~~ (9) Indicator. A vinyl, plastic, or paper instrument displayed adjacent to a parking permit which defines the parking areas available to a permit holder.

~~((8))~~ (10) Loading zone. A loading dock or an area signed "loading zone" adjacent to a facility or in a parking area. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times unless signed otherwise.

~~((9))~~ ~~Moped. Any two-wheeled or three-wheeled motor vehicle with an engine displacement of 50cc or less.~~

~~(10) Motorcycle. Any two-wheeled or three-wheeled motor vehicle with an engine displacement greater than 50cc.~~

~~(11) Motor vehicle. All motor-driven conveyances except wheelchairs.)~~ (11) Moped. As defined under RCW 46.04.304.

(12) Motorcycle. As defined under RCW 46.04.330.

(13) Motorized foot scooter. As defined under RCW 46.04.336.

(14) Motor vehicle. As defined under RCW 46.04.320. Also referred to as "vehicle" in this chapter.

~~((12))~~ (15) No parking zone. Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow or red.

~~((13))~~ (16) Officer. Any parking or police official employed by the university who is designated by the parking administrator or police department head to issue parking tickets, to place or remove ~~(wheel locks)~~ vehicle immobilization devices, or to cause vehicles to be towed under this chapter.

~~((14))~~ (17) Owner. The person registered with any state as the present owner of a vehicle in the most current registration record available to the university, the owner's expressed representative, or any transferee not designated in such records, provided that the parking administrator or police department head has received actual written notice of the transfer.

~~((15))~~ (18) Park/parking. This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.

~~((16))~~ (19) Parking administrator. The manager in charge of ~~(the parking department)~~ parking services or designee.

~~((17))~~ (20) Parking appeals committee. Any ~~(person or persons)~~ individual(s) appointed to consider parking violations and the application of fees, fines, and sanctions. Said ~~(person or persons)~~ individuals are appointed by the vice chancellor whose responsibilities include supervision of ~~(the parking department)~~ parking services or designee.

~~((18) Parking department. The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities and enforcing the parking regulations for the WSUV campus.~~

~~(19))~~ (21) Parking meter. A single fixed device that typically requires payment and limits the amount of time a vehicle can park in a single space. Also referred to as "meter" in this chapter. A parking meter is not a parking payment device.

~~((20))~~ (22) Parking payment device. A machine that requires payment and vends a parking permit and/or a paid receipt. Parking payment devices may be located in various places on campus. A parking payment device is not a parking meter.

~~((21))~~ (23) Parking permit. A vinyl, plastic, paper, or other instrument sanctioned by ~~(the parking department)~~ parking services that is displayed from a vehicle and authorizes parking in specified areas. Some parking permits may be purchased online and may be virtual in nature, as defined in subsection (44) of this section; and identified by other means, such as by license plate. Also referred to as "permit" in this chapter.

~~((22))~~ (24) Parking services. The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities and enforcing the parking regulations for the WSUV campus.

(25) Parking ticket. The first notice of a parking violation which is usually placed in a visible location on a motor vehicle.

~~((23))~~ (26) Pay parking facility. A location where parking is provided and payment is made on-site via a parking payment device, cashier, or other means other than a parking meter.

~~((24))~~ (27) Pedestrian mall. A space that is designed primarily for pedestrian use, but with limited authorized use of motor vehicle and other motorized and nonmotorized conveyances.

~~((25) Persons)~~ (28) Individuals with disability. For the purposes of this chapter, individuals with disabilities shall refer to ~~((a person or persons))~~ an individual or individuals with a disability or disabilities who qualify for a state-issued individual with disabilities parking identification and permit.

~~((26))~~ (29) Service vehicle. A vehicle used to provide a service for WSUV or a tenant or contractor of WSUV (e.g., a university-owned vehicle or a privately owned vehicle with a valid service vehicle authorization displayed).

~~((27))~~ (30) Service zone. Parking spaces or area designated for the use of service vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones on an occasional basis for a maximum of ~~((fifteen))~~ 15 minutes, except for vehicles that display a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

~~((28))~~ (31) Staff. For the purposes of these regulations, "staff" includes all nonstudent employees of the university, and the nonstudent employees of other entities located on or regularly doing business on campus. Teaching assistants, research assistants, and other students employed by the university or other entities located on or regularly doing business on campus are not "staff." They are considered as students for the purpose of these rules.

~~((29))~~ (32) Standing. "Standing" is the stopping of a vehicle with the driver remaining in it.

~~((30))~~ (33) Storage of a vehicle. Impounded vehicles are held in storage until released. During such time they are subject to storage fees.

