

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED AMENDMENT

REGULATION NO.: FIU-1105

REGULATION TITLE: University Traffic and Parking Regulation

SUMMARY: This Regulation is being amended to reflect various changes including the deletion of Duplicate/Replacement Hang-tags and references to hang-tags throughout, increases in the Decal Registration Fees, revised garage hours for the Gold Garage, clarification of towing charges, and revision in the Appeals process.

TEXT OF REGULATION: The full text of the Proposed Amended Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://bot.fiu.edu/regulations/>. If you would like a copy of the Proposed Amended Regulation, please contact Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, (305) 348-2103.

AUTHORITY: BOG Regulation 1.001(3)(k) and 1001.74(2)(j) and (6), 1006.66 FS.

NAME OF PERSON INITIATING PROPOSED REGULATION: Kenneth Jessell, Chief Financial Officer and Senior Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED AMENDED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED AMENDED REGULATION: Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: April 12, 2010

THE FULL TEXT OF THE PROPOSED AMENDED REGULATION IS PROVIDED BELOW:

FIU-1105 University Traffic and Parking Regulation.

(1) General. This regulation is applicable to all persons who operate or park a motor vehicle on the campuses of Florida International University. All Miami-Dade County traffic and parking ordinances which are not in conflict or inconsistent with University regulations and all provisions of Chapter 316, Florida Statutes, shall extend and be applicable to the University's campuses. The Department of Parking and Transportation is authorized and empowered to enforce all University parking and traffic regulations. The University Public Safety Department is authorized and empowered to enforce University regulations, all county ordinances and state laws. Copies of the University parking and traffic regulations are available from the Department of Parking and Transportation, the Department of Public Safety, the Visitor Information Center and through the Florida International University web site URL <http://parking.fiu.edu>. The University assumes no liability for vehicles parked or operated on University property. The issuance of a decal or permit does not guarantee a place to park.

(2) Registration of Motor Vehicles. Vehicles used by members of the faculty, staff, students, (full or part-time), concessionaire employees and others who regularly operate a vehicle on campus must be registered with the Department of Parking and Transportation during the first day the vehicle is on campus. Vehicle registrations expire on the expiration date indicated on decal or permit. All visitors must use parking meters unless a parking permit has been provided by a University representative. Any motor vehicle parked on University property must display a valid University parking decal or parking permit. Use of a motor vehicle on University property is a privilege, not a right and is made available only under this regulation.

(a) Decals.

1. Employees: A parking decal must be obtained for each vehicle which is, or may be, parked on the University's campuses. Decals are issued according to the classifications contained in these regulations. A decal will be issued by the Department of Parking and Transportation, upon the following conditions:

- a. The owner or driver registers the vehicle with the Department of Parking and Transportation.
- b. The owner or driver, unless otherwise exempt, pays the appropriate fee and provides proof of the decal classification to which he or she is entitled.
- c. The owner or driver settles all outstanding parking and traffic fines and fees before a current decal or permit will be issued.
- d. When two or more persons who are employed by the University reside in the same household and register more than one vehicle, each is required to purchase a separate original decal; duplicate decals will not be issued for either person except upon proof of replacement of the originally registered vehicle. If two or more persons travel together in one vehicle, only one decal is required but a duplicate decal cannot be purchased except upon proof of replacement of the originally registered vehicle.

2. Students: Students will pay a Transportation Access Fee per semester. A student decal will be issued by the Department of Parking and Transportation to each student under the following conditions, and it is the students' responsibility to properly display the current decal in accordance with this regulation.

- a. The student must be currently enrolled at the University.
- b. The student must provide a valid vehicle registration for the vehicle on which the decal will be placed.
- c. The student must settle all outstanding parking and traffic fines and fees.

