

WSR 22-19-022

PROPOSED RULES

SEATTLE COLLEGES

[Filed September 12, 2022, 4:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-10-006.

Title of Rule and Other Identifying Information: Traffic rules and regulations.

Hearing Location(s): On November 8, 2022, at 10:00 to 11:00 a.m., Zoom.

Date of Intended Adoption: December 8, 2022.

Submit Written Comments to: Bella Garrison, 1500 Harvard Avenue, Seattle, WA 98122, email Wacinput@seattlecolleges.edu, by November 3, 2022.

Assistance for Persons with Disabilities: Contact Bella Garrison, phone 206-934-3873, email Bella.Garrison@seattlecolleges.edu, by November 3, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To protect and control pedestrian and vehicular traffic on district campus sites; ensure access at all times for emergency equipment; minimize traffic disturbances; facilitate the operation of the district by ensuring access to vehicles; allocate limited parking space for the most efficient use; protect state property; and encourage and support travel to district campus sites by means other than single-occupancy vehicle.

Statutory Authority for Adoption: RCW 28B.50.140, 28B.50.090(3).

Statute Being Implemented: Not applicable.

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

Name of Proponent: Seattle Colleges, public.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Terence Hsiao, Siegal Center, 425-352-8000.

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

A cost-benefit analysis is not required under RCW 34.05.328. Not significant legislative rules of any of the agencies listed in RCW 34.05.328(5).

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

Is exempt under RCW 34.05.328.

Explanation of exemptions: Pursuant to RCW 34.05.328 (5)(a)(i), this agency is not an agency mandated to comply with RCW 34.05.328. Further, the agency does not voluntarily make that section applicable to the adoption of this rule pursuant to subsection (5)(a)(ii), and to date, the joint administrative rules review committee has not made the section applicable to the adoption of this rule.

Scope of exemption for rule proposal:

Is fully exempt.

September 9, 2022

Richerson Chen

Compliance and Public Records Manager

OTS-2951.3

NEW SECTION

**WAC 132F-116-001 Objectives of parking and traffic rules.** The objectives of these rules are:

- (1) To protect and control pedestrian and vehicular traffic on district campus sites.
- (2) To ensure access at all times for emergency equipment.
- (3) To minimize traffic disturbances.
- (4) To facilitate the operation of the district by ensuring access to vehicles.
- (5) To allocate limited parking space for the most efficient use.
- (6) To protect state property.
- (7) To encourage and support travel to district campus sites by means other than single occupancy vehicle.

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NEW SECTION

**WAC 132F-116-002 Knowledge of parking and traffic rules.** It is the responsibility of all individuals parking or operating a vehicle on a district campus to comply with these rules. Lack of knowledge of these rules shall not be grounds for the dismissal of any citation for a violation of the parking or traffic rules.

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NEW SECTION

**WAC 132F-116-003 Definitions.** The following definitions apply to this chapter:

- (1) Authorized valid payment: Any payment accepted by the district, including online, mobile application, and pay stations.
- (2) Bicycle: Any device defined as a bicycle in RCW 46.04.071.
- (3) Campus: Any of the campuses of Seattle College District VI to include those lands and leased facilities where parking is managed or controlled by Seattle College District VI.
- (4) Campus safety director: The senior employee responsible for campus safety.
- (5) Campus safety officers: Employees of Seattle College District VI who are responsible for campus security, safety, parking, and traffic control.
- (6) Carpool: A group of two or more employees or students who commute to campus in the same vehicle and complete the campus commuter services carpool registration process.
- (7) Citation: Formal written notice of a parking violation.
- (8) College: A Seattle College District VI college: Central Seattle College, North Seattle College, South Seattle College, and collectively those responsible for their control and operations.
- (9) Commuter services: Any district or college unit that manages and maintains parking facilities, issues parking products, issues citations, processes citation appeals, and collects fees and fines.