~~((31))~~ (34) Student. The term "student" includes all ~~((persons))~~ individuals who are not staff, who are taking courses at the university, enrolled full-time or part-time, pursuing undergraduate, graduate, professional studies, or auditing one or more classes.

~~((32))~~ (35) Summer session. The summer session includes all summer sessions beginning on the first day of the earliest session and ending on the last day of the latest session.

~~((33))~~ (36) University. Refers to Washington State University Vancouver.

~~((34))~~ (37) University holiday. A day regarded by the university as an official university holiday.

~~((35))~~ (38) Unpaid. A full or partial outstanding balance due. This definition includes parking tickets which are pending appeal.

~~((36))~~ (39) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within this period, the business offices of WSUV typically are open during this time.

~~((37) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.~~

~~(38) Wheel lock)~~ (40) Vehicle immobilization device. A device used to temporarily immobilize a motor vehicle. ~~((Wheel-locked))~~ Immobilized vehicles are considered to be impounded in place and subject to storage fees. A vehicle immobilization device may also be referred to as a wheel lock device.

~~((39) Wheel lock-eligible)~~ (41) Vehicle immobilization-eligible list. The current list of ~~((wheel lock-eligible))~~ vehicle immobiliza-

tion-eligible vehicles as maintained by ~~((the parking department))~~ parking services. A vehicle remains on the ~~((wheel-lock-eligible))~~ vehicle immobilization-eligible list until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

~~((40) wheel-lock-eligible))~~ (42) Vehicle immobilization-eligible vehicle. Any vehicle on which three or more parking tickets more than ~~((thirty))~~ 30 days old are unpaid and which parking tickets were issued during the time the vehicle was registered to or otherwise held by the owner. The vehicle remains ~~((wheel-lock-eligible))~~ vehicle immobilization-eligible until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

~~((41))~~ (43) Vehicle storage. Vehicle storage means the parking or leaving of any vehicle for a period of more than 24 consecutive hours.

(44) Virtual permit. A virtual permit is authorization given at the time of vehicle registration with parking services, allowing the registered vehicle to park in a designated lot, zone, or space. The virtual permit is associated to the vehicle license plate number and is used to identify the parking authorization.

(45) Visitors. Individuals who are not staff or students and who only visit the campus on an occasional basis.

(46) WSUV. Refers to Washington State University Vancouver.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-200 Enforcement authority. WSUV public safety and ~~((the parking department))~~ parking services are charged with the impartial enforcement of these regulations. Officers of these departments have authority to issue parking tickets, to impound vehicles, and to control access to areas.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-210 Times of enforcement. Parking regulations are subject to enforcement at all times.

(1) Parking permit areas. All parking permit areas are limited to authorized permit holders during specific hours. These hours are posted in each parking area at the entrance to parking areas or along roadways where parking is marked.

(2) Restricted spaces. These spaces are restricted for their designated purpose at all times unless signed otherwise:

- (a) Disability zones.
- (b) Load/unload.
- (c) Service.
- (d) Reserved.
- (e) Reserved (bagged) parking meters.
- (f) Pedestrian mall.

(g) Areas which are specially signed or physically set apart by barricades, traffic cones, tape, or other traffic devices.

(3) Parking metered spaces. Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional time cannot be purchased beyond the meter's posted maximum time limit (e.g., a ~~((thirty))~~ 30-minute meter will allow a maximum of ~~((thirty))~~ 30 minutes to be purchased at one time). A motor vehicle which is parked at an expired meter is considered in violation initially, and after each period equal to the maximum time posted for the meter. In such case, a parking ticket may be issued for each violation. For example, a vehicle parked at a meter with a two-hour maximum time limit for six hours and five minutes of CONTINUOUS unpaid parking at the same meter would be eligible for up to three parking tickets.

(4) Pay parking facilities. Some parking areas provide parking on an hourly basis. Hours of operation and a schedule of fees are posted at the facility entrance and at the point of payment. Parking tickets are issued to vehicles that are parked over the duration of time that was paid for and for nonpayment. Parking areas with parking meters are not considered pay parking facilities.

AMENDATORY SECTION (Amending WSR 12-11-024, filed 5/8/12, effective 6/8/12)

WAC 504-19-250 Motorcycles and mopeds. (1) The general traffic regulations applicable to motor vehicles apply to motorcycles and mopeds. Motorcycles or mopeds may not be driven on sidewalks or in pedestrian mall areas. Owners of motorcycles and mopeds are responsible for all violations issued.

(2) ~~The university classifies mopeds and motorcycles ((by engine displacement (also referred to as engine size). This definition applies only to university property and does not replace or supersede))~~ in accordance with the definitions established by the state of Washington for licensing purposes. See RCW 46.04.304 and 46.04.330.