3. Decal Classifications: The issuance of decals is restricted to the classifications specified in these regulations. The following decal classifications are in effect:

a. Faculty/Staff -- An "F/S" decal is available to persons currently employed as regular or adjunct faculty; administrative and professional staff; support staff and other personal services employees. Individuals who are currently employed by vendors or contractors with the University, or who are otherwise required by contract to obtain a decal, are also entitled to obtain a decal in this classification. A one semester or two semester decal is available during an academic school year to employees who do not wish to purchase an annual decal.

b. Student -- An "S" decal will be issued to those persons who are currently enrolled as students. For purposes of this regulation, a person shall be considered a student regardless of the number of hours or courses for which he or she is enrolled at the University. Students residing in the University's housing complexes are required to display a current semester housing sticker in addition to the current student decal ~~or hang tag~~. Students employed at the University at least 15 hours a week may elect to purchase a faculty/staff decal.

c. Alumni -- An "ALUM" decal is available to FIU graduates who are not currently enrolled at the University and entitles the holder to park in spaces designated for student parking.

d. Administrative -- An "A" decal is available to only those employees who desire a higher level of parking service or have special parking needs based upon work requirements. A one semester or two semester decal is available during an academic school year to employees who do not wish to purchase an annual decal.

e. Executive -- An "E" decal is available to only those employees who desire the highest level of parking service or convenience. A one semester or two semester decal is available during an academic school year to employees who do not wish to purchase an annual decal.

f. Duplicate/Replacement Decal -- A Duplicate/Replacement decal is available to persons who have purchased an original decal for that semester or academic year. This category is for additionally owned vehicles used alternately and for situations where the original decal must be replaced due to an accident, the re-painting of the vehicle, stolen vehicles, etc. The address on the vehicle registration for the second vehicle must be the same as that on the registration of the vehicle listed on the original decal application. A vehicle with a duplicate decal is not permitted on campus at the same time as the vehicle with the original decal.

~~g. Duplicate/Replacement Hang tag -- A Duplicate hang tag is available to students who have been issued an original decal for the current year. This hang tag must be displayed on the vehicle that the hang tag is registered for. This category is for additionally owned vehicles used alternately and for situations where the original decal must be replaced due to an accident, the re-painting of the vehicle, stolen vehicles, etc. The address on the vehicle registration for the second vehicle must be the same as that on the registration of the vehicle listed on the original decal application. A vehicle with a duplicate hang tag is not permitted on campus at the same time as the vehicle with the original decal. A student duplicate hang tag is valid for one academic school year.~~

4. Decal Registration Fees:

a. The following are the annual registration fees, exclusive of sales tax, for each decal classification:

	Original	Duplicate/ Replacement
Executive	\$842.00 <u>884.00</u>	\$30.00
Administrative	\$387.00 <u>406.00</u>	\$20.00
Faculty/Staff (Annual base pay over \$45,000)	\$220.00 <u>231.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$35,000)	\$196.00 <u>206.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$25,000)	\$134.00 <u>141.00</u>	\$15.00
Faculty/Staff (Annual base pay \$25,000 and under)	\$115.00 <u>121.00</u>	\$15.00
Alumni	\$225.00 <u>236.00</u>	\$15.00
Student		
Fall -	N/A	\$15.00
Spring -	N/A	\$15.00
Summer A, B, or C -	N/A	\$15.00

b. The following are the one semester registration fees, exclusive of sales tax, for each decal classification:

Executive	\$533.44 <u>560.00</u>	\$30.00
Administrative	\$247.54 <u>260.00</u>	\$20.00
Faculty/Staff (Annual base pay over \$45,000)	\$121.00 <u>127.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$35,000)	\$108.00 <u>113.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$25,000)	\$ 87.00 <u>91.00</u>	\$15.00
Faculty/Staff (Annual base pay \$25,000 and under)	\$ 72.00 <u>76.00</u>	\$15.00
Alumni	N/A	N/A
Student		
Fall -	\$ 77.00 <u>81.00</u>	N/A
Spring -	\$ 77.00 <u>81.00</u>	N/A
Summer A, B, or C -	\$ 71.00 <u>75.00</u>	N/A

c. The following are the two semester registration fees, exclusive of sales tax, for each decal classification:

