



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Bellevue Community College, Community College District VIII

- Permanent Rule
- Emergency Rule

(1) Date of adoption: April 1, 1992

(2) Purpose: Amend Chapter WAC 132H-116 Parking and Traffic Rules

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

Repealed:

Amended: WAC 132H-116

Suspended:

(4) Authority for adoption:

Statute: RCW 34.05

Other Authority: RCW 28B.50.140

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**

Pursuant to 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:

It is necessary for the preservation of the general welfare because current practices are inconsistent with WAC as filed.

(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 **Emergency Rules**

31 days after filing Immediately

Other (specify) _____ * Later (specify) _____

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

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

NAME (TYPE OR PRINT) Phyllis C. Hudson

SECRETARY *Phyllis C. Hudson*

TITLE Secretary, Board of Trustees DATE 4-8-92

APR 14 1992

TIME 9:12 *AM*

WSR 92-09-063

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT VIII
BELLEVUE, WASHINGTON

RESOLUTION NO. 200

ADMINISTRATIVE ORDER NO. 109


A RESOLUTION amending Chapter WAC 132H-116 as Emergency Rules.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT VIII, STATE OF WASHINGTON:

Chapter WAC 132H-116 Parking and Traffic Rules is hereby amended.

APPROVED AND ADOPTED April 1, 1992.

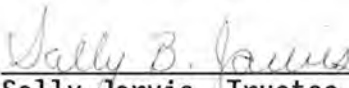
BOARD OF TRUSTEES



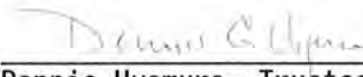
Evelyn C. Kest, Chair




Carol James, Vice-Chair



Sally Jarvis, Trustee




Dennis Uyemura, Trustee



R. C. "Joe" Strauss

ATTEST:



Phyllis C. Hudson
Secretary, Board of Trustees
Community College District VIII

PARKING AND TRAFFIC RULES
Chapter 132H-116 WAC

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-300 Preamble. Pursuant to the authority granted by RCW 28B.50.140(10) and 28B.19.020(2) the board of trustees of Community College District VIII, Bellevue Community College is granted authority to establish rules and regulations for pedestrian ((pedestrians)) and vehicular traffic over property owned, operated, or maintained by the college district.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-310 Objectives of parking and traffic rules and regulations. The objectives of these regulations are:

(1) To protect and control pedestrian and vehicular traffic on property owned, operated, or maintained by the college district.

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

(3) To minimize traffic disturbances. ((during class hours.))

(4) To facilitate the operation of the college by assuring access to vehicles.

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

(5) To allocate limited parking space for the most efficient use.

(6) ~~((5))~~ To protect state property.

NEW SECTION

WAC 132H-116-315 Definitions. For the purposed of this chapter, the following terms and definitions shall apply:

(1) **Board:** The board of trustees of Community College District VIII, State of Washington.

(2) **Campus:** Any or all real property owned, operated, controlled, or maintained by Community College District VIII, State of Washington.

(3) **Car pool:** Any group of three to five faculty, staff, or students who commute to the college in the same vehicle.

(4) **College:** Bellevue Community College, or any additional community college hereafter established with Community College District VIII, State of Washington, and collectively, those responsible for its control and operations.

(5) **Faculty members:** Any employee of Community College District VIII who is certified to teach in a community college in the State of Washington.

(6) **Foot Propelled device:** Wheeled devices including but not limited to skateboards, roller skates, roller blades, etc. designed or used for recreation and/or transportation purposes.

(7) Security Officers: Employees of the college accountable to the Dean of Administration and responsible for campus security, safety, and parking and traffic control.

(8) Staff: The administrative and classified members employed by the college.

(9) Student: Any person enrolled in the college.

(10) Vehicle: An automobile, truck, motorcycle, scooter or bicycle, both engine-powered and non-engine-powered.