(3) ~~((Motorcycles and mopeds:))~~ Motorcycles and mopeds may park only in spaces which are marked by signs or the letter "M" painted on the parking surface. Motorcycles and mopeds parking in such designated areas must display a valid WSUV motorcycle permit during posted times. During all other times, these spaces are restricted to use by motorcycles and mopeds only. To park a motorcycle or moped in nonmotorcycle parking spaces, a full-price vehicle permit must be displayed in an approved motorcycle permit holder. Approved motorcycle permit holders may be signed out from parking services at the time of permit purchase. Issued permit holders must be returned to parking services within two weeks of the permit's expiration date or an administrative service fee is charged to the permit user's account.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-300 Financial responsibility for parking tickets.

(1) Each registered parking permit holder shall be financially responsible for parking tickets on vehicles:

- (a) Registered with (~~the parking department~~) parking services; and/or
- (b) Displaying the registered parking permit holder's permit.
- (2) Owners of vehicles are held ultimately financially responsible for parking tickets issued to their vehicles.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-350 Use of areas for emergency, maintenance, events, or construction. (1) WSUV reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, events, construction, (~~or~~) emergencies, or to meet special needs. Parking services provides notice to users when possible.

(2) (~~The~~) WSUV public safety or parking (~~department~~) services may authorize the towing of vehicles parked in areas that are designated to be used for emergencies, special needs, maintenance, events, or construction. Towing is at the owner's expense.

(3) Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-370 Vehicle storage. The storage of vehicles, including motorcycles and mopeds, is prohibited on campus unless otherwise authorized by (~~the parking department~~) parking services.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-450 Replacement parking permits and indicators. (1) Sold or traded vehicles. Failure to advise (~~the parking department~~) parking services of a sale or trade for registration purposes may result in continued responsibility to the permit holder for parking tickets received on that vehicle.

The permit holder has responsibility for removing parking permits prior to selling or trading a vehicle. The identifiable remnants of the original permit must be presented to (~~the parking department~~) parking services to receive a free replacement. (~~Persons~~) Individuals failing to comply with this requirement shall pay the cost of a new permit.

(2) Lost/stolen permits. Permit holders are responsible for the security of their permits. The theft or loss of a parking permit should be reported to (~~the parking department~~) parking services immediately upon discovery. A lost or stolen permit may be replaced upon payment to (~~the parking department~~) parking services of the cost of replacing the permit, according to a schedule adopted by (~~the parking department~~) parking services. Lost or stolen permits must be returned

to ((the parking department)) parking services immediately if recovered.

(3) Windshield replacements. When a permit-bearing windshield is replaced, the permit replacement fee is waived if proof of windshield replacement is presented.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-510 Parking permits—General. ((The parking department)) Parking services issues parking permits for designated areas of the campus. Any vehicle parked on the campus, other than a pay area or metered space, must clearly display a valid WSUV parking permit in accordance with this chapter during the posted hours and in locations when and where permits are required. University staff and students may not use any other permit in lieu of a valid university parking permit.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-520 Parking permits—Form and display. All parking permits must be displayed in the approved position on the vehicle with permit numbers and relevant dates visible. Vehicles with permits which are not displayed in accordance with the provisions of this section are subject to parking tickets for the violation of improperly displaying a permit, or for the violation of no parking permit if a valid permit cannot be verified from the exterior of the vehicle.

(1) Autos and trucks:

(a) Daily permits must be displayed as instructed on the permit.

(b) Annual and semester permits must be displayed on the left side (driver's side) of the windshield. Permits must be mounted completely by means of their own design. No additional substances may be used to adhere the permit to the windshield unless approved by ((the parking department)) parking services.

(2) Motorcycles and mopeds ((÷)). Motorcycle and moped permits must be mounted completely by means of their own adhesive and prominently displayed on the left rear side of the vehicle or on top of the rear tail light.

(3) Virtual permits. Certain parking permissions do not require that a permit be displayed. In those instances, the virtual permit is associated with the vehicle license plate registered.

(a) Vehicles must be parked so that the license plate is visible from the driving aisle.

(b) No covers may be placed over the license plate that would inhibit the reflectivity of the plate.

(c) The alphanumeric characters of the license plate must be visible and unobstructed by license plate frames and/or other accessories.

(d) Individuals with virtual permits must ensure their current vehicle is registered and associated with their virtual permit through parking services.

(e) Multiple registered vehicles may be associated on the same virtual permit. In this case, no more than one registered motor vehicle using the virtual permit may be parked on campus at a time.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-540 Zone parking permits—Availability and use. The management and assignment of parking zones is designed to provide a parking space to permit holders. However, uncontrolled access to parking areas and unexpected parking demand make it impossible to guarantee a parking space in the permit holder's assigned zone. Staff and students are generally assigned to specific parking areas referred to as zones. Parking zones are color-coded with respect to their price and numbered with respect to the specific parking zone assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as described below.