- (10) Day: Unless otherwise specified, the term "day" refers to a calendar day.
- (11) Disability parking: See persons with a disability.
- (12) Disability zone/area: A parking zone designated for exclusive use by persons with a disability and identified with a sign bearing the associated international symbol.
- (13) District: Seattle College District VI consisting of Central Seattle College, North Seattle College, South Seattle College, and collectively those responsible for its control and operations.
- (14) Electric-assisted bicycle: As defined under RCW 46.04.169.
- (15) Employee: Any individual hired as or appointed to the faculty, staff, or administration of Seattle College District VI.
- (16) EPAMD: Electric personal assistive mobility device as defined under RCW 46.04.1695.
- (17) Fee: A charge for the use of services provided and facilities managed by commuter services.
- (18) Fine: Monetary penalty for a parking violation.
- (19) Idling: The running of an engine which supplies the motive power for a vehicle, when not for the purpose of moving the vehicle with the normal flow of traffic on a street or roadway. Idling does not include running the vehicle's engine while stopped at a traffic signal or waiting for the passage of other vehicles to permit safe entry into the flow of traffic.
- (20) Immobilization: The attachment of a device to a parked motor vehicle so that the vehicle cannot be moved.
- (21) Impoundment: The removal of the vehicle to a storage facility by an authorized agent of campus safety, commuter services, or an authorized agent of commuter services.
- (22) License plate recognition (LPR): Technology that uses optical character recognition to automatically read license plate characters.
- (23) Meter: A single fixed device that registers and collects payment for the length of time a vehicle occupies a single parking space. A meter does not produce a receipt, physical permit, or virtual permit. A meter is not a permit-issuance machine.
- (24) Moped: As defined under RCW 46.04.304.
- (25) Motor vehicle: As defined under RCW 46.04.320.
- (26) Motorcycle: As defined under RCW 46.04.330.
- (27) Nonmotorized vehicle: A device other than a motor vehicle used to transport persons including, but not limited to, bicycles, skateboards, in-line skates, hoverboards, personal conveyance devices, and roller skates.
- (28) Operator or driver: Every person who drives or is in actual physical control of a motor vehicle or nonmotorized vehicle.
- (29) Overtime parking: The occupation by a vehicle of a time-limited space beyond the posted time limit or time provided on a permit, meter, or permit-issuance machine.
- (30) Parking product: A product issued by commuter services to manage motorized and nonmotorized access to the campus. Parking products include, but are not limited to, visual permits, virtual permits, access to bicycle lockers and other bicycle parking facilities, and parking access cards.
- (31) Parking space: A space for parking one motor vehicle normally designated by lines painted on either side of the space, a wheel stop positioned in the front of the space, a sign or signs, or other markings.

(32) Pay station: A commuter services deployed and managed machine that issues virtual permits.

(33) Permit: A visual permit or virtual permit.

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

(35) Registered owner: The person who has the lawful right of possession of a vehicle most recently recorded with any state department of licensing.

(36) Roller skate/in-line skate: A device used to attach wheels to the foot or feet of a person.

(37) Skateboard: Any oblong board of whatever composition, with a pair of wheels at each end, which may be ridden by a person.

(38) Student: A person enrolled in a Seattle College District VI college.

(39) Traffic: The movement of motorized vehicles, nonmotorized vehicles, and pedestrians in an area or along a street as is defined in RCW 46.04.590.

(40) Vehicle: As defined under RCW 46.04.670.

(41) Virtual permit: An authorization to park, issued by commuter services, or an authorized agent, that is associated with a vehicle's license plate.

(42) Visitor: A person who is neither an employee nor a student of Seattle College District VI and who only visits campus on an occasional basis.

(43) Visual permit: A physical permit issued by campus commuter services that when properly filled out and displayed according to instructions, authorizes a vehicle to park on campus.

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#### NEW SECTION

**WAC 132F-116-004 Severability, savings clause.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

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#### NEW SECTION

**WAC 132F-116-005 Delegation of authority.** Each college president shall delegate to one department or individual on campus the authority to enforce these traffic and parking rules and regulations. Assignments of parking spaces shall be the responsibility of the commuter services personnel as directed by the president of the college or the district to represent the interests of faculty, staff, and students.

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NEW SECTION

**WAC 132F-116-006 Enforcement of parking and traffic rules.** Duly appointed campus safety officers, designated commuter services employees, or independent contractors hired by the district are authorized to enforce these parking and traffic rules and may conduct traffic control on campus.