(11) Visitor(s): Person(s) who come on to campus as guest(s), and person(s) who lawfully visit the campus for purposes in keeping with the college's role as an institution of higher learning in the State of Washington and are neither employees nor registered students of the institution.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-320 Applicable parking and traffic rules and regulations (~~Areas Affected~~). The applicable parking and traffic (~~following~~) rules and regulations (~~apply upon state lands devoted mainly to the educational or recreational activities of Bellevue Community College~~) upon the campus are:

(1) The motor vehicle and other traffic laws of the state of Washington. RCW title 46. (~~These shall be applicable upon all lands located within the State of Washington.~~)

(2) The traffic code of the city of Bellevue. (~~This code applies upon all lands located within the city of Bellevue.~~)

(3) The Bellevue Community College parking and traffic regulations described in this chapter. (~~These shall be applicable to all state lands which are or may hereafter be devoted mainly to educational, recreational, or parking activities of Bellevue Community College.~~) In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue Community College parking and regulations, the provisions of the state of Washington motor vehicle laws shall govern.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-330 Enforcement of parking and traffic ((Bellevue Community College)) rules and regulations. The Dean of Administration is responsible for parking and traffic management on campus. Duly appointed Security (~~security~~) Officers (~~officers~~) of Bellevue Community College are (~~shall be~~) delegated the authority to enforce all college parking and traffic rules and regulations. Employees of the Bellevue Community College parking division may be delegated the authority to enforce college parking and traffic regulations.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-350 Permits required for vehicles on campus. No person shall park, or leave any vehicle, whether attended or unattended, upon the campus of Bellevue Community College without a permit issued by the security division, cashier or registration offices. Permission to park on campus will be shown by display of a valid permit.

(1) A valid permit is:

(a) A current vehicle permit (~~(and area designator)~~) displayed in accordance with (~~instructions. (See WAC 132H-116-580)~~) WAC 132H-116-356. Vehicle permits are valid until revoked.

(b) A temporary permit authorized by the security division and displayed in accordance with instructions. Temporary permits are valid through the date on the permit.

(c) A parking permit issued by a gate attendant. This permit must be displayed on the vehicle in accordance with instructions. (~~shown on permit.~~)

(d) A parking permit dispensed by machine at Bellevue Community College and displayed in accordance with instructions. (~~shown on permit.~~)

(2) Parking permits are not transferable, except as provided in (~~WAC {132H-116-530} {132H-116-350}~~) WAC 132H-116-354.

(3) The college reserves the right to refuse to issue (~~the issuance of~~) a parking permit.

NEW SECTION

WAC 132H-116-351 Authorization for issuance of permits. (1) The Dean of Administrative Services or his or her designee is authorized to issue all parking permits.

(2) Car pool permits may be issued to faculty, staff and students. One transferable permit will be issued by the security office for each car pool. This permit is transferable only among the registered members of the car pool. This permit must be displayed in accordance with the instructions provided with the permit.

(3) Special parking permits may be issued to physically handicapped faculty members, college personnel and students or if issuance enhances the business or operation of the college. Special parking permits are valid for six months from the date of issuance. Those requiring handicapped parking for more than six months must display a state of Washington handicapped permit.

NEW SECTION

WAC 132H-116-352 Permit revocations. Parking permits are the property of the college, and may be recalled by the Dean of Administration or his or her designee for any of the following reasons:

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

- (2) When a permit is used by an unauthorized individual.
- (3) Falsification on a parking permit application.
- (4) Continued violations or parking regulations.
- (5) Counterfeiting or altering of permits.
- (6) Failure to comply with a final decision of the citation review committee, or institutional hearing officer.

NEW SECTION

WAC 132H-116-353 Right to appeal revocation. Parking permit revocations under this chapter may be appealed pursuant to the procedures in WAC 132H-120-062.

NEW SECTION

WAC 132H-116-354 Transfer of permits. (1) Parking permits are not transferable. If a vehicle is sold or traded, a new permit will be issued to the permit holder at no additional cost if the permit holder does the following:

- (a) Records invalid permit number;
 - (b) Removes invalid permit; and
 - (c) Brings invalid permit or remnant thereof and permit number to the Security division. This office shall then issue the permit holder a new parking permit. Permit holder will then be registered under the new number.
- (2) Permits may be reissued as authorized by the college Security Supervisor.

NEW SECTION

WAC 132H-116-355 Responsibility of person to whom permit issued. The person to whom a permit is issued is responsible for the vehicle upon which the permit is affixed. He or she shall be held responsible for all violations of these rules and regulations charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule or regulation of this chapter simply because he or she is not also the holder of the permit.