Executive	\$687.72 <u>722.00</u>	\$30.00
Administrative	\$317.27 <u>333.00</u>	\$20.00
Faculty/Staff (Annual base pay over \$45,000)	\$170.00 <u>179.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$35,000)	\$152.00 <u>160.00</u>	\$15.00
Faculty/Staff (Annual base pay over \$25,000)	\$110.50 <u>116.00</u>	\$15.00
Faculty/Staff (Annual base pay \$25,000 and under)	\$93.50 <u>98.00</u>	\$15.00

Alumni		N/A	N/A
Student	Fall -	N/A	N/A
	Spring -	N/A	N/A
	Summer A, B, or C -	N/A	N/A

d. Duplicate/Replacement Decals. If a decal or ~~duplicate student hang-tag~~ has been lost or stolen, the incident shall be reported to the Department of Parking and Transportation, and a replacement decal or ~~duplicate student hang-tag~~ shall be purchased. An “FIU Parking and Transportation Lost or Stolen Decal Affidavit”, form PT #11, Revised 06/2010~~09~~, which is incorporated by reference into this regulation, must be filled out.

e. Change in Status. Any employee requesting a change in decal classification shall pay the difference between the fee appropriate to the classification currently in effect and that being requested. The old decal or identifiable parts, including numbers, must be returned to the Department of Parking and Transportation for auditing purposes.

f. Non-Refundable Fees. All fees paid for decal registration shall be non-refundable except for instances where a person has mistakenly made a double payment and the request for refund is made within the same academic year in which the payment was made. The Transportation Access Fee paid by the students is only refunded in the same manner as other student fees are refunded.

(b) Permits and Permit Fees.

1. Temporary permits are issued only by the Department of Parking and Transportation to those persons who require temporary parking authorization and who are not otherwise required by these regulations or contract to obtain a decal. Permits must be applied for and are issued for durations that are commensurate with their purposes. Permits may or may not include the payment of parking fees as provided below.

2. The circumstances under which a permit rather than a decal shall be issued include but are not limited to use of a temporary vehicle; parking on the University's campuses for occasional business-related purposes; parking on the University's campuses for attendance at conferences and meetings; and visitors who are not otherwise required to obtain a decal. Any person who has a current decal and needs to use temporary transportation must obtain a temporary parking permit. These temporary parking permits are issued, free of charge, for a maximum of thirty (30) consecutive days.

3. Temporary 30, 60, and 90-day permits are available to persons not otherwise required by these regulations or contract to obtain a parking decal. The following are the permit fees, **exclusive of sales tax**:

- 30-day permit \$22.00
- 60-day permit \$40.00
- 90-day permit \$60.00

4. Specific visitor, vendor and contractor, and volunteer permits will be issued by the Department of Parking and Transportation upon payment of a fee as follows:

a. Visitor fees. Metered parking is available throughout the University at a cost of 25 cents per 15 minutes except in PC Loading which are 50 cents per 15 minutes. Visitors can also park at the multi-space meters for \$1.00 per hour with a maximum of \$ 8.00 per day. University departments hosting an event can purchase garage visitor permits in advance.

b. Vendors and Contractors fees. All vendors and contractors conducting business on campus are required to purchase a contractor permit. The following are the permit fees, **exclusive of sales taxes**:

30-day permit \$22.00

60-day permit \$40.00

90-day permit \$60.00

c. Volunteers' fees. Individuals outside the University who volunteer their time at either campus can purchase a volunteer permit for the following fees **exclusive of sales tax**:

30-day permit \$ 5.00

60-day permit \$10.00

90-day permit \$15.00

(c) Vehicle Registration Exemptions. The following persons shall not be required to register their vehicles with the Department of Parking & Transportation:

1. Representatives of news media on official business.

2. Members of the Florida International University Board of Trustees who are on campus to attend meetings and functions of the Board of Trustees. Trustees shall be issued identification which shall be prominently displayed in their vehicles.

3. Members of the FIU Foundation Board of Directors who are on campus to attend meetings and functions of the Foundation. Directors shall be issued identification which shall be prominently displayed in their vehicles.

(3) Decal, Traffic and Parking Regulations, Golf Cart and Garage Parking.