(1) Orange permits. Orange permit holders may park in (~~(their numerically assigned)~~) any orange zone, or in any green, red, or gray zone.

(2) Green permits. Green permit holders may park in (~~(their numerically assigned)~~) any green zone, or in any red or gray zone.

(3) Red permits. Red permit holders may park in (~~(their numerically assigned)~~) any red zone, or in any gray zone.

(4) Gray permits. Gray permit holders may park in any gray zone.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-560 Other parking permits—Availability and use. (1) Visitor permits. Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Visitor permits are valid in any zone and parking spaces signed for visitors only. Visitor permits are not valid at meters or restricted spaces.

(2) Permits honored by reciprocal agreement. Permits from other universities, including other WSU campuses, may be used only if detailed in and allowed by a fully executed reciprocal agreement with WSU Vancouver.

(3) Golden cougar permits. Golden cougar permits are special permits that are issued to retired staff in recognition of their service without additional cost. They are issued on an annual basis and are valid in any zone that is designated and approved by (~~(the parking department)~~) parking services. Staff who are employed by the university or other entities located on campus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit.

(~~(3)~~) (4) President's associates decals. President's associates decals are issued to eligible members of the Washington State University foundation. Use of these decals for parking shall be in accord-

ance with a separate agreement between WSU and the WSU foundation. However, WSU faculty, staff, and students may not use a president's associates decal or any other parking benefit instrument in lieu of a paid zone permit.

~~((4) Conference))~~ (5) Event/conference permits. ~~((Conference))~~ Event/conference permits are available to visitors who participate in events or conferences held on the WSUV campus. They are available on a daily basis only. ~~((Conference))~~ Event/conference permits are valid as marked on the issued permit.

~~((5))~~ (6) Motorcycle permits. Motorcycle permits are valid within boundaries of areas specifically posted ~~((and/))~~ or marked for motorcycle permits.

~~((6))~~ (7) Construction permits. A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are assigned to a specific parking area.

~~((7))~~ (8) Carpool. Upon application to WSUV parking services, a bona fide carpool as defined by the campus policies and procedures is given preference in the assignment of parking zones, and issued a permit that facilitates the carpool. Carpool permits shared by more than one registered vehicle, virtual or otherwise, may not park more than one vehicle associated with the permit on campus at the same time. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

~~((8))~~ (9) Commercial permits. Commercial permits are issued to vendors, suppliers, and service representatives of outside companies performing a service for the university. Commercial permits are valid in zones and areas indicated on the permit.

~~((9))~~ (10) Departmental permits. Departmental parking permits are available for use by department employees who need to use their personal vehicles for university business. Departmental permits are available in different forms and are valid at parking meters, service zones, orange, green, red, and gray permit zones, and pay parking facilities. Departmental permits are not valid in reserved spaces. The use of departmental permits for anything other than official departmental business is prohibited by the State Ethics Act.

AMENDATORY SECTION (Amending WSR 12-11-024, filed 5/8/12, effective 6/8/12)

WAC 504-19-580 Special virtual designation, indicator decals, and hangers. Special virtual designation, indicator decals, or hangers may be issued to staff and student permit holders who have otherwise valid parking permits in the following cases:

(1) A "service virtual designation, indicator decal, or hanger" is valid typically for a maximum of ~~((thirty))~~ 30 minutes in a marked service zone. A "mall service" virtual designation or indicator is valid typically for a maximum of ~~((thirty))~~ 30-minute parking in the pedestrian mall. If the virtual designation or indicator is needed for longer than ~~((thirty))~~ 30 minutes, the issued permit is subject to the current daily rate for parking on the WSUV campus unless a parking permit valid for that time period is already present in the vehicle.

(2) Reserved parking virtual designation, indicator decals, and hangers which are valid in parking spaces that are signed for the corresponding permit and designation or indicator.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-600 Parking for individuals with disabilities. (1)

The provisions of this chapter cover disability parking and the payment of fees and fines associated with parking for individuals with disabilities.

(2) For the purpose of this chapter, individuals with disabilities shall refer to individuals with disabilities who qualify for a state-issued individual with disabilities parking identification and permit as provided in chapter 308-96B WAC. Use of disability accommodation parking at WSUV also requires payment for parking in the form of a WSUV parking permit or receipt of payment.

(3) The university uses the state individual with disabilities parking permit system to determine eligibility for disability parking.