NEW SECTION

WAC 132H-116-356 Display of permits. The vehicle permit issued by the college shall be permanently affixed to the inside of the rear window on the lower left corner. If the vehicle is a convertible or a truck-camper or has no permanently fixed rear window, the permit shall be displayed in the front windshield. Permits not displayed in accordance with the provisions of this section shall not be valid and vehicles displaying the improperly placed permit shall be subject to citation.

NEW SECTION

WAC 132H-116-357 Parking fees. Parking fees may be adopted by the Board of Trustees, specifying the charge per quarter and year.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-360 (~~Tourists and visitors~~) Visitors--Exemption from permit requirements. (1) The Security (~~(security division supervisor)~~) Supervisor may allow (~~(tourists and)~~) visitors without permits to drive through the campus without parking. (~~(, but he)~~)

(2) The Security Supervisor or his or her designee may require visitors (~~(them)~~) to wait at the entrances to the campus during times when pedestrian and/or vehicular traffic congestion is above normal. (~~(, such as at the time of class changes.)~~) (See WAC 132H-116-430.)

NEW SECTION

WAC 132H-116-405 Allocation of parking spaces. The parking space available on the campus shall be allocated by the Dean of Administration or his or her designee in such manner as will best obtain the objectives of these regulations. The Dean of Administration or his or her designee is further authorized to designate and mark the various parking areas on the campus with numbers or titles or both.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-410 Parking within designated spaces. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

NEW SECTION

WAC 132H-116-415 Day and evening parking. Students, staff and faculty may obtain day and/or evening parking on campus to the extent spaces are available as follows:

(1) Student daytime parking is limited to areas designated student parking.

(2) Staff/faculty daytime parking is limited to areas designated staff/faculty parking.

(3) Evening parking, after 3:00 p.m., for students, staff and faculty is available in all designated parking areas with the exceptions of the parking spaces for the handicapped, the college motor pool, and specifically signed reserved areas.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-430 Special parking and traffic regulations ~~((and restrictions))~~ authorized. During special occasions causing additional and/or heavy traffic and during emergencies, the Security ~~((security/safety s))~~ Supervisor is authorized to impose additional traffic and parking regulations ~~((and restrictions for the))~~ to achieve ~~((achievement of))~~ the specified objectives of this chapter. ~~((these regulations and provide appropriate notice thereof whenever possible.))~~

NEW SECTION

WAC 132H-116-431 Regulatory signs and directions. Drivers of vehicles shall obey regulatory signs and signs related to the collection of parking fees. Drivers of vehicles shall comply with directions given to them by college Security Officers in the control and regulation of traffic. Drivers shall also comply with directions given to them by the Traffic Guides or Parking Checkers of the security division in the assignment of parking space and in the collection of parking fees.

NEW SECTION

WAC 132H-116-432 Speed. No vehicle shall be operated on the campus at a speed in excess of twenty miles per hour or such lower speed as is reasonable and prudent in the circumstance.

NEW SECTION

WAC 132H-116-433 Pedestrian's right of way. (1) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but 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 or unsafe for the driver to yield.
(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.
(3) Where a sidewalk is provided, pedestrian shall proceed upon such a sidewalk.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-470 Exceptions to parking and traffic restrictions. WAC 132H-116-350, 132H-116-410 (~~((132H-116-400))~~), and 132H-116-450 (~~((and 132H-116-780))~~) of these rules and regulations shall not apply to the drivers of state-owned or operated vehicles which are operated by Bellevue Community College in the performance of assigned functions.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-590 ((Parking of)) Motorcycles, bicycles, ((and)) scooters.

(1) Motorcycles, ((motorized)) bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles ((~~(7-motorized bieceles)~~) and motorized scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles ((~~(7-motorized bieceles)~~) and motorized scooters are not permitted on paths, sidewalks, ((~~in buildings~~)) or authorized bicycle ((~~areas~~)) or ((~~in~~)) pedestrian areas or in buildings at any time.

(4) Bicycles shall be parked in designated areas only. In properly parked bicycles may be impounded and a citation and/or a fine imposed upon the owner.

