



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Bates Technical College

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: November 24, 1999

(2) Purpose:
To correct WAC 495-141-165 Fines and Penalties.

(3) Citation of existing rules affected by this order:
Repealed:
Amended: WAC 495A-141-165 Fines and Penalties
Suspended:

(4) Statutory authority for adoption: RCW 28B.50.140 (10)
Other authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)
Adopted under notice filed as WSR 99-19-030 on September 08, 1999 (date).
Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY
Under RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

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

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If Yes, explain:

(6) Effective date of rule:	Permanent Rules or Expedited Rule Making	Emergency Rules
	<input checked="" type="checkbox"/> 31 days after filing	<input type="checkbox"/> Immediately
	<input type="checkbox"/> Other (specify) _____*	<input type="checkbox"/> Later (specify) _____

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

NAME (TYPE OR PRINT) Jon G. Thorpe	
SIGNATURE	
TITLE Director College Operations	DATE 11-24-99

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

TIME: 12:06 PM
WSR: 99-24-072

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

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

The number of sections adopted in order to comply with: 0

Federal statute:	New ____	Amended ____	Repealed ____
Federal rules or standards:	New ____	Amended ____	Repealed ____
Recently enacted state statutes:	New ____	Amended ____	Repealed ____

The number of sections adopted at the request of a nongovernmental entity: 0

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative: 1

New ____ Amended X Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures: 1

New ____ Amended X Repealed ____

The number of sections adopted using:

Negotiated rule making: 0	New ____	Amended ____	Repealed ____
Pilot rule making: 0	New ____	Amended ____	Repealed ____
Other alternative rule making: 0	New ____	Amended ____	Repealed ____

AMENDATORY SECTION (Amending WSR 97-12-038, filed 5/30/97, effective 6/30/97)

WAC 495A-141-165 Fines & penalties. The vice president of business & finance, or designee, is authorized to impose the following fines and penalties for violation of the regulations:

(1) A schedule of fines shall be set by the board of trustees. The schedule shall be published by the college and included on the traffic parking citation form.

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

- (a) No valid permit displayed
- (b) Occupying more than one parking space
- (c) Occupying space/area not designated for parking
- (d) Parking in area not authorized by permit
- (e) Parking in reserved staff space without authorization
- (f) Disabled parking violation
- (g) Blocking or obstructing traffic (may be towed if creating a safety hazard)
- (h) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)
- (i) Parking in fire lane (may be towed if creating a safety hazard)
- (j) Parking in zone or area marked "no parking"
- (k) Speeding
- (l) Reckless/negligent driving (1) 1st offense - ((warning, (2) 2nd offense - posted rate (if paid within twenty-four hours fine will be reduced by one-half), (3) 3rd offense - fine triples, (4) Any subsequent offense could result in loss of parking privileges on campus)) Parking privileges on all campuses revoked.

(3) At the discretion of the vice president of business & finance, or designee, an accumulation of citations by a staff member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

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

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

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

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

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

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

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

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