(4) Unless otherwise authorized, parking in spaces designated for individuals with disabilities requires a state-issued disability parking placard or license plate and a WSUV parking permit or proof of payment to park on campus. University semester and annual parking permits for individuals with disabilities are available at the gray zone rate. Daily and temporary parking permits are available at the regular rates.

(5) ((Persons)) Individuals with a state-issued disability parking placard or license plate and a WSUV parking permit or proof of payment may park in parking spaces designated for individuals with disabilities and any other, nonrestricted permit space within a parking permit zone.

(6) ((Persons)) Individuals with a state-issued disability parking placard or license plate and a WSUV parking permit or proof of payment may not park in restricted spaces with the exception of individuals with disabilities parking spaces.

(7) Unless otherwise posted, any university parking permit to include a state-issued disability parking placard or license plate is not valid in lieu of payment of regular posted fees in pay parking lots and facilities.

(8) A state-issued individuals with disabilities license plate, placard, or permit is valid in parking zones during times when a university permit is not required.

(9) The university intends to retain control of access to the pedestrian malls on campus. For that reason a state-issued disability parking placard or license plate and a WSUV parking permit or proof of payment is required as authorization to use a pedestrian mall to access marked individuals with disabilities parking spaces within the confines of a pedestrian mall.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-650 Parking fees and fines. (1) Schedules for parking

fees, parking administrative fees, late payment fees, parking fines and sanctions, parking meter rates, prorate and refund schedules, and the effective date thereof are submitted to the president or ((his/her)) designee and to the board of regents for approval by motion, provided however, that increases in fees and fines do not exceed limits established by the board of regents. Increases in fees and

fines that do not exceed limits established by the board of regents are not submitted to the board of regents so long as the board of regents has delegated authority to the president or ((his)) designee to approve all such fees and fines. The schedules described above for all parking fees and fines are thereafter posted in the public area of ((the parking department)) parking services office and posted on ((the parking department's)) parking service's website.

(2) Before purchasing a permit, the balance of any fees and fines owed to ((the parking department)) parking services must be paid in full.

(3) Payments. Parking fees and fines may be paid at ((the parking department)) parking services by cash, check, approved payment card, or money order, and online through the WSUV parking services payment portal website. A payroll deduction plan is available for eligible university employees and eligible graduate students.

(4) The annual fee for any shorter period relative to all permits shall be prorated according to the published schedule.

(5) The proper fee must be paid for all vehicles parked in parking meter spaces unless otherwise authorized.

(6) Staff members whose work schedules qualify them for nighttime differential pay may purchase a permit for one-half the regular fee. Verification is required.

(7) Refunds. Annual permits being relinquished may be returned to ((the parking department)) parking services for a pro rata refund (if any is available) in accordance with university policy. Identifiable remnants of the permit must be returned. In the case of annual virtual permits, the permit purchaser must notify parking services in person or in writing that they want to relinquish the permit permissions for a pro rata refund (if any is available) in accordance with university policy. The balance of any fees and fines owed ((the parking department)) parking services is deducted from any refund due. Refunds for temporary permits are not granted. Refunds for pretax payroll deductions cannot be granted pursuant to federal tax laws.

(8) ((The parking department)) Parking services makes a wide array of options available in advance to university departments for use by their visitors, guests, and employees for the purpose of conducting departmental business. However, when necessary, university departments that can establish in writing that a parking ticket issued by ((the parking department)) parking services was received as a result of parking any vehicle for the purpose of conducting official state business, or while conducting official business with the university or an entity located at the university are assessed a parking fee assessment (PFA) in lieu of the parking fine. Such requests for PFAs are signed by a department fiscal custodian. A PFA consists of the maximum daily parking fee plus an additional administrative fee for failing to purchase and provide the necessary parking permit or fee in advance or at the time of parking. University departments are encouraged to avoid additional administrative fees associated with PFAs by purchasing and storing prepaid parking permits and by making them available as the department deems necessary. Nothing in this rule allows a university employee to receive, or attempt to receive, any benefit associated with ((his or her)) their personal expenses in violation of the State Ethics Act. All questionable employee conduct regarding the application of this section is reported to, and investigated by, the university internal auditor. This section applies only to parking tickets issued pursuant to this chapter.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-810 Violations, fines, and sanctions. (1) Violations and fines. Parking violations are processed by the university. Fines must be paid at (~~the parking department~~) parking services or at other authorized locations. Schedules for parking violations, fines, and sanctions are posted in the public area of the parking services office and on (~~the parking department's~~) parking service's website.

(2) Reduction of fines.

(a) Fines for violations of overtime/nonpayment at meter and overtime in time zone paid within (~~twenty-four~~) 24 hours of issuance are reduced by one-half. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the (~~twenty-four~~) 24-hour requirement. Mailed payment must be postmarked within (~~twenty-four~~) 24 hours to receive the one-half reduction.

