

# Chapter 495B-116 WAC

## PARKING AND TRAFFIC

### WAC

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**WAC 495B-116-010 Purpose for adopting parking and traffic rules.** Under the authority granted RCW 28B.50-140(10), the board of trustees of Bellingham Technical College is granted authority to adopt rules for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these rules are to:

- (1) Protect and control pedestrian and vehicular traffic;
- (2) Assure access at all times for emergency traffic;
- (3) Minimize traffic disturbances during class hours;
- (4) 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) Regulate the use of parking spaces;
- (6) Protect state-owned property.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-010, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-020 Applicable parking and traffic rules.** (1) All rules in this chapter and all motor vehicle and other traffic laws of the state of Washington apply on the campus.

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

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-020, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-030 Definitions.** The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees of Bellingham Technical College.

(1/21/11)

(2) "Campus" means all lands and buildings devoted to, operated by, or maintained by Bellingham Technical College.

(3) "College" means Bellingham Technical College.

(4) "Chief business officer" means the vice-president of administrative services of Bellingham Technical College.

(5) "Employee" means an individual appointed to the faculty, staff, or administration of the college.

(6) "Guests or visitors" mean persons who come upon the campus as guests or persons who lawfully visit the campus.

(7) "Continuing permits" mean permits issued to full-time employees for an indefinite period of time.

(8) "Annual permits" mean permits that are valid from the date of issue until the first day of the following fall quarter.

(9) "Temporary permits" mean permits that are valid for a specific period designated on the permit.

(10) "Vehicle" means an automobile, truck, motor-driven cycle, scooter, or any vehicle otherwise powered.

(11) "Full-time student" means a person who is enrolled on campus for six hours per day or more at the college.

(12) "Part-time student" means a person who is enrolled on campus for less than six hours per day at the college.

[Statutory Authority: RCW 28B.50.130. WSR 05-06-011, § 495B-116-030, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-030, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-040 Authorization for issuance of permits.** (1) Parking permits may be issued to students, employees, and guests upon the following conditions:

(a) When the vehicle is properly registered with the college;

(b) When a permanent or special parking permit is necessary to enhance the business or operation of the college.

(2) Only one vehicle registered to an individual under permit is permitted to park on campus at any one time.

[Statutory Authority: RCW 28B.50.130. WSR 05-06-011, § 495B-116-040, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-040, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-050 Vehicle parking permits.** With the exception of visitor, as defined in WAC 495B-116-060, all persons parking in permit restricted areas on the campus shall secure and display a currently valid parking permit.

[Statutory Authority: RCW 28B.50.130. WSR 11-04-016, § 495B-116-050, filed 1/21/11, effective 2/21/11; WSR 05-06-011, § 495B-116-050, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-050, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-060 Visitor permits.** All guests or visitors (including salespersons and maintenance or service per-

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sonnel) will park in appropriate parking areas after signing in at the college information desk or designated location.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-060, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-060, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-070 Responsibility of person to whom permit is issued.** The person to whom a parking permit is issued is responsible for all violations of rules involving the vehicle; however, that responsibility does not relieve the driver of the responsibility for violations of the rules established by this chapter. If a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the campus rules.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-070, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-080 Display of permits.** The parking permit issued by the college must be visible within the vehicle for which the permit is issued. Motorcycle permits must be affixed in a conspicuous place.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-080, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-080, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-090 Transfer of permits.** Parking permits are assigned to specifically registered vehicles. If a vehicle is sold or traded, the new vehicle must be registered with the college at no additional cost to the permit holder.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-090, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-090, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-100 Permit revocation.** Permits are licenses and are the property of the college, and may be revoked 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 on an unregistered vehicle or by an unauthorized person;
- (3) Falsification on a vehicle registration application;
- (4) Continued violations of parking and traffic rules;
- (5) Counterfeiting or altering of permits.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-100, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-110 Right to refuse permit.** The college chief business officer or a designee reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the rights or safety of others.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-110, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-120 Appeal of permit revocation or refusal.** When a parking permit has been revoked under WAC 495B-116-100 or has been refused in accordance with WAC 495B-116-110 or when a fine or penalty has been lev-

ied against a violator of this chapter, that action by the chief business office or a designee may be appealed in accordance with WAC 495B-116-180.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-120, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-120, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-130 Delegation of authority.** The authority and powers conferred upon the chief business officer by this chapter are subject to delegation to that individual's subordinates.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-130, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-140 Enforcement.** (1) Parking and traffic rules will be enforced at all times.

(2) The chief business officer or a designee is responsible for the enforcement of this chapter.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-140, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-150 Violation of parking and traffic rules.** (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of this chapter. All fines are payable at the cashier's office.

(2) A vehicle may be impounded if, in the judgment of the chief business officer or college designee, such impoundment is warranted due to the fact that violations have been repeated as evidenced by appropriate documentation.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-150, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-150, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-160 Issuance of traffic tickets or summons.** (1) The college designee or chief business officer may issue a warning or citation for a violation of these regulations. The warning or citation must set forth the date, the approximate time, permit number, license information, and the nature of violation.

(2) The warning or citation may be served by attaching or affixing a copy in some prominent place outside the vehicle or by personally serving the operator.