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NEW SECTION

**WAC 132F-116-007 District liability.** Except for vehicles that the district owns or operates, the district assumes no liability under any circumstances for vehicles on the campus. No bailment, but only a license, is created by the purchase and/or issuance of a permit.

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AMENDATORY SECTION (Amending WSR 15-02-072, filed 1/6/15, effective 2/6/15)

**WAC 132F-116-010 Traffic rules and regulations.** (1) The motor vehicle and other traffic laws of the state of Washington shall be applicable upon all lands located within the state of Washington.

(2) The traffic code of the city of Seattle shall be applicable upon all lands located within the city of Seattle.

(3) These regulations shall be applicable to all state lands which are or may hereafter be devoted mainly to educational, public service, and other activities sponsored or endorsed by (~~Seattle College District VI~~) the district.

[Statutory Authority: RCW 28B.50.140(13) and 42.56.040. WSR 15-02-072, § 132F-116-010, filed 1/6/15, effective 2/6/15; Order 29, § 132F-116-010, filed 10/10/75; Order 7, § 132F-116-010, filed 1/12/73.]

NEW SECTION

**WAC 132F-116-011 General parking regulations.** (1) No person may use any vehicle parked on campus as a living unit without specific approval from the campus safety director. Violators may be cited and/or towed.

(2) Vehicles are to be maintained in operating condition at all times while on campus, except those in a garage, research facility, or automotive shop designated for parking such vehicles by the campus safety director or designee.

(3) A vehicle which appears to be abandoned, with or without a current parking product or license plate(s), may be impounded after an attempt is made to locate and notify the owner of the impending action.

(4) Stopped or parked vehicles must do so in line with the flow of traffic where they are located.

(5) Excessive idling while on the Seattle College District VI campuses prohibited.

(6) Idling permitted. To the extent necessary for the specified purpose, idling is permitted in the following cases:

(a) Police, sheriff, or other law enforcement vehicles, including meter patrols, as required for safe and effective performance;

(b) Fire department vehicles, ambulances, and other emergency vehicles when responding to an emergency or when the use of special equipment requires that the engines remain in operation;

(c) Construction or demolition equipment or other machinery when actually employed at the site of such work, and only to the extent necessary for efficient operation;

(d) Trucks, buses, or automobiles equipped with lift gates, winches, or other devices powered by take-offs from their engines, to the extent necessary to allow use of those devices provided; however, that this subsection does not authorize idling solely for the purpose of operating any heating device, radio, power-assisted brakes, steering, seat adjustment, or any luxury device not then required for safe operation of the vehicle;

(e) Buses or other mass transit vehicles while operated on a regular schedule;

(f) Insofar as necessary for diagnosis, adjustment, or testing, vehicles undergoing repair or maintenance; but only when on the premises of the owner or person performing the work;

(g) Any vehicle when required in an emergency for the protection of life, health, or property.

(7) Notices. The security director or transportation coordinator shall cause to be placed such notices as he may deem necessary to inform drivers of the prohibition against excessive vehicle idling; however, actual knowledge of the prohibition is not an element of an offense under this chapter.

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#### NEW SECTION

**WAC 132F-116-041 Permits required for all motorized vehicles parked on campus.** No person shall park or leave any motor vehicle, whether attended or unattended, upon the campus without a permit issued by the district. Permission to park on campus will be shown by the display of a valid visual permit or registration of a valid virtual permit. Persons wishing to obtain virtual permits are required to complete a registration process established by commuter services and pay the corresponding fee. A vehicle associated with a virtual permit must have a visible license plate.

(1) A valid permit is:

(a) A current unexpired, visual permit issued by commuter services, or an authorized agent designated by commuter services, and displayed in accordance with the instructions given at the time of issuance;

(b) A current unexpired virtual permit issued by commuter services, or an authorized agent, that is associated with a vehicle's license plate.

(i) Vehicles with virtual permits associated with a vehicle's license plate must have the license plate exposed to the lane of travel and be clearly visible, unobstructed, and able to be read by the LPR equipment.