(a) Decal Regulations.

1. Display of Decal. Each driver who regularly parks a vehicle on campus shall display a valid decal, ~~hang-tag~~, or permit. It is the responsibility of the driver to properly display a ~~hang-tag~~, decal or permit so it is easily visible and readable. Failure to display it correctly may result in a violation for not having a valid decal, ~~hang-tag~~ or permit.

2. Decals shall be permanently affixed to the outside of the vehicle on the left side either on the rear bumper, or the outside of the rear window. Decals must be permanently affixed and not altered. For unusually constructed vehicles, decals shall also be permanently affixed in the manner directed by the Department of Parking and Transportation. Housing stickers shall be permanently affixed adjacent to the current student decal ~~or on the bottom square of the hang-tag~~.

3. The entire decal, ~~hang-tag~~, or permit must be displayed unaltered.

4. It is a violation of these regulations to transfer a decal, ~~hang-tag~~ or permit from one vehicle to another; alter a decal, ~~hang-tag~~ or permit, falsify documents to obtain a decal, ~~hang-tag~~ or permit or otherwise obtain or display a decal, ~~hang-tag~~ or permit in violation of the University rules and regulations. Any such act shall constitute decal fraud and will cause the decal, ~~hang-tag~~ or permit to be revoked.

(b) Traffic Regulations:

1. Speed Limit. The speed limit on University property is 25 miles per hour on main roads unless otherwise posted. The speed limit inside the garage is 5 mph. Speed limit inside surface lots is as posted.

2. Right-of-Way. Pedestrians and wildlife have the right-of-way over motor vehicles, including golf-carts. Pedestrians must use crosswalks when crossing a roadway.

3. Barriers. Barriers may be placed by the University at any point deemed necessary for specific temporary use. Except as required for the passage of emergency vehicles, removal of any such barrier without permission is prohibited.

4. Enforcement Directives. A directive given by a police officer or parking patroller or designee supersedes the regulations posted by sign or signal.

(c) Golf-Carts:

1. Golf-carts are restricted by the Florida Department of Highway Safety and Motor Vehicles and Florida International University for use on facility premises only. Golf-carts are used primarily for the Transportation of persons or cargo, are designed and regulated to be operated at speeds of less than 25 miles per hour, and are generally recognizable as a passenger or utility type cart, vehicle, club car or conveyance.

2. Any person who operates a golf-cart on University premises is deemed, by so doing, to have the knowledge, training and skill to safely operate such vehicle and shall be fully accountable for their actions and the consequences thereof.

3. Golf-cart Enforcement. Golf-carts shall be operated in accordance with the following specific regulations:

a. Golf-carts shall not be parked within 6-8 feet of the entrance or exit of any building, except at loading docks or approved designated golf-cart parking spaces.

b. Operators shall stop golf-carts at all blind intersections and sound their horns before proceeding.

c. Golf-carts shall not be parked or operated in any manner likely to obstruct or interfere with the flow of pedestrian or vehicular traffic in heavily traveled areas.

d. Operators shall not stop for any extended period of time in the middle of roads and walkways. Golf-carts shall not be parked on pedestrian crosswalks.

e. Safety precautions shall be taken while driving golf-carts through parking lots.

f. Golf-carts shall not be driven through buildings except: 1) under circumstances of police or medical emergency, 2) in order to service that specific building wherein equipment and supplies, but not people, are being transported to the work site, or 3) in order to make a delivery of materials which cannot be otherwise transported to a specific location in a building.

g. Where circumstances warrant operation of a golf-cart in or through any University building, as described in "f." above, operators shall take the most unobtrusive route and shall follow all other operating requirements.

(d) Parking Regulations for Surface and Garage Parking.