(5) No bicycles or foot propelled devices shall be operated on campus walkways, corridors, hallways or buildings unless their use is required as part of the educational process in an authorized program.

NEW SECTION

WAC 132H-116-615 Issuance of traffic citations. Upon probable cause to believe that a violation of these rules and regulations has occurred, the Dean of Administration and/or duly appointed Security Officers may issue citations setting forth the date, the approximate time, the locality, the nature of the violation, the permit number, license number, infraction, officer, and the amount fine(s), by attaching or affixing a copy thereof to the vehicle allegedly involved in such violation, by placing a copy thereof in some prominent place within such vehicle, by mail, or by personal service.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-620 Fines, penalties and impounding. ((~~The fines to be assessed for violations of these regulations shall be detailed in WAC 132H-116-810.~~

~~(1) Fines - payment))~~

(1) The current schedule and fines shall be published by the college and made available for review in the Security Office.

~~((a) Persons cited for violation of these regulations may respond either by filing a written appeal as detailed in WAC 132H-116-630 or by forfeiting a fine within fifteen days of receipt of the citation.~~

~~(b) All fines are payable to the Bellevue Community College cashier. Fines may be paid by mail by sending the citation and amount of fine to the Bellevue Community College cashier.~~

~~(2) Fines - unpaid~~

~~(a) If any citation remains unpaid after fifteen days, the following action shall be taken by Bellevue Community College:))~~

~~(2) In addition to imposing fines, the Dean of Administration and duly appointed Security Officers are authorized to impound, immobilize and take to such place for storage as the campus Security Supervisor selects, any vehicles parked on college property in violation of these regulations. The expenses of such impounding, immobilization and storage shall be charged to the owner or operator of the vehicle and must be paid prior to the vehicle's release.~~

~~(a) The college shall not be liable for loss or damage of any kind resulting from such impounding, immobilization or storage.~~

~~(b) Impoundment of a vehicle does not remove the obligation for any fines associated with the violation.~~

~~(c) Vehicles left unattended on college property for an unreasonable duration (a period greater than 4 days) may be impounded by the college.~~

~~(d) Grounds for impounding vehicles shall include, but not be limited to the following:~~

~~(i) Blocking a roadway so as to impede the flow of traffic;~~

~~(ii) Blocking a walkway so as to impede the flow of pedestrian traffic;~~

~~(iii) Blocking a fire hydrant or fire lane;~~

~~(iv) Creating a safety hazard in the opinion of a campus security officer;~~

~~(v) Blocking another legally parked vehicle;~~

~~(vi) Parking in a marked "tow-away" zone.~~

~~(3) All fines must be paid within 20 calendar days from the date of the citation. All fines are payable as designated on the citation.~~

~~(3) If any citation remains unpaid after 20 calendar days from the date of the citation, the following action may be taken by Bellevue Community College:~~

~~(a) Degrees, transcripts, grades, refunds or credits may be withheld until all fines are paid.~~

~~(b)((i)) Registration for the following quarter may ((shall)) be delayed. ((impounding violator's vehicle.))~~

~~(c)((ii) The college shall consider impounding) The violator's vehicle may be impounded.~~

~~(d)((iii)) Faculty, students and staff may ((will)) be denied future ((unable to purchase)) parking privileges. ((permits unless outstanding tickets are paid.))~~

~~(e) The college may refuse to issue keys to faculty, staff or students.~~

~~(4) An accumulation of traffic violations by a student will be cause for disciplinary action, and the dean of administration or his or her designee may initiate disciplinary proceedings against such students.~~

~~((b) These procedures will be applicable to all students, faculty and staff members receiving citations for violation of these regulations.~~

~~(3) Excessive citations~~

~~(a) The citation review committee or institutional hearing officer may review the parking privileges of students, faculty and staff acquiring an excessive number of citations (3 or more) and may take action as the circumstances warrant.)~~

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-630 Appeals of fines and penalties. Any fines and penalties levied against a violator of the rules and regulations in this chapter may be appealed pursuant to the provisions of chapter 132H-120 WAC. Appeals must be made in writing within 20 calendar days from the date of the citation. ~~((Students, faculty or staff members receiving citations for violations of these regulations may appeal to the chairperson of the citation review committee in writing through the dean of student services. Appeals must be submitted without posting of fine within seven days after date of citation. The citation review committee meets a minimum of once a month while the college is in session.~~