(ii) Parking permits are not transferable.

(2) Commuter services reserve the right to refuse to issue parking products.

(3) The district may allow persons without permits to drive through the campus without parking.

(a) This section does not apply to vehicles that the district owns or operates.

(b) Any vehicle, attended or unattended, must have a valid parking permit when parked on the campus unless the vehicle is:

(i) Parked in a metered parking space with meter payment;

(ii) Parked in a loading zone in compliance with posted limits;

(iii) Parked in a lot that does not require a permit during specified times as posted;

(iv) Parked in a posted short-term parking space in compliance with posted time limits; or

(v) A public safety or emergency vehicle parked while performing emergency services.

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#### NEW SECTION

##### **WAC 132F-116-042 Carpool and disability parking permits.** (1)

Carpool permits may be issued to employees and students. One transferable permit will be issued for each carpool. This permit is transferable only among the registered members of the carpool. This permit must be displayed in accordance with the instructions provided with the permit. A carpool permit may be used with only one vehicle per day. Members of the campus carpool program must register their carpool with commuter services.

(2) The district provides parking for persons with disabilities in accordance with the requirements of federal and state law, including parking spots reserved for persons who display a state of Washington disabled driver permit. Commuter services shall make alternative parking available for short-term disabilities.

(3) Use of disability accommodation parking on campus requires payment for parking in the form of a campus parking permit issued by commuter services, payment at a pay station, or payment at a parking meter for the designated space in which the vehicle is parked.

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#### NEW SECTION

##### **WAC 132F-116-043 Transfer of parking products limited.** (1) As

provided herein, a permit holder may transfer a permit between motor vehicles when used by that permit holder. Improper transfer of a permit shall include, but is not limited to, the resale, lending, or transfer of a parking product or parking permit other than as provided

herein. Multiple motor vehicles may be associated with a virtual permit, but only one vehicle associated with a specific virtual permit may be parked on campus per calendar day. If more than one vehicle associated with a virtual permit is parked on campus during the course of a day, all additional vehicles are subject to a parking citation unless each additionally parked vehicle has a separate valid permit.

(2) Permits displaying license plate numbers shall be used only in the vehicles whose license number is written on the permit.

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#### NEW SECTION

**WAC 132F-116-044 Responsibility of person(s) to whom parking product issued.** (1) The person(s) to whom a parking product is issued is responsible for paying for the product until it expires or is returned to commuter services unless stated otherwise in these rules. All associated outstanding commuter services related fees and fines must be satisfactorily settled before a parking product may be issued, reissued, or renewed.

(2) When requested, a parking permit holder shall provide commuter services with the current valid license plate number of any vehicle(s) with which they intend to use a parking permit.

(3) The person(s) to whom a parking product is issued is responsible for any violations of this chapter associated with a vehicle with which the product is used during the time the product is valid and up to the date and time the product expires or is reported lost or stolen.

(4) Commuter services may also require proof of vehicle registration for certain designated parking products.

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#### NEW SECTION

**WAC 132F-116-051 Display of permits.** (1) Visual permits shall be prominently displayed in accordance with the instructions printed on the permit and shall be fully visible from the exterior of the vehicle. Virtual permits are associated with a vehicle's license plate, and accordingly, a vehicle associated with a virtual permit must have its license plate exposed to the lane of travel and be clearly visible, unobstructed, and able to be read by the LPR equipment.

(2) Instructions relating to the display and assignment of a permit to a vehicle(s) will be provided by commuter services at the time of issuance and are located on the commuter services website.

(3) Motorcycle and scooter permits shall be registered with commuter services.

(4) Commuter services may authorize certain designated virtual permit holders to use a vehicle's license plate as a permit. Certain designated virtual permits may require the completion of a permit registration process. Virtual permit instructions will be provided at the time of permit issuance.



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NEW SECTION

**WAC 132F-116-052 Allocation of parking spaces.** The parking spaces available on campus shall be allocated in a manner that will best attain the objectives of these rules.

During special occasions causing additional or heavy traffic and during emergencies, the district may impose additional traffic and parking policies to achieve the specified objectives of this chapter.

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NEW SECTION

**WAC 132F-116-053 Overtime parking violations.** After a motor vehicle has been cited for parking beyond the time posted, the vehicle may be cited at a frequency of one additional citation for each period of time equal to the maximum time limit posted for the space.

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NEW SECTION

**WAC 132F-116-061 Parking fees.** Seattle College District VI board of trustees shall adopt parking fees, specifying the charge per time period, day, quarter, and year. The fee structure shall be on file at individual college business offices and the district purchasing office.

Commuter services shall sell quarterly and yearly permits to the districts' employees and students. Students who are registered for six or more credits shall purchase parking at the student rate, even if the student is working as an employee of the college or district.

Commuter services may also sell hourly, daily, quarterly, and yearly permits at their discretion to regular visitors. A person who parks a vehicle in a metered parking space must pay for time used during posted times of operation.

Fees collected from the sale of parking permits shall be used to help offset the expenses of the district's commute trip reduction program, to help maintain the parking facilities at each campus, and to assist with funding of the positions necessary to enforce these parking rules and regulations, and other purposes deemed appropriate.

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NEW SECTION

**WAC 132F-116-062 Parking within designated spaces.** (1) No motor vehicle shall be parked on the campus except in areas designated as parking areas, unless expressly authorized by commuter services or campus safety.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space 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 excuse a violation of this section.

(3) No person shall stop, stand, or park any motor vehicle so as to create a safety hazard, obstruct traffic along or upon any street, parking lot drive aisle, or roadway, or obstruct pedestrian movement along any plaza, path, or sidewalk unless expressly authorized by commuter services or campus safety.

(4) No vehicle shall park in a parking space designated for persons with disabilities without displaying a disabled license plate, card, or decal issued by the Washington state department of licensing (or from equivalent other jurisdictions in other states) that indicates that an occupant of the vehicle is disabled. Such vehicle must be used to transport the person with disabilities.

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NEW SECTION**WAC 132F-116-063 Denial or revocation of parking privileges.**

Commuter services reserve the right to deny or revoke parking privileges to anyone who has:

- (1) Had a permit revoked;
- (2) Falsified a parking application or registration;
- (3) Counterfeited or altered a permit;
- (4) Failed to pay outstanding citations;
- (5) Been found to be in possession of or using a lost, refunded, or stolen permit;
- (6) Removed an immobilization device without authorization;
- (7) Been banned from campus;
- (8) Failed to comply with commuter services directions;
- (9) Damaged campus property while driving or parking on campus;
- (10) Verbally abused or assaulted staff, including commuter services staff.

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NEW SECTION

**WAC 132F-116-064 Parking—Operator's responsibility.** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

- (1) Stopping the engine, locking the ignition, and removing the key;

(2) Effectively setting the brake and transmission to prevent movement of the vehicle.

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NEW SECTION

**WAC 132F-116-066 Regulatory signs, markings, barricades, etc.**

(1) The district may erect permanent or temporary signs, barricades, and other structures, and paint marks and other directions upon the streets and parking areas within campus. Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions. Drivers of vehicles shall comply with directions given to them by commuter services employees, campus facilities employees, campus safety officers, or authorized contractors in the control and regulation of traffic. Drivers shall also comply with directions given to them by commuter services employees, campus safety officers, or authorized contractors in the assignment of parking space and in the collection of parking fees.

(2) No person without authorization from the district shall move, deface, or in any way change a sign, barricade, structure, marking, or direction that regulates traffic or parking.

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NEW SECTION

**WAC 132F-116-067 Speed.** No vehicle shall be operated on the campus at a speed in excess of posted limits. If no limit is posted, no vehicle shall exceed 20 miles per hour or such lower speed as is reasonable and prudent in the circumstances.

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NEW SECTION

**WAC 132F-116-069 Pedestrian's right of way.** (1) The operator of a vehicle shall yield right of way to any pedestrian. However, no pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that 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 that vehicle.

(3) Where a sidewalk is provided, pedestrians shall proceed upon the sidewalk.

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NEW SECTION**WAC 132F-116-071 Motorcycles, bicycles, EPAMDs, and scooters.**

(1) Motorcycles, bicycles, EPAMDs, and scooters are subject to all traffic rules controlling other motor vehicles.

(2) Motorcycles and motorized scooters must be parked in designated motorcycle parking areas.

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

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

(5) No bicycles, EPAMDs, or foot-propelled devices shall be operated on campus corridors, hallways, or buildings unless their use is required as part of the educational process in an authorized program, or authorized by campus personnel. A "foot-propelled device" is a wheeled device designed or used for recreation or transportation including, but not limited to, skateboards, roller skates, and roller blades.

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NEW SECTION

**WAC 132F-116-072 Issuance of parking citations.** Upon probable cause that a violation of these rules has occurred, a campus safety officer, commuter services employee, or contractor designated by commuter services may issue a citation setting forth the date, the approximate time, the locality, the nature of the violation, the license plate number, infraction, officer, and the amount of fine(s). The citation shall be served on the person responsible for the violation by: Attaching a copy of the citation to, or placing it prominently within, the vehicle allegedly involved in the violation; mailing a copy of the citation to the person responsible; or serving a copy of the citation personally on the person responsible.

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NEW SECTION

**WAC 132F-116-073 Fines, immobilization, and impounding.** (1) The current schedule of fines shall be published by the district and made available for review online and prominently displayed on campus.

(2) All fines are due upon receipt of the citation and must be paid as designated on the citation within 20 calendar days from the date of the citation. Fines must be delivered in person to a college cashier's office, paid online, or postmarked on or before the due date specified in these rules to avoid additional penalties. If any citation has neither been paid nor appealed after 20 calendar days from the date of the citation, the institution shall impose an additional fine of \$10 per offense and may:

(a) Impound or immobilize the violator's vehicle;

- (b) Deny future parking privileges to the violator;
- (c) Refuse to issue keys to a violator who is an employee or student;
- (d) Refer outstanding balances associated with unpaid fines for collection in accordance with applicable statutes and institutional procedure.

(3) In addition to imposing fines, campus safety officers, commuter services employees, or authorized contractors or agents may immobilize and/or impound any vehicle parked on campus in violation of these rules. Grounds for impounding or immobilizing vehicles shall include, but not be limited to, the following:

- (a) Blocking a roadway so as to impede the flow of traffic;
- (b) Blocking a walkway so as to impede the flow of pedestrian traffic;
- (c) Blocking a fire hydrant or fire lane;
- (d) Creating a safety hazard;
- (e) Blocking another legally parked vehicle;
- (f) Parking in a marked "tow-away" zone;
- (g) Leaving a vehicle unattended on campus for longer than two days, unless the vehicle has a valid student housing resident permit;
- (h) Failing to pay a fine(s) imposed under this chapter;
- (i) Parking a vehicle on campus that has no license plate(s) and no observable vehicle identification number.

(4) Not more than one business day after impoundment or immobilization of any motor vehicle, commuter services shall mail a notice to the registered owner of the vehicle and to any other person who claims the right to possession of the vehicle, if those persons can be identified. Similar notice shall be given to each person who seeks to redeem an immobilized or impounded motor vehicle. If a motor vehicle is redeemed prior to the mailing of the notice, the notice may not be mailed. The notice shall contain the date of immobilization or impoundment, reason for the action, the location of the motor vehicle if impounded, redemption procedures, and an opportunity to contest the immobilization or impoundment. The institutions shall not be liable for loss or damage of any kind resulting from impounding, immobilization, or storage.

All parking fines, fees, the cost of immobilization and/or impoundment (e.g., booting, towing, and storage fees) must be paid prior to the removal of an immobilization device or the release of an impounded motor vehicle. Impounded motor vehicles shall be redeemed only by the registered owner who has a valid driver's license or a person authorized by the registered owner who has a valid driver's license and who produces proof of authorization and signs a receipt for the motor vehicle. Proof of ownership may be required before a vehicle is released from immobilization or impound.

(5) An accumulation of traffic violations by a student may be cause for discipline under the student conduct code of the student's college.

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#### NEW SECTION

**WAC 132F-116-074 Appeals of fines, immobilization, and impoundments.** (1) Any immobilization, impoundment, or fine under this chap-

ter may be appealed in writing, or when available, appealed through the online parking portal, within 20 calendar days from the date of the citation, the notice of immobilization, or the notice of impoundment. The notice of appeal must be addressed to the location indicated on the citation, notice of immobilization, or notice of impoundment. Commuter services will make appeal forms available at the commuter services office. The notice of appeal must explain the reasons for contesting the citation, immobilization, or impoundment. If the person who files a notice of appeal desires an opportunity to make an oral statement in the appeal, the request to make an oral statement must be included in the notice of appeal. Online appeal instructions can be accessed through each college website.

(2) The hearing on the appeal shall be a brief adjudicative hearing as provided by WAC 132F-108-050. If a request for an oral statement was made, the presiding officer or officers shall provide reasonable notice of the time and place for receiving the oral statement. The presiding officer(s) shall review the notice of appeal and provide a written decision to the person submitting the appeal within 10 calendar days of taking action. If the appeal is denied, the decision shall include a brief statement of its reasons and information about the opportunity for further review. Any fine owed on a written decision that is not further appealed as provided in subsection (3) of this section shall be paid within 21 calendar days after service of the decision.

(3) A person wishing to contest the written decision may request a review by contacting the college issuing the citation in writing within 21 calendar days after service of the decision. The request for review shall explain why the decision was incorrect. The reviewing officer shall, within 20 calendar days of the date of the request, review the matter and render a final written decision, which shall include a brief statement of its reasons and information about the opportunity to appeal the decision to the district court. Any final decision of the reviewing officer not appealed as provided in subsection (4) of this section shall be paid within 10 calendar days after service of the decision.

(4) A person wishing to appeal a final decision of the citation hearing office to the district court may, within 10 calendar days of service of the final decision, file a written notice with the institution. Documents relating to the appeal shall immediately be forwarded to the district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

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NEW SECTION

**WAC 132F-116-076 Permit and parking product revocations.** Parking products are the property of the district and may be recalled by the issuer for any of the following reasons:

(1) When the purpose for which the parking product was issued changes or no longer exists;

(2) When a parking product is used on an unauthorized vehicle, by an unauthorized individual, or in an unauthorized manner;

- (3) Falsification on a parking product application;
- (4) Multiple or continued violations of parking rules;
- (5) Counterfeiting, altering, or using a lost/stolen parking product;
- (6) Failure to comply with a final decision of the citation review committee, or institutional hearing officer;
- (7) Nonpayment of parking product fees or parking fines.

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NEW SECTION

**WAC 132F-116-077 Right to appeal revocation.** Parking product revocations under this chapter may be appealed pursuant to the procedures in WAC 132F-116-005.

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NEW SECTION

**WAC 132F-116-079 Motorized vehicles—Responsible parties for illegal parking.** (1) For any motor vehicle citation involving a violation of this chapter where the motor vehicle is registered to a permit holder, there shall be a prima facie presumption that the permit holder was the person who operated the motor vehicle in violation of these rules. Such responsibility does not afford a defense to another person who violated these rules.

(2) For any motor vehicle citation involving a violation of this chapter where the motor vehicle is not registered to a permit holder, there shall be a prima facie presumption that the registered owner of the motor vehicle was the person who operated the motor vehicle in violation of these rules. Such responsibility does not afford a defense to another person who violated these rules.

(3) This section shall not apply to district-operated motor vehicles. The operator of a district-owned motor vehicle is personally liable for any citation issued to the motor vehicle.

(4) A third party other than the permit holder or registered owner can assume responsibility for a citation by either paying the citation within 20 calendar days of the date of the citation or submitting a petition where the third party agrees to take responsibility.

(5) When mitigating circumstances exist, authorized commuter services personnel may reduce or dismiss fines.

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REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132F-116-020      Parking—Permits and restrictions.

WAC 132F-116-045 Ticketing and enforcement of traffic  
and parking rules and regulations.  
WAC 132F-116-055 Permit revocations.  
WAC 132F-116-065 Fees and fee payments.  
WAC 132F-116-075 Reciprocity of parking privileges.  
WAC 132F-116-085 Disabled parking.