

**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: to allow the purchase of a semester student decal by students not required to pay the Transportation Access Fee; to add seven restrictions ranging from “expired decal/permit” to “crosswalk light violation” and corresponding fines of \$20 or \$25; to provide up to four hours of free parking in metered spaces to disabled visitors; to disallow appeals for ten enumerated reasons; to add a housing garage decal and an ROTC decal (for non-FIU ROTC students); and to provide for review by an appeal board upon request. The rule is also being edited for clarification and to update the handling of visitor parking for departmental events.

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://regulations.fiu.edu>. If you would like a copy of the Proposed Amended Regulation, please contact Eli Deville, Chief of Staff, Office of the General Counsel, (305) 348-2103.

AUTHORITY: BOG Regulations 1.001(3)(k) and 7.003(9), and Section 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, 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, 2013

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. Every motor vehicle parked on University property must display a valid University parking decal/hang tag or parking permit. All Miami-Dade County traffic and parking ordinances which are not in conflict or inconsistent with University regulations shall extend and be applicable to the University's campuses. The Department of Parking and Transportation is authorized and empowered to enforce all university traffic and parking regulations as per Florida Statutes Section 1006.66. The University Police 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 University Police Department, 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. Registration can be completed online at <http://parking.fiu.edu> or at the Parking and Transportation Offices located at the Modesto A. Maidique and Biscayne Bay Campuses. The registration expiration date for a vehicle registered with the Department of Parking and Transportation corresponds with the expiration date of the decal or permit associated with that vehicle. All visitors must use parking meters unless a parking permit has been provided by a University representative. Use of a motor vehicle on University property is a privilege, not a right and is made available only under this regulation (FIU-1105).

(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 according to their classification; Duplicate decals will not be issued for either person. Replacement decal will be issued 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 pay a~~ A Transportation Access Fee is assessed to all students per semester, as part of their registration-enrollment fees. ~~except for students using a tuition waiver who must purchase a permit at the associated rate.~~ A student decal will be issued

by the Department of Parking and Transportation to each student who pays the Transportation Access Fee 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 pay the Transportation Access Fee.~~
- ~~b.e.~~ The student must provide a valid vehicle registration for the vehicle on which the decal will be placed.
- c.d. The student must settle all outstanding parking and traffic fines and fees.

~~d.e. Students registered for fully online courses, or using tuition waivers, or exempted from the transportation fee and desiring to park on campus, will need to pay the access fee at the Parking and Transportation office prior to a decal being issued~~

 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 -- A "Faculty" decal is available to persons currently employed as regular or adjunct faculty which includes the following categories: Faculty 9 Months, Faculty 12 Months, Faculty Summer A, Faculty Summer B and Adjunct. 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. Staff— A "Staff" decal is available to persons currently employed as regular or temporary staff which includes the following categories: Staff, Administrative, Executive, OPS and OPS Student. 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. 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.

 c. Student -- A "Student" 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. Students employed as faculty or staff at the University may elect to purchase a decal at the additional cost according to their classification.

 d. 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.

 e. Administrative -- An "ADMIN" decal is available to 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.

 f. Executive -- An "E" decal is available to 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.

 g. ROTC – An "ROTC" semester decal is available for non-FIU students registered in the program. Proof of registration in the program must be presented at the time of purchase.

h. Housing Garage Decal – A “Housing Garage” decal will be available on a first come first served basis for the maximum spaces available in the garage. The decal will be valid in conjunction with a current FIU Decal and FIUOne Card to provide gate entry and exit to the garage. No duplicate decals will be sold for the housing garage. Only replacement decals may be obtained. Cancellation of housing contract will result in deactivation of the housing garage decal and access.

i.g. Replacement Decal – A Replacement decal is available for situations where original decal must be replaced due to an accident, the re-painting of the vehicle, stolen vehicles, etc.

j.h. Duplicate Decal -- A Duplicate 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. A duplicate decal will be issued provided the following criteria are met:

i. The additional vehicle(s) must be registered to the same address as the one listed for the original decal, and

ii. ~~no~~ No other person residing at that address is affiliated with the University (either as a student or an employee).