~~(a) The citation review committee shall consider each appeal on its merits and shall make written notification of each decision of the citation review committee to the appellant and the security division.)~~

NEW SECTION

WAC 132H-116-655 Report of accident. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of \$500, shall within 24 hours report such accident to the campus security department. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within 24 hours after such accident.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-730 Regulatory signs, markings, barricades, etc. (1) The ~~((director))~~ Director of Campus ~~((plant))~~ ~~((operations))~~ Operations is authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and parking areas owned and operated by the college. ~~((roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational, recreational, or parking activities of Bellevue Community College.))~~ Such signs, barricades, structures, markings and directions shall be so made and placed as in the opinion of the ~~((director))~~ Director of Campus ~~((plant))~~ ~~((operations))~~ Operations will best achieve ~~((effectuate))~~ the goals ~~((objectives))~~ of these regulations. ~~((as stated in WAC 132H-116-310.))~~

(2) Drivers of vehicles shall obey the signs, barricades, structures, markings and directions erected pursuant to this section. Drivers shall also comply with the directions given them by a Campus Security Officer or other campus security personnel controlling and regulating traffic.

(3) ~~((2))~~ No person without authorization from the ~~((director))~~ Director of Campus ~~((plant))~~ ~~((operations))~~ Operations shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

AMENDATORY SECTION (Amending Order 43, filed 8/10/76)

WAC 132H-116-750 Delegation of authority. The authority and powers conferred upon the ~~((director))~~ Director of Campus ~~((plant))~~ ~~((operations))~~ Operations or the Security ~~((security/safety-supervisor))~~ Supervisor by these regulations may ~~((shall))~~ be ~~((subject))~~ delegated ~~((to-delegation))~~ by them to their subordinates.

NEW SECTION

WAC 132H-116-765 Liability of college. Except for college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on college properties.

NEW SECTION

WAC 132H-116-791 Enforcement. Parking rules and regulations will be enforced throughout the calendar year. Parking and traffic rules and regulations are enforced on a 24 hour daily basis.

REPEALER

The following Sections of the Washington Administrative Code are repealed:

WAC

- 132H-116-340 Modification of parking and traffic regulations.
- 132H-116-370 Speed.
- 132H-116-380 Regulatory signs and directions.
- 132H-116-390 Pedestrians--Right of way.
- 132H-116-400 Designated and assigned parking areas.
- 132H-116-420 Disabled and inoperative vehicles--Impounding.
- 132H-116-440 Liability of college.
- 132H-116-450 Parking--Prohibited places.
- 132H-116-480 Authorization for issuance of permits.
- 132H-116-490 Allocation of parking space and priorities of applicants.
- 132H-116-500 Visitors and guests.
- 132H-116-510 Special permits.
- 132H-116-520 Permit revocations.
- 132H-116-530 Car pool permits.
- 132H-116-540 Second car permits.
- 132H-116-542 Temporary permit.
- 132H-116-550 Annual and quarterly permit periods.
- 132H-116-560 Parking area, zone and reserved space designations and area assignments.
- 132H-116-570 Responsibility of person to whom permit issued.
- 132H-116-580 Display of permits.
- 132H-116-600 Annual parking fee payment.
- 132H-116-610 Schedule of fees.
- 132H-116-640 Establishment of citation review committee, appointment of members and appointment of institutional hearing officer.
- 132H-116-650 Jurisdiction of the citation review committee.
- 132H-116-660 Procedure--Summons and service thereof.
- 132H-116-670 Election to forfeit or contest.
- 132H-116-680 Procedure--Rules of evidence.
- 132H-116-690 Procedure--Review decision.
- 132H-116-700 Mitigation and suspension of fines.
- 132H-116-710 Enforcement of the decisions of the citation review committee.
- 132H-116-720 Procedure--Review decision appeal.
- 132H-116-740 Impounding of vehicles.
- 132H-116-760 Prohibition of dumping.
- 132H-116-770 Horses on campus.
- 132H-116-780 Bicycle and other foot propelled devices.
- 132H-116-810 Parking and traffic fines schedule.