(b) Visitors. The first violation of notices for "no parking permit" and "no parking permit for this area" issued to a visitor is considered a warning notice upon presentation to (~~the parking department~~) parking services.

(c) If a permit holder of record neglects to display (~~his or her~~) their permit and receives a notice of violation for "no parking permit," a reduced fine is assessed when possession of a valid parking permit for the location is verified by (~~the parking department~~) parking services within (~~twenty-four~~) 24 hours.

(d) Internal policies regarding disposition of parking tickets may be established on approval of the vice chancellor or designee whose responsibilities include supervision of (~~the parking department~~) parking services under the advisement of the university's internal auditor.

(3) Inoperable vehicles. It is the owner's responsibility to immediately contact (~~the parking department~~) parking services in the event that the owner's vehicle becomes inoperable when the vehicle is present on campus.

(4) Payment of parking fines(~~(-)~~):

(a) All parking fines are due upon issuance of a parking ticket. Thirty days after date of issuance of a parking ticket, a late fee shall be added to all unpaid parking fines. For example, a parking ticket issued on May 1st would be assessed a late fee on May 31st. Failure to pay the fine and fee assessed for any violation results in referral to the university controller's office for collection. The controller (or designee) may, if other collection efforts fail, withhold the amount of the outstanding fines and fees from deposits or other funds held for any student (~~in order~~) to secure payment.

When collection efforts are unsuccessful, the controller (or designee) may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a subsequent term until outstanding fines and fees are paid. The procedures discussed above are not exclusive, however, and failure by anyone to pay fines and fees may also lead to towing or use of the (~~wheel lock~~) vehicle immobilization device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of (~~the wheel lock~~) vehicle immobilization.

(b) Account balances not paid to the university voluntarily may be forwarded to an external collections agency and are subject to additional collection fees of up to 50 percent, attorney's fees, and court costs when necessary.

(5) Failure to pay fines. Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, and exhausting or failing to exercise appeals provided for in these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-860 Appeal ((s)) procedure. The parking ticket represents a determination that a parking violation has been committed and the determination is final unless otherwise provided for or appealed as provided in this chapter.

(1) Purpose. The parking appeals process serves the following functions:

(a) To hear parking ticket appeals;

(b) To hear appeals of (~~wheel lock eligibility~~) vehicle immobilization-eligible determinations; and

(c) To hear appeals of impoundments.

(2) Procedure. Any (~~person~~) individual who has received a parking ticket may appeal the alleged parking violation. Appeal of (~~wheel lock eligibility~~) vehicle immobilization-eligible determinations and impoundments are described in WAC 504-19-865 and 504-19-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at (~~the parking department~~) parking services within (~~ten~~) 10 calendar days of issuance of the parking ticket. Forms for this purpose are available from (~~the parking department~~) parking services. The parking appeals committee makes an initial decision regarding the appeal within (~~twenty~~) 20 calendar days during the academic year and (~~thirty~~) 30 calendar days during the summer months after receipt of the appeal. The committee provides a brief statement of the reason for its decision to the appellant within (~~ten~~) 10 calendar days of the decision.

(4) Review hearing of initial decision. If the appellant is dissatisfied with the initial decision, (~~he or she~~) they may request a hearing before a hearing officer or the parking appeals committee. Such a request must be made within (~~ten~~) 10 calendar days of the date of the initial parking appeals committee decision. If no such request is received, the initial decision shall be final. During the hearing the appellant and representatives of (~~the parking department~~) parking services may present and cross-examine witnesses. The hearing officer or appeals committee shall render a decision in writing and provide the appellant with the decision within (~~ten~~) 10 calendar days after the hearing.

(5) Appeal to district court. RCW 28B.10.560 provides that (~~a person~~) an individual who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at (~~the parking department~~) parking services within (~~ten~~) 10 calendar days after the date of the review hearing. (~~The parking department~~) Parking services forwards the documents relating to the appeal to the district court.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-865 General. (1) Pursuant to the provisions of this chapter, an officer shall cause a vehicle to be ~~((wheel-locked))~~ immobilized, or towed, or both, if:

(a) The vehicle is on the ~~((wheel-lock-eligible))~~ vehicle immobilization-eligible list; or

(b) The vehicle displays a lost, stolen, or counterfeit parking permit.

(2) Any vehicle may be towed away at owner's/operator's expense if the vehicle:

(a) Has been immobilized by ~~((wheel-lock))~~ a vehicle immobilization device for more than ~~((twenty-four))~~ 24 hours; or

(b) Is illegally parked in a marked tow-away zone; or

(c) Is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked at curbs or rails painted yellow or red or in crosswalks); or

(d) Cannot be immobilized with a ~~((wheel-lock))~~ vehicle immobilization device; or

(e) Is illegally parked in a disability space; or

(f) Is parked in an area designated to be used for emergencies, maintenance, events, or construction; or

(g) Is otherwise illegally parked on the executive authority of ~~((the parking department))~~ parking services or the university police department.

(3) The driver and/or owner of a towed vehicle shall pay towing and storage expenses.

(4) Any vehicle immobilized by use of ~~((the wheel-lock))~~ a vehicle immobilization device in excess of ~~((twenty-four))~~ 24 hours is assessed a storage fee for each calendar day or portion thereof, beyond the first ~~((twenty-four))~~ 24 hours of being immobilized.

(5) The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a ~~((wheel-lock))~~ vehicle immobilization device installed.

(6) No vehicle impounded by towing or ~~((wheel-lock))~~ vehicle immobilization devices shall be released until the following fines are paid in cash or with an approved payment card:

(a) All unpaid parking ticket fines and late fees against said vehicle and any other vehicle registered to the owner;

(b) A ~~((wheel-lock))~~ vehicle immobilization fee; and

(c) All towing and storage fees.

(7) ~~((A person))~~ An individual wishing to challenge the validity of any fines or fees imposed under this chapter may appeal such fines or fees as provided in WAC 504-19-860. However, ~~((in order))~~ to secure release of the vehicle, such ~~((person))~~ individual must pay the amount of such fines or fees as a bond which shall be refunded to the extent the appeal is successful.

(8) An accumulation of six unpaid violations during any ~~((twelve))~~ 12-month period, exclusive of overtime at parking meter violations, and overtime in time zone violations, subjects the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations may be prohibited from parking on university property.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-870 (~~(Wheel lock-eligible)~~) Vehicle immobilization-eligible list. (1) The parking administrator shall be responsible for creating and maintaining the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list. See definition of "~~(wheel lock-eligible)~~) vehicle immobilization-eligible vehicle."

(2) A (~~(wheel lock-eligible)~~) vehicle immobilization-eligible vehicle shall be placed on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list after notice has been issued as provided in subsection (3) of this section and an appeal of the (~~(wheel lock-eligibility)~~) vehicle immobilization-eligible determination, if requested, under subsection (4) of this section.

(3) At least (~~(ten)~~) 10 days prior to placing a vehicle on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list, the parking administrator shall mail a notice to the owner. The parking administrator mails the notice to the address stated on the most current registration records available to the university from a state, or any more current address of which the parking administrator or chief of police has actual written notice. The notice is sent by first class United States mail, postage prepaid. The notice shall set forth:

(a) The make and license plate number of the alleged (~~(wheel lock-eligible)~~) vehicle immobilization-eligible vehicle.

(b) A specified date on which the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible vehicle is subject to placement on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list.

(c) A list of the three or more alleged unpaid parking tickets, including the parking ticket number, date, time, place of the violation, and the nature of the violation. This list shall include all unpaid parking tickets issued to a particular vehicle to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(d) That the owner may avoid the placement of the vehicle on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date on which the vehicle is subject to placement on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list.

(e) The name, mailing address (and street address if different), and telephone number of (~~(the parking department office)~~) parking services that may be contacted to appeal the (~~(wheel lock-eligibility)~~) vehicle immobilization-eligible determination. Such an appeal only considers whether an individual vehicle was properly placed on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-19-860.

(f) That the vehicle is subject to (~~(wheel lock)~~) vehicle immobilization, towing, or both once it is placed on the (~~(wheel lock-eligible)~~) vehicle immobilization-eligible list.

(g) That all late fees, (~~(wheel lock)~~) vehicle immobilization fees, towing, and storage fees shall be payable in full to obtain the release of a vehicle (~~(wheel locked)~~) immobilized or towed pursuant to this chapter in addition to payment of any and all unpaid parking tickets on this vehicle or other vehicles owned by the registered own-

er to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(4) If a request for an appeal of a (~~wheel lock-eligibility~~) vehicle immobilization-eligible determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the (~~wheel lock-eligibility~~) vehicle immobilization-eligible list, then the parking administrator shall afford the owner an opportunity to appeal the (~~wheel lock-eligibility~~) vehicle immobilization-eligible determination prior to the placing of a vehicle on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list. Although the parking administrator shall not have the authority to adjudicate the merits of any parking ticket, (~~she or he~~) they shall, however, receive evidence and other input from the owner appealing the (~~wheel lock-eligibility~~) vehicle immobilization-eligible determination that the notice given under subsection (3) of this section was erroneous or based on erroneous information.

(5) If an owner timely participates in the appeal as scheduled by the parking administrator, (~~he or she~~) they shall furnish the owner written notice of (~~his or her~~) their decision prior to placing the vehicle on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list.

(6) After the specified date provided in the notice issued under subsection (3) of this section, the parking administrator shall review the records to ensure that the alleged unpaid parking tickets have not been paid or otherwise resolved, and that no information has been received indicating that the notice was erroneous.

(7) Once a vehicle has been placed on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list, it shall not be removed from the list unless and until:

(a) The fines and fees on all unpaid parking tickets issued during the time it has been registered to or otherwise held by the owner are paid or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees;

(b) The parking administrator receives reliable information that title to the vehicle has been transferred; or

(c) The parking administrator determines that the placement of the vehicle on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list was erroneous.

(8) If a vehicle is not properly registered in any state or no registration information is available to the university and the vehicle is (~~wheel lock-eligible~~) vehicle immobilization-eligible, then notice shall be provided by posting on the vehicle a conspicuous notice, which shall set forth:

(a) A description of the alleged (~~wheel lock-eligible~~) vehicle immobilization-eligible vehicle;

(b) A specified date on which the (~~wheel lock-eligible~~) vehicle immobilization-eligible vehicle is subject to placement on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list;

(c) That the owner may avoid placement of the vehicle on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date certain on which the vehicle is subject to placement on the (~~wheel lock-eligible~~) vehicle immobilization-eligible list; and

(d) That the vehicle is subject to ~~((wheel-lock))~~ vehicle immobilization, towing or both once it is placed on the ~~((wheel-lock-eligible))~~ vehicle immobilization-eligible list.

(9) An officer shall attempt to ~~((wheel-lock))~~ immobilize any vehicle which appears on the ~~((wheel-lock-eligible))~~ vehicle immobilization-eligible list when parked, lawfully or unlawfully, on campus.

(10) The parking administrator or the ~~((chief-of))~~ senior police administrator shall ensure that officers are on duty to remove ~~((wheel-locks))~~ vehicle immobilization devices from vehicles Monday through Friday between 8:00 a.m. and 5:00 p.m., except during recognized holidays.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-880 Fees, fines, and release of an impounded vehicle.

The owner of an impounded vehicle may not secure the release of the stored vehicle until payment in full of fines and fees has been made on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees relating to the vehicle which were issued while the vehicle was owned by the ~~((person))~~ individual who owned the vehicle at the time it is ~~((wheel-locked))~~ immobilized or towed hereunder, and the owner has paid in full the ~~((wheel-lock))~~ vehicle immobilization fee, unpaid parking tickets, late fees, storage fees, and towing fees for any and all other vehicles owned by the registered owner.

AMENDATORY SECTION (Amending WSR 08-08-049, filed 3/27/08, effective 7/1/08)

WAC 504-19-885 Theft, damage, or removal of a ~~((wheel-lock))~~ vehicle immobilization device. The following conduct of any ~~((person))~~ individual shall be reported to parking services and university police:

- (1) Causing physical damage to a ~~((wheel-lock))~~ vehicle immobilization device;
- (2) Removing, or attempting to remove, a ~~((wheel-lock))~~ vehicle immobilization device; or
- (3) Taking or stealing a ~~((wheel-lock))~~ vehicle immobilization device.

AMENDATORY SECTION (Amending WSR 18-22-065, filed 11/1/18, effective 12/2/18)

WAC 504-19-930 Bicycles, skateboards, scooters, and roller blades/skates.

(1) The riding and use of bicycles, skateboards, scooters, and roller blades/skates is prohibited from all building plazas, interior building spaces, stairways, steps, ledges, benches, planting areas, any other fixtures, and in any other posted area.

(2) Bicycles, skateboards, scooters, and roller blades/skates may be ridden and used on sidewalks when a bike path is not provided. Op-

erators must move at a safe speed and yield to pedestrians at all times. Reckless or negligent operation of bicycles, skateboards, scooters, and roller blades/skates on any part of campus is prohibited.

(3) Electric-assisted bicycles must be used in human propulsion only mode on pedestrian malls and sidewalks.

(4) Motorized foot scooters must be used in a human propulsion only mode on sidewalks.

(5) Bicyclists must obey all traffic rules of the road when operating a bicycle in roadways.

(6) Bicycles may be secured only at bicycle racks and facilities designed for such purpose.

(7) Bicycles that are not secured at university-provided bicycle racks or bicycle storage facilities may be impounded at the owner's expense.

(8) Abandoned and inoperable bicycles. Internal policies regarding abandoned and inoperable bicycles, including the impoundment of bicycles at the WSUV campus, may be established upon approval by the vice chancellor or designee whose responsibilities include supervision of (~~the parking department~~) parking services.