1. Posted signs, bumper blocks, and other markings designate the various parking areas on campus. Parking areas may be restricted by classification, time or purpose. Parking areas restricted by classification, time or purpose shall be considered no parking zones to those individuals who do not fall within the restriction of the classification. Individuals parking in areas so restricted require a decal, hang tag, or permit. The following parking restrictions are found in areas on the University's campuses:

- a. Executive
- b. Administrative
- c. Faculty/Staff
- d. Student
- e. Meters
- f. Disabled

- i. Time Limit Parking
- j. Housing Parking
- k. Loading Zone
- l. Garage Visitors
- m. Head-In Parking Only
- n. Golf-Cart

g. Motorcycle/Motorbike/Moped

o. Carpool

h. State Vehicles

2. Metered parking is for visitors and is enforced daily, from 7:00 a.m. to 10:00 p.m. including weekends and holidays. If a meter is malfunctioning, parking in that space is prohibited. A current decal, ~~hang-tag~~ or permit does not entitle the driver to park in a metered parking space without paying the appropriate fee.

3. Use of parking areas designated as Faculty/Staff shall be enforced between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday, unless otherwise indicated by signage. Parking in all other areas, including Executive and Administrative, shall be observed and enforced at all times.

4. Changes in designated parking areas shall become effective at such time as signage or other identifying markings are posted.

5. No motor vehicles, other than police, emergency, or golf-carts may be operated or parked at any time on the walkways, grass, service areas, driveways or other prohibited zones, except where specifically permitted by signage. No motor vehicle, motorcycle or other type of vehicle, including a bicycle, shall be parked in such a way as to create a hazard or obstruction to traffic or access. Temporary parking areas may be designated in grass areas by the placement of delineating signs, bumper blocks or other identifying marks. Parking adjacent to any University building shall be prohibited except as identified by authorized signs.

6. No person, other than a current housing resident whose vehicle is left in a housing lot, shall leave a vehicle overnight on University property without notifying the Public Safety Department. Vehicles that are inoperable shall be reported immediately to the Public Safety Department. Vehicles left for more than three (3) consecutive days and nights, without prior approval, or which are apparently abandoned shall be subject to towing, impoundment, and disposal at the owner's expense. The University does not assume any responsibility for motor vehicles or their contents while they are parked on campus. Vehicles registered to current housing residents may be left in housing lots during session breaks but in no event for more than three weeks, except with permission from University housing.

7. Major repairs to vehicles shall not be performed on either campus.

8. Double-parking is not allowed at any time.

9. The fact that a person may park or observe others parked in violation of the regulations without receiving a citation does not mean that the regulation is no longer in effect. Observing others illegally parked is not a valid excuse.

10. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas is a violation. The absence of a "No Parking" sign does not mean parking is permissible in an area.

11. Residents of housing shall abide by the parking regulations.

12. Parking a vehicle on campus following failure to pay or appeal any citation for a university traffic infraction within the time provided, or parking on campus with a revoked decal shall be considered illegal parking and is subject to towing.

13. Parking areas designated as disabled are enforced at all times and a current state issued disabled placard/hang-tag or license plate must be visible and properly displayed. Employees and students of the University must display a decal in addition to the disabled placard/hang-tag or license plate.

(e) Garage Parking:

1. A current FIU parking decal is required to park in the garages at no additional cost.

2. Current FIU decal holders cannot park in a visitor space without paying the additional fee.

3. Garage hours: Gold Garage

~~6:00 a.m. - 2:00 a.m. Mondays - Saturdays~~

~~Closed Sundays and holidays except for Special Events~~

Open 24 hours a day, 7 days per week

Blue, Red and Panther Garages

6:00 a.m. - 2:00 a.m. Mondays – Fridays

Closed weekends and holidays except for Special Events

4. No overnight parking. Vehicles must be removed prior to posted closing hours. Any vehicle left in the garage will be ticketed and is subject to towing at vehicle owner's expense.

5. Head-in parking only.

6. Garage speed limit is 5 mph. Garage speed is radar-enforced.

(4) Enforcement.

(a) Violations. Failure to abide by any of the provisions of these regulations shall be considered a university parking infraction. The University may enforce university parking infractions through use of warnings, citations and fines, vehicle immobilization, towing and any other means authorized by statute.

(b) Citations. The Public Safety Department and the Department of Parking and Transportation are authorized to issue written citations to persons who violate university parking and Transportation regulations. The Public Safety Department is also empowered to issue citations for violation of Chapter 316, Florida Statutes, and county ordinances. Only one citation per calendar day will be issued for each violation in the same location.

1. Schedule of Fines. The schedule below establishes fines for the various categories of violations which are considered to be university parking infractions:

No Decal	\$ 20.00
Parking on the Grass	\$ 20.00
Hazardous Parking	\$ 25.00
Overtime Parking (meter)	\$ 20.00
All Moving Violations	\$ 25.00
Restricted/Improper Parking	\$ 25.00
Overtime Parking (garage)	\$ 25.00
Unlawfully Parked in Disabled Space	\$250.00
Decal Fraud	\$100.00
Head-In Parking Only	\$ 15.00
Radar/Speeding Violation	\$ 25.00
Restricted "E" or "A"	\$ 30.00
Golf-Cart <u>Violation</u>	\$ 25.00
Decal/Permit-Improper Display	\$ 20.00

a. Impoundment and vehicle immobilization charges vary according to type of vehicle, type of tow needed, at a minimum \$65.00. If a third party towing company is used, the charge will be as determined by the third party towing company. ~~and cost of contract with current towing company.~~

b. Any vehicle which remains in violation of the same regulation for more than one calendar day is subject to additional citations. Violations of Chapter 316, Florida Statutes, and county ordinances are returnable to the Miami-Dade County Court and may carry higher fines or other penalties.

2. Late Charges. If a university citation is not paid or appealed in the time provided by this regulation, a \$5.00 late charge shall be assessed in addition to the fine established for the violation. The assessment of the late charge shall not preclude the University from enforcing these regulations through alternative means such as preventing registration, withholding transcripts, receiving your diploma and/or towing, or immobilizing the vehicle. Finally, the outstanding balance will be sent to a collection agency and additional fees will be assessed.

3. Remedies for Failure to Pay Fines. In addition to the assessment of a late charge fee, and other penalties as provided in this regulation, the following remedies are available to the University:

a. Revoke parking and driving privileges on University property. A person whose parking privileges are revoked may not be issued a new parking decal until all prior outstanding citations are satisfied.

b. Prevent the person from registering as a student.

c. Withhold issuance of transcripts or degrees.

d. Use vehicle immobilizer.

e. Tow and impound the person's car.

f. Take other action as necessary to collect the outstanding fines as delinquent accounts owed to the University such as the use of a collection agency.

4. Responsibility for Citations. The person who registers a motor vehicle with the Department of Parking and Transportation assumes responsibility for all citations issued to that vehicle. If the motor vehicle has not been registered with the Department of Parking and Transportation then the person(s) in whose name the motor vehicle is registered with the State Department of Highway Safety and Motor Vehicles shall be held responsible for citations issued to the vehicle. Employees of FIU operating state university vehicles and golf-carts shall be responsible for citations issued to such vehicle(s).

(c) Procedures for Payment of Fines and Appeals. A person to whom a citation has been issued shall have ten (10) business days from the date of issuance to respond to the citation either by paying the fine or by filing an appeal. If payment or request for an appeal is not received within the allotted time, a late fee shall be assessed, and the University may take any authorized action to enforce the penalty.

1. Payment of Fines. Fines may be paid by credit card through the Florida International University web site URL <http://parking.fiu.edu> or in person at the Department of Parking and Transportation by check, money order, cash payment, the FIU Panther debit card, or credit card. Alternatively, payments may be mailed to the Department of Parking and Transportation located on ~~University Park~~ Modesto Maidique Campus; however, late fees shall be applied in the event payment is not received by the Department of Parking and Transportation within the time provided by these regulations. All payments sent by mail should include the payee's Panther ID number and citation number.

2. Appeals Process and Procedures. Appeals of citations for university parking infractions and towing/vehicle immobilization procedures and charges may be instituted by filing a written appeal through the Florida International University web site URL <http://parking.fiu.edu> or at the Department of Parking and Transportation on the "Florida International University

Department of Parking and Transportation CITATION APPEAL FORM”, Form PT #04 Appeal Form RVSD. 04/2009, according to the instructions provided on the form. ~~The~~ This-form is hereby incorporated by reference into this regulation. County citations are not open to appeal through the University appeal process. County citations must be processed through the Miami-Dade County Court system. The Citation Appeal Form PT #04 may be obtained at the Department of Parking and Transportation, the web site and at other locations throughout the University, such as the Visitor Information Center and Public Safety Department at both campuses. Inability to locate parking spaces or the failure of others to observe these regulations shall not be considered to be valid defenses. The completed Citation Appeal Form must include a current and accurate mailing address or email address where notices can be sent to and received by the Appellant. Complete Citation Appeal Forms will be forwarded by the Department of Parking and Transportation to an Appeal Hearing Officer for review and decision. ~~Appellants do not have the option to appear in person.~~

a. Appeal Hearing Officers. There shall be appointed on each campus a University Appeal Hearing Officer or Officers who shall be responsible to resolve appeals of citations for university parking infractions and/or towed or immobilized vehicles. The Appeal Hearing Officer(s) of each campus shall be appointed, by the appropriate vice president, to serve a two-year term, and may be appointed for additional terms. It is intended that Appeal Hearing Officers will be members of the University Community.

b. Appeal Hearing Officer Procedures. Appeal Hearing Officers will receive and evaluate written appeals. They will be guided by the Parking Regulations and shall consider any relevant circumstances, as articulated in the written appeal, in making their decision(s). Appeal Hearing Officers may request further information or interview the appellant, witnesses or the citing officer. Appeals will be reviewed and appellants notified by mail.

c. Appeal Hearing Officer Decisions. Following consideration of the grounds for an appeal, the Appeal Hearing Officer shall decide on the appeal. The Appeal Hearing Officer's decision shall contain findings of fact and be reduced to writing and a copy shall be furnished to the appellant by the Department of Parking and Transportation. The decision of the Appeal Hearing Officer is final without further right of review. Upon denial of an appeal, the fine assessed shall be paid within ten (10) business days of the date of notification to the appellant or a late fee will be assessed.

(d) Immobilization, Towing and Impoundment-Appeals. The University may immobilize, tow and/or impound any vehicle which is found to be parked illegally or in violation of these regulations. Parking after failing to pay a parking citation(s) within the allotted time constitutes illegal parking. A person whose vehicle has been immobilized, towed and/or impounded may appeal the tow or immobilization by filing a written appeal within ten (10) business days from the date of the impoundment. An Appeal Hearing Officer shall review the appeal within seventy-two (72) hours of receipt of the written appeal. The appellant shall receive notification of the appeal decision through the mail. If the immobilization or tow appeal is granted, the University shall refund the amount charged for the immobilization or tow. In lieu of the appeal, or pending such appeal, or if the appeal is denied, the owner of the vehicle or his/her authorized agent may obtain release of the vehicle by paying the citation(s), the immobilization and/or towing charges and any applicable delinquent fines.

(e) University Departmental Events. All departments hosting an event, which will require additional visitor parking for guests, will require visitor permits for each vehicle per day. Pre-purchased parking spaces are available by contacting the Department of Parking and

Transportation no later than three (3) business days, but preferably five (5) business days before the date of the event. Departments are encouraged to post directional signs for each event.

Specific Authority- BOG Regulation 1.001(3)(k) and 1001.74(2)(j) and (6), 1006.66 FS. Law Implemented 1001.74 (2)(j) and (6), 1006.66 FS. History--Formerly 6P-5.06, 10-1-75, Repromulgated 12-23-76, Amended 1-15-80, 8-20-81, 4-24-83, 8-12-85, Formerly 6C8-5.06, Amended 7-6-86, 8-31-89, 7-17-90, 7-21-91, 8-25-93, 10-26-93, 8-17-94, 8-20-95, 8-11-96, 6-12-97, 7-08-99, 5-16-00, 5-24-01, 7-25-02, 12-2-02, 8-11-03, 6-1-04, 6-1-05, Formerly 6C8-5.006, Amended 6-2-06, 7-12-07, 8-11-08, 6-29-09, Amended, _____.

Florida International University
Department of Parking & Transportation

APPEAL DATE: _____

APPEAL# _____

CITATION APPEAL FORM

VALID DECAL: YES or NO

DATE ISSUED: _____

AN APPEAL HEARING OFFICER WILL REVIEW THIS APPEAL.

APPELLANTS DO NOT HAVE THE OPTION TO APPEAR IN PERSON.

THIS APPEAL FORM MUST BE SUBMITTED NO LATER THAN 10 BUSINESS DAYS FROM THE DATE OF CITATION

() STUDENT () FACULTY/STAFF () VISITOR () VENDOR/CONTRACTOR

PLEASE PRINT

PANTHER ID #: _____

CITATION #: _____

NAME: _____

DATE OF CITATION: _____

ADDRESS: _____

VEHICLE PLATE #: _____

CITY: _____ ST: _____ ZIP: _____

VIOLATION CODE: _____

HOME PHONE #: _____

VIOLATION DESC. : _____

ALTERNATE PHONE #: _____

LOT #/UNIT #/TIME: _____

E-MAIL: _____

I wish to appeal for the following reason (s): _____

I certify that the statements made above are true and correct to the best of my knowledge and belief. **I understand that the decision of the appeal-hearing officer is final without further right of review.** Once I receive my appeal results, whether denied or reduced, I agree to pay the amount due within 10 business days after receiving the appeal results. If payment is not received within the allotted time, a late fee will be assessed. If appeal status notification has not been received within 2 weeks from signature date, it is the appellant's responsibility to conduct a follow up by calling any of our Parking & Transportation offices at UP Campus (305) 348-3615 or BBC (305) 919-5558.

SIGNATURE: _____

DATE: _____

() DENIED () GRANTED () WARNING: NO FINE ISSUED () REDUCED FINE TO \$ _____

APPEAL HEARING OFFICER COMMENTS: _____

APPEAL HEARING OFFICER: _____ DATE: _____



Parking & Transportation

Lost or Stolen Decal Affidavit

The Department of Parking & Transportation has adopted the following policy to deal with situations where a decal or hang-tag is lost in the mail, stolen off of a vehicle, or lost by its recipient. If lost or stolen, the person must purchase a duplicate decal to replace the missing one. Person claiming decal was lost/stolen needs to file a report with FIU Police and bring a copy of the police report to attach to this affidavit.

When the decal is stolen off of a vehicle and is subsequently recovered, the applicant is allowed to apply for a refund for the price paid for the duplicate decal (subject to verification by Parking & Transportation within 30 days of decal purchase.)

In instances where the decal or hang-tag is mailed out, but never received by the applicant, it is considered lost/stolen once an affidavit is filled out. Another decal of the same category will be issued at no charge. (Subject to verification by Parking & Transportation and within 30 days of decal purchase/ordered. After this period a duplicate must be purchased). If the applicant later has possession of the decal or hang-tag, the applicant must report the recovery to the Department of Parking & Transportation. The decal or hang-tag must be returned to Parking & Transportation.

Persons wishing to file a lost or stolen decal report must fill out the affidavit swearing the information contained in the report is true. Furthermore, the person is thus informed that providing false misleading information may result in impoundment of the vehicle, fines totaling \$100.00 or more, and a referral to the University authorities for disciplinary action.

PLEASE PRINT:

_____ Last Name, First Name Panther ID

_____ Local Mailing Address

_____ City State Zip Code Telephone

Provide a brief explanation: _____

My signature, below, indicates that I have read and understand this Department of Parking & Transportation Lost or Stolen Decal Affidavit.

_____ Signature Date

FOR OFFICE USE ONLY			
CLERK _____	POLICE REPORT ATTACHED _____		
PREVIOUS DECAL # _____	NEW DECAL # _____		
LOST IN MAIL _____	STOLEN _____	LOST BY APPLICANT _____	