

Chapter 504-13 WAC

CAMPUS PARKING AND TRAFFIC REGULATIONS FOR WASHINGTON STATE UNIVERSITY TRI-CITIES

WAC

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PART I INTRODUCTION

WAC 504-13-010 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 adopts this chapter to govern parking and traf-

fic at Washington State University Tri-Cities, hereinafter referred to as WSUTC.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-010, filed 5/14/09, effective 7/1/09.]

WAC 504-13-020 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 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.
- (c) Provide and maintain suitable campus parking and traffic facilities.

(2) The vice-chancellor or designee whose responsibilities include supervision of the parking department 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-020, filed 5/14/09, effective 7/1/09.]

WAC 504-13-030 Knowledge of parking regulations. It is the responsibility of all individuals parking on the campus to read and fully understand these regulations. Lack of knowledge of these regulations is not acceptable as grounds for dismissal of parking tickets.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-030, filed 5/14/09, effective 7/1/09.]

WAC 504-13-040 Applicable parking and traffic laws and regulations. The following laws and regulations apply upon lands owned and/or controlled by WSUTC:

- (1) The motor vehicle and other traffic laws of the state of Washington (Revised Code of Washington); and
- (2) This chapter.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-040, filed 5/14/09, effective 7/1/09.]

WAC 504-13-050 Emergencies. The president of the university delegates to the WSUTC campus chancellor the authority to suspend, modify, or repeal any or all provisions in this chapter for an authorized WSU special event or in the event of an emergency, disaster, or other like contingency. Such action shall be limited in duration and scope to meet the institutional needs of WSUTC and/or address the dangers of the contingency.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-050, filed 5/14/09, effective 7/1/09.]

WAC 504-13-080 Severability. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter or its application to other persons or circumstances is unaffected.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-080, filed 5/14/09, effective 7/1/09.]

WAC 504-13-100 Definitions. The definitions in this section are applicable within the context of this chapter.

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

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

(3) **Disability parking.** See persons with disability.

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

(5) **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.

(6) **Holiday.** See university holiday.

(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 obtained under false pretenses;

(b) Use of a modified parking permit or indicator;

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

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

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

(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.

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

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

(13) **Motor vehicle.** All motor-driven conveyances except wheelchairs. Also referred to as "vehicle" in this chapter.

(14) **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.

(15) **Officer.** Any parking official employed by the university who is designated by the parking administrator to issue parking tickets, to place or remove wheel locks, or to cause vehicles to be towed under this chapter.

(16) **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.

(17) **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.

(18) **Parking administrator.** The manager in charge of the parking department or designee.

(19) **Parking appeals committee.** Any person or persons appointed to consider parking violations and the application of fees, fines, and sanctions. Said person or persons are appointed by the vice-chancellor whose responsibilities include supervision of the parking department or designee.

(20) **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 WSUTC campus.

(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.

(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.

(23) **Parking permit.** A vinyl, plastic, paper, or other instrument sanctioned by the parking department that is displayed from a vehicle and authorizes parking in specified areas. Also referred to as "permit" in this chapter.

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

(25) **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.

(26) **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.

(27) **Persons with disability.** For the purposes of this chapter, persons with disability shall refer to a person or persons with disability or disabilities who qualify for a state-issued persons with disability parking identification and permit.

(28) **Service vehicle.** A vehicle used to provide a service for WSUTC or a tenant or contractor of WSUTC (e.g., a university-owned vehicle or a privately owned vehicle with a valid service vehicle authorization displayed).

(29) **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 for a maximum of fifteen minutes, except for vehicles that display a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

(30) **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.

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

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

(33) Student. The term "student" includes all persons 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.

(34) 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.

(35) University. Refers to Washington State University Tri-Cities.

(36) University holiday. A day regarded by the university as an official university holiday.

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

(38) 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 WSUTC typically are open during this time.

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

(40) Wheel lock. A device used to temporarily immobilize a motor vehicle. Wheel locked vehicles are considered to be impounded in place and subject to storage fees.

(41) Wheel lock-eligible list. The current list of wheel lock-eligible vehicles as maintained by the parking department. A vehicle remains on the wheel lock-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.

(42) Wheel lock-eligible vehicle. Any vehicle on which three or more parking tickets more than thirty 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 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.

(43) WSUTC. Refers to Washington State University Tri-Cities.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-100, filed 5/14/09, effective 7/1/09.]

PART II ENFORCEMENT

WAC 504-13-200 Enforcement authority (i.e., parking and transportation coordinator). WSUTC public safety (e.g., security personnel and emergency response coordinator) and the parking department are charged with the impartial enforcement of these regulations. Personnel in these departments have authority to issue parking tickets, to impound vehicles, and to control access to areas.

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[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-200, filed 5/14/09, effective 7/1/09.]

WAC 504-13-210 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; and

(f) Areas which are specially signed or physically set apart by barricades, traffic cones, tape, or other 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-minute meter will allow a maximum of thirty 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-210, filed 5/14/09, effective 7/1/09.]

WAC 504-13-220 Signed and marked areas. (1) Parking on campus is permitted only in the marked and/or signed spaces in parking areas and on streets. All other areas outside these designated areas are "no parking zones." Each parking area has signs or markings to indicate the type of parking permit or parking payment required and the times they are required.

(2) Individual parking spaces are marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles were parked in a manner requiring a vehicle to occupy a portion of more than one space shall not constitute an excuse for a violation of this regulation.

(3) Standing (the stopping of a vehicle with the driver remaining in it) is permitted in marked parking spaces, except metered spaces and restricted spaces, even though the vehicle does not have a valid parking permit. Double parking while "standing" is not permitted.

(4) Should there be a conflict between these regulations, map designation, and on-site signs regarding parking instructions, the on-site sign takes precedence.

(5) Permit areas and restricted spaces are not always signed individually.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-220, filed 5/14/09, effective 7/1/09.]

WAC 504-13-250 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 the definitions established by the state of Washington for licensing purposes.

(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 must display a valid WSUTC motorcycle permit during posted times. During all other times, these spaces are restricted to use by motorcycles and mopeds only.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-250, filed 5/14/09, effective 7/1/09.]

WAC 504-13-300 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; 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-300, filed 5/14/09, effective 7/1/09.]

WAC 504-13-350 Use of areas for emergency, maintenance, events, construction, or special needs. WSUTC reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, events, construction, or to meet special needs. WSUTC public safety will provide notice to users when possible.

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

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-350, filed 5/14/09, effective 7/1/09.]

WAC 504-13-360 Liability. The university assumes no responsibility for the care and protection of any vehicle or its contents at any time the vehicle is on university property.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-360, filed 5/14/09, effective 7/1/09.]

PART III PARKING PERMITS

WAC 504-13-410 Issuance, use, and term of parking permits. Parking permits are available at various campus locations upon application and payment of the appropriate fees. The applicant may receive a parking permit and/or indicator which specifies parking area(s) where the vehicle may be parked. Permits are valid up to and including the expiration date on the permit.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-410, filed 5/14/09, effective 7/1/09.]

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WAC 504-13-420 Withholding of fines and fees. All parking permit applications shall provide that the university may withhold unpaid fines and fees, when permitted by law, from any sums owed the permit holder and to treat the same as a debt.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-420, filed 5/14/09, effective 7/1/09.]

WAC 504-13-440 Transfer of parking permit. The ownership of a parking permit is not transferable.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-440, filed 5/14/09, effective 7/1/09.]

WAC 504-13-450 Replacement parking permits and indicators. (1) 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 to receive a free replacement. Persons 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 immediately upon discovery. A lost or stolen permit may be replaced upon payment to the parking department of the cost of replacing the permit, according to a schedule adopted by the parking department. Lost or stolen permits must be returned to the parking department 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-450, filed 5/14/09, effective 7/1/09.]

WAC 504-13-460 False information. No person shall obtain, attempt to obtain, or use in a manner contrary to these regulations, a modified parking permit or a permit issued upon false information. A violation of this section includes giving a false name, address, identification number, and/or other information known to be false. It also includes the use of a visitor, conference, and commercial permit by staff or students. Violation of this provision shall constitute the illegal use of a parking permit and is subject to the issuance of parking tickets.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-460, filed 5/14/09, effective 7/1/09.]

WAC 504-13-470 Recall of parking permits. Parking permits are the property of WSUTC and may be recalled by the parking administrator when:

- (1) The purpose for which the permit was issued changes or no longer exists;
 - (2) A parking permit application is falsified;
 - (3) A counterfeit, modified, or lost/stolen permit is used;
- or
- (4) The parking permit fee is unpaid.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-470, filed 5/14/09, effective 7/1/09.]

WAC 504-13-510 Parking permits—General. The parking department issues parking permits for designated

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areas of the campus. Any vehicle parked on the campus, other than a pay area or metered space, must clearly display a valid WSUTC 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-510, filed 5/14/09, effective 7/1/09.]

WAC 504-13-520 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.

(1) Autos and trucks:

(a) Hanging permits, both annual and daily, must be displayed hanging from the rear-view mirror post.

(b) Permits mounted solely by suction cup and permit decals directly affixed to the windshield must be displayed on the front windshield at the lower left corner (driver's side). Decals must be mounted completely by means of their own adhesive (not by tape).

(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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-520, filed 5/14/09, effective 7/1/09.]

WAC 504-13-540 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. Exception: Green permit holders may park in their numerically assigned green zone or in any red zone.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-540, filed 5/14/09, effective 7/1/09.]

WAC 504-13-560 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) Golden cougar permits. Golden cougar permits are special visitor 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. Staff who are employed by the university or other entities located on cam-

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pus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit.

(3) 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 accordance 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 permits. Conference permits are available to visitors who participate in conferences held on the WSUTC campus. They are available on a daily basis only. Conference permits are valid in any assigned zone.

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

(6) 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) Carpool. Upon application, 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. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

(8) 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) 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, green and red 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-560, filed 5/14/09, effective 7/1/09.]

WAC 504-13-580 Special indicator decals and hangers. Special 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 indicator decal or hanger" is valid typically for a maximum of fifteen minutes in a marked service zone. A "mall service" indicator is valid typically for a maximum of fifteen-minute parking in the pedestrian mall. These are available to staff or students who must use a private vehicle for university business.

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

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-580, filed 5/14/09, effective 7/1/09.]

WAC 504-13-600 Parking permits for persons with disability. (1) The provisions of this chapter cover the purchase and display of parking permits and the payment of fees and fines associated with parking for persons with disability.

(2) For the purpose of this chapter, persons with disability shall refer to a person or persons with disability who qualify for a state-issued persons with disability parking identification and permit.

(3) The university uses the state persons with disability parking permit system to determine eligibility for a university persons with disability parking permit. Persons desiring to purchase a university persons with disability parking permit must present a valid state-issued persons with disability parking identification and permit.

(4) Unless otherwise authorized, parking in spaces designated for persons with disability requires a valid university persons with disability parking permit to park on campus. University parking permits for persons with disability are available at the green zone rate.

(5) Persons with a university persons with disability parking permit may park in a persons with disability parking space and any other, nonrestricted permit space within a parking permit zone.

(6) Persons with a university persons with disability parking permit may not park in restricted spaces with the exception of persons with disability parking spaces.

(7) Unless otherwise posted, any university parking permit to include a persons with disability parking permit is not valid in lieu of payment of regular posted fees in pay parking facilities.

(8) A state-issued persons with disability license plate, placard, or permit is valid in lieu of a university persons with disability parking permit 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 university persons with disability parking permit is required in lieu of a state-issued persons with disability license plate, placard, or permit as authorization to use a pedestrian mall to access marked persons with disability parking spaces within the confines of a pedestrian mall.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-600, filed 5/14/09, effective 7/1/09.]

WAC 504-13-650 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 office and posted on the parking department's web site.

(2) Payments. Parking fees and fines may be paid at the parking department by cash, check, approved payment card,

or money order. A payroll deduction plan is available for eligible university employees and eligible graduate students.

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

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

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

(6) Refunds. Annual permits being relinquished may be returned to the parking department for a pro rata refund in accordance with university policy. Identifiable remnants of the permit must be returned. The balance of any fees and fines owed the parking department 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.

(7) The parking department 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 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 pre-paid 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 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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-650, filed 5/14/09, effective 7/1/09.]

WAC 504-13-750 Reciprocal parking agreements.

(1) Purpose. The university can enter into reciprocal parking agreements with other universities and Washington State University campuses for the purpose of enhancing the accessibility to various campuses for staff and students participating in various courses and programs.

(2) The university faculty, staff, and students assigned to, enrolled at, or who pay fees to the WSUTC campus or employees of other entities located on the WSUTC campus must display a valid university parking permit when parking at the university. Any attempt by the above personnel to use a parking permit from another university campus in lieu of a valid university WSUTC campus permit may result in a fine for illegal use of a parking permit.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-750, filed 5/14/09, effective 7/1/09.]

PART IV FINES, SANCTIONS, AND APPEALS

WAC 504-13-810 Violations, fines, and sanctions. (1) Violations and fines. Parking violations are processed by the university. Fines must be paid at the parking department 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 web site.

(2) Reduction of fines.

(a) Fines for violations of overtime/nonpayment at meter and overtime in time zone paid within twenty-four 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-hour requirement. Mailed payment must be postmarked within twenty-four 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.

(c) If a permit holder of record neglects to display his or her 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 within twenty-four 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 under the advisement of the university's internal auditor.

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

(4) Payment of parking fines. 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 device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

(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

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these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-810, filed 5/14/09, effective 7/1/09.]

WAC 504-13-860 Appeals 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 determinations; and

(c) To hear appeals of impoundments.

(2) Procedure. Any person who has received a parking ticket may appeal the alleged parking violation. Appeal of wheel lock eligibility determinations and impoundments are described in WAC 504-13-865 and 504-13-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at the parking department within ten calendar days of issuance of the parking ticket. Forms for this purpose are available from the parking department. The parking appeals committee makes an initial decision regarding the appeal within twenty calendar days during the academic year and thirty 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 calendar days of the decision.

(4) Review hearing of initial decision. If the appellant is dissatisfied with the initial decision, he or she may request a hearing before a hearing officer or the parking appeals committee. Such a request must be made within ten 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 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 calendar days after the hearing.

(5) Appeal to district court. RCW 28B.10.560 provides that a person 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 within ten calendar days after the date of the review hearing. The parking department forwards the documents relating to the appeal to the district court.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-860, filed 5/14/09, effective 7/1/09.]

PART V IMPOUNDMENT OF VEHICLE

WAC 504-13-865 General. (1) Pursuant to the provisions of this chapter, an officer shall cause a vehicle to be wheel locked, or towed, or both, if:

(a) The vehicle is on the wheel lock-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:

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(a) Has been immobilized by wheel lock for more than twenty-four 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 device; or

(e) Is illegally parked in a disability space.

(3) The process for towing of vehicles under any other circumstances to include those not described in this section will be in accordance with chapter 46.55 RCW.

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

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

(6) 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 device installed.

(7) No vehicle impounded by towing or wheel lock 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 fee; and

(c) All towing and storage fees.

(8) A person wishing to challenge the validity of any fines or fees imposed under this chapter may appeal such fines or fees as provided in WAC 504-13-860. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which shall be refunded to the extent the appeal is successful.

(9) An accumulation of six unpaid violations during any twelve-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.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-865, filed 5/14/09, effective 7/1/09.]

WAC 504-13-870 Wheel lock-eligible list. (1) The parking administrator shall be responsible for creating and maintaining the wheel lock-eligible list. See definition of "wheel lock-eligible vehicle."

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

(3) At least ten days prior to placing a vehicle on the wheel lock-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.

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

(e) The name, mailing address (and street address if different), and telephone number of the parking department office that may be contacted to appeal the wheel lock eligibility determination. Such an appeal only considers whether an individual vehicle was properly placed on the wheel lock-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-13-860.

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

(g) That all late fees, wheel lock fees, towing, and storage fees shall be payable in full to obtain the release of a vehicle wheel locked 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 owner 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 determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the wheel lock-eligible list, then the parking administrator shall afford the owner an opportunity to appeal the wheel lock eligibility determination prior to the placing of a vehicle on the wheel lock-eligible list. Although the parking administrator shall not have the authority to adjudicate the merits of any parking ticket, she or he shall, however, receive evidence and other input from the owner appealing the wheel lock eligibility 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 shall furnish the owner written notice of his or her decision prior to placing the vehicle on the wheel lock-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 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 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, 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;

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

(c) That the owner may avoid placement of the vehicle on the wheel lock-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 list; and

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

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

(10) The university parking administrator or the chief of police shall ensure that officers are on duty to remove wheel locks from vehicles Monday through Friday between 8:00 a.m. and 5:00 p.m.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-870, filed 5/14/09, effective 7/1/09.]

WAC 504-13-880 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 who owned the vehicle at the time it is wheel locked or towed hereunder, and the owner has paid in full the wheel lock fee, unpaid parking tickets, late fees, storage fees, and towing fees for any and all other vehicles owned by the registered owner.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-880, filed 5/14/09, effective 7/1/09.]

WAC 504-13-885 Theft, damage, or removal of a wheel lock device. The following conduct of any person shall be reported to university police:

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

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[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-885, filed 5/14/09, effective 7/1/09.]

PART VI TRAFFIC REGULATIONS

WAC 504-13-900 Speed limits. Driving on campus roads and streets is permitted at any time, unless otherwise posted or restricted by signs and/or by these regulations. The maximum speed limit unless otherwise posted is twenty-five miles per hour.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-900, filed 5/14/09, effective 7/1/09.]

WAC 504-13-920 Closed and restricted areas. In certain designated areas on campus, such as the pedestrian mall in the campus core, driving is restricted to mall service vehicles.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-920, filed 5/14/09, effective 7/1/09.]

WAC 504-13-930 Bicycles, skateboards, and roller blades/skates. (1) The riding and use of bicycles, skateboards, and roller blades/skates is prohibited from all building plazas, and interior building spaces.

(2) Bicycles, skateboards, and roller blades/skates may be ridden and used on sidewalks when a bike path is not provided. Operators must move at a safe speed and yield to pedestrians at all times.

(3) Bicycles, skateboards, and roller blades/skates may not be ridden on or over stairways, steps, ledges, benches, planting areas, or any other fixtures.

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

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

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-930, filed 5/14/09, effective 7/1/09.]

WAC 504-13-940 Pedestrians. (1) When traffic control signals are in place at intersections, pedestrians shall be subject to them.

(2) When traffic control signals are not in place or not in operation at pedestrian crossings, a vehicle must yield the right of way, by slowing down or stopping, when the pedestrian in the crossing is upon the same half of the roadway as the vehicle, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(3) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(4) Pedestrians who are between adjacent intersections at which traffic control signals are in operation must not cross at any place except in a marked crosswalk.

[Statutory Authority: RCW 28B.30.150. 09-11-069, § 504-13-940, filed 5/14/09, effective 7/1/09.]