

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

NOTICE OF PROPOSED REGULATION

REGULATION NO.: FIU-115

REGULATION TITLE: **Skateboarding, Skates, Scooters, Ripsticks, and Other Similar Devices and High Risk Activities on University Property.**

SUMMARY: The purpose of this Regulation is to promote the safety of persons and property on the University's Property. The primary scope of this regulation is to designate the areas and purpose for which skateboards, longboards, skates of any type, scooters, ripsticks, and other similar devices may be used and/or operated by person(s) on University Property.

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

AUTHORITY: BOG Regulation 1.001

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

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED 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 REGULATION: Eli Deville, Chief of Staff, 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: May 10, 2012

THE FULL TEXT OF THE REGULATION IS PROVIDED BELOW:

FIU-115 Skateboarding, Skating, Scooters, Ripsticks and Other Similar Devices and High Risk Activities on University Property.

A. General

Skateboards, longboards, skates of any type, scooters, ripsticks, or other similar devices may only be used on University sidewalks and while crossing the street at crosswalks. The aforementioned devices must be operated at speeds reasonable and prudent, having due regard to traffic, pedestrians, property of others, surface of the side walk or pavement, the hazard at intersections, and other conditions.

B. Definitions:

(1) "Crosswalk" means a specifically paved or marked path where pedestrians have the right of way to cross.

(2) "Service Animals" as defined by the Americans with Disabilities Act, is any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

(3) "Sidewalks" mean that portion of a street between the curb-line, and the lateral line, of a roadway and the adjacent property lines or the walkway between buildings intended for use by pedestrians.

(4) "University Property" means any real or personal property owned, leased or otherwise controlled by Florida International University including, but not limited to any vehicles, equipment, fixtures, materials or other items that are located on, within or around, any one of the above areas.

C. Rules:

(1) No person shall use skateboards, longboards, skates of any type, scooters, ripsticks, or other similar devices on University Property except as a means of transportation on sidewalks and while crossing the street at crosswalks.

(2) The use of skateboards, longboards, skates of any type, scooters, and other similar devices is prohibited at all times, in/on curbs; benches; stairs, stairwells; railings, ramps, parking lots; parking garages; wooden walkways; library breezeways; athletic facilities; landscaped areas; the interior or exterior of any building, including inside and outside patios. The use of skateboards, longboards, skates of any type, scooters, and other similar devices is also prohibited at all times in any area(s) where the University has posted a sign(s) prohibiting the use of skateboards, longboards, skates of any type, scooters, and other similar devices.

(3) Pedestrians have the right of way on all sidewalks, crosswalks, walkways, and paths commonly used for pedestrian traffic. Persons operating skateboards, longboards, skates of any type, scooters, ripsticks, and other similar devices shall yield to pedestrians and service animals.

(4) The following high risk activities are also prohibited in, on or about the University's Property:

(a) acrobatics (e.g., jumping on or over steps, benches, walls, ramps, rails, bike racks, "free running," "Parkour," etc.);

(b) excessive speed; blocking pedestrian paths (e.g., sidewalks, ramps, doors, entryways, etc.);

(c) entering buildings while wearing skates of any type;

(d) slack lining; and

(e) rappelling; climbing in any areas, buildings, facilities, and/or exterior and interior locations that are not designated for climbing.

D. Sanctions:

(1) Any person who violates this regulation is subject to an order to leave University Property by the University Police Department or any University representative having responsibility for the area(s) in, on, or about the University Property. Persons failing to comply with the order to leave or remain off the University Property are subject to arrest.

(2) Any University student who violates this regulation may also be subject to discipline under the Student Code of Conduct.

(3) Any University employee (faculty, staff, or otherwise) who violates this regulation may also be subject to disciplinary action by the University.

(4) The University may seek restitution for damage to University Property due to a violation of this Regulation.

E. Exceptions:

Activities otherwise prohibited by this Regulation may be allowed as part of a University approved/sponsored program, activity or event or a program, activity, and/or event of a registered student organization provided the program, activity, and/or event has been pre-approved in writing by the President or designee.

Authority: BOG Regulation 1.001. History- New _____, 2012.