[Statutory Authority: RCW 28B.50.130, WSR 05-06-011, § 495B-116-160, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-160, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-170 Fines and penalties.** The college designee or chief business officer may impose the following fines and penalties for violation of this chapter:

(1) The college shall establish a schedule of fines. The college shall publish the schedule in the college's *Policy and Procedures* manual and on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedule for the following violations:

- (a) No valid permit displayed;
- (b) Visitor parking violations;
- (c) Occupying more than one parking space;

- (d) Occupying a space or area not designated for parking;
  - (e) Handicapped parking violation;
  - (f) Parking in an area not authorized by a permit;
  - (g) Parking in reserved staff space without authorization;
  - (h) Blocking or obstructing traffic (may be towed if creating a safety hazard);
  - (i) Parking adjacent to a fire hydrant (may be towed if creating a safety hazard);
  - (j) Parking in a fire lane (may be towed if creating a safety hazard);
  - (k) Parking in a zone or area marked no parking;
  - (l) Other violations of college parking traffic rules.
- (3) At the discretion of the chief business officer or a designee, an accumulation of citations by a staff, administrator, or faculty 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) If a person fails or refuses to pay an uncontested fine that has been outstanding in excess of five days, the chief business officer or a designee may initiate the following actions:

- (a) The person, if a student may not be able to obtain a transcript of credits until all fines are paid;
  - (b) The person, if a student may not receive a degree or certificate until all fines are paid;
  - (c) The person will not be able to register as a student for subsequent quarters until all fines are paid.
- (5) 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 if so designated by the chief business officer or college designee and taken to a place for storage selected by the college designee. The expenses of the impounding and storage are the responsibility of the registered owner or driver of the vehicle.
- (6) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.
- (7) The college is not liable for loss or damage of any kind resulting from impounding and storage of vehicles.
- (8) Persons may appeal the issuance of a citation according to WAC 495B-116-180.

[Statutory Authority: RCW 28B.50.130. WSR 05-06-011, § 495B-116-170, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-170, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-180 Appeal of citations and penalties.** (1) Appeals must be made in writing, giving full particulars, including a list of witnesses and evidence expected to be presented, etc.

(2) Appeals must be submitted to the chief business officer within five days from the date of citation (or the right to appeal is waived).

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he or she has five additional days from the receipt of the decision of the chief business officer to appeal to the parking advisory committee.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-180, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-190 Parking advisory committee.** (1) The parking advisory committee shall consist of two student representatives, one faculty representative, one classified representative, one administrator, and the chief business officer or designee as a nonvoting member.

(2) The committee is responsible for the following:

- (a) Annually reviewing and recommending necessary changes to the college parking and traffic rules;
- (b) Receiving and hearing appeals related to parking and traffic violations. All decisions made by the parking advisory committee relative to parking or traffic appeals are final.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-190, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-200 Disclaimer of liability by college.** The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles, or their contents. No bailment of any sort is created by the purchase of a parking permit.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-200, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-210 Designation of parking.** The parking spaces available on campus may be allocated and designated by the chief business officer or college designee in such a manner as will best achieve the objectives of this chapter.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designees. Physically disabled individuals using handicapped parking spaces must display in that vehicle a valid state-issued disabled parking permit or license plate.

(2) Spaces specifically designated as "visitor" are to be used only by visitors driving vehicles without continuing or annual permits. Visitors are to sign at the information desk or other designated location and are to park in visitor parking spaces.

(3) The chief business officer or college designee may designate parking spaces for special purposes as deemed necessary.

(4) Spaces specifically designated as carpool are to be used by those individuals having obtained a valid carpool permit.

[Statutory Authority: RCW 28B.50.130. WSR 05-06-011, § 495B-116-210, filed 2/18/05, effective 3/21/05. Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-210, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-220 Parking within designated spaces.** (1) No vehicle may be parked on the campus except in those areas set aside and designated for parking.

(2) No vehicle may be parked so as to occupy any portion of more than one parking space or stall.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-220, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-230 Regulatory signs, markings, barricades, etc.** The chief business officer or a designee may make and erect signs, barricades, and other structures and paint marks and other directions upon the streets, entrances, exits, and roadways for the regulation of traffic and parking

upon the various public lands devoted to, operated by, or maintained by the college. Drivers or vehicles shall observe and obey all the signs, barricades, structures, markings, and directions for the control and regulation of traffic and parking.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-230, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-240 Speed limit.** No vehicle may be operated on the campus at a speed in excess of ten miles per hour, or such slower speed as is reasonable and prudent under the circumstances.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-240, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-250 Pedestrian right of way.** (1) The operator of a vehicle shall yield the right of way to any pedestrian. A pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-250, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-260 Two-wheeled motorcycles or bicycles.** (1) All two-wheeled vehicles powered by an engine shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles.

(2) Bicycles and other nonengine powered cycles must be parked in bicycle racks where provided. No person may park a bicycle inside a building, by a doorway, on a path, sidewalk, or walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic. Bicycles and other nonengine powered cycles parked in violation of this section may be impounded at the owner's risk and expense.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-260, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-270 Report of accidents.** (1) The operator of a vehicle involved in an accident on campus resulting in injury or death of a person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report the accident to the college information desk. Accidents occurring after the close of business must be reported the next working day. Within twenty-four hours after the accident, the operator shall file a state of Washington motor vehicle report.

(2) Other minor accidents may be reported to the college information desk for insurance record purposes.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-270, filed 2/10/93, effective 3/13/93.]

**WAC 495B-116-280 Disabled or inoperative vehicles—Impounding.** (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the chief business officer or a designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator of the vehicle.

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(3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner at least forty-eight hours before it will be impounded.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. WSR 93-05-018, § 495B-116-280, filed 2/10/93, effective 3/13/93.]