–A vehicle with a duplicate decal is not permitted on campus at the same time as the vehicle with the original decal. A violation of this provision will result in the ticketing, immobilization and/or towing of both vehicles.

4. Decal Registration Fees:

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

	Original	Duplicate/ Replacement
E	\$972.00	\$30.00
Admin	\$447.00	\$20.00
Faculty and Staff (Annual base pay over \$45,000)	\$254.00	\$15.00
Faculty and Staff (Annual base pay over \$35,000)	\$227.00	\$15.00
Faculty and Staff (Annual base pay over \$25,000)	\$155.00	\$15.00
Faculty and Staff (Annual base pay \$25,000 and under)	\$133.00	\$15.00
Alumni	\$260.00	\$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:

E	\$616.00	\$30.00
Admin	\$286.00	\$20.00

Faculty and Staff (Annual base pay over \$45,000)	\$140.00	\$15.00
Faculty and Staff (Annual base pay over \$35,000)	\$24.00	_____ \$15.00
Faculty and Staff (Annual base pay over \$25,000)	\$100.00	\$15.00
Faculty and Staff (Annual base pay \$25,000 and under)	\$ 84.00	\$15.00
ROTC Decal	\$57.00	\$15.00
<u>Housing Garage Decal</u>	<u>\$225.00</u>	<u>N/A</u>
Alumni	N/A	N/A
Student	Fall -	\$ 89.00 N/A
	Spring -	\$ 89.00 N/A
	Summer A, B, or C -	\$ 83.00 N/A

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

E	\$794.00	\$30.00
Admin	\$366.00	\$20.00
Faculty and Staff (Annual base pay over \$45,000)	\$197.00	\$15.00
Faculty and Staff (Annual base pay over \$35,000)	\$176.00	\$15.00
Faculty and Staff (Annual base pay over \$25,000)	\$128.00	\$15.00
Faculty and Staff (Annual base pay \$25,000 and under)	\$108.00	\$15.00
<u>Housing Garage Decal</u>	<u>\$450.00</u>	<u>N/A</u>
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. Lost or Stolen Decals. If a decal has been lost or stolen, the incident shall be reported to the Department of Parking and Transportation, and a replacement decal shall be purchased. An “FIU Parking and Transportation Decal Affidavit”, form PT #11, Revised 03/2012, which is incorporated by reference into this regulation, must be filled out.

_____e. Change in Decal Status. Any employee requesting an upgrade in decal classification shall pay the difference between the appropriate fee according to the classification currently in effect and the one 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 and the Housing Garage Decal cost paid by the students is only refunded in the same manner as other University student fees are refunded.

g. Deactivated Decals. A decal may be deactivated if the Transportation Access Fee is not paid for the current semester. Vehicles found on campus with a deactivated decal will be ticketed and the vehicle is subject to towing at vehicle owner's expense.

(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. Carpool permits. A carpool permit is available for those employees and students who register for the car sharing program. Please visit via the Parking & Transportation website through the GreenRide carpool website at <http://www.fiu.greenride.com>. All registrants must have a current FIU decal and must be affiliated with the university. At least two carpool permits must be displayed at the same time when parked at a carpool space.

4. 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 \$27.00
- 60-day permit \$45.00
- 90-day permit \$65.00

5. 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 ~~is~~ 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 or lot guest permits in advance.

b. Vendors and Contractor fees. All vendors and contractors conducting business on campus are required to purchase either a staff decal (at the lowest Staff rate listed in (1)(a)4 above) or a contractor permit. The following are the contractor permit fees, **exclusive of sales taxes**:

- 30-day permit \$27.00
- 60-day permit \$45.00
- 90-day permit \$65.00

c. Volunteers' fees. Upon verification, 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 a decal or hang tag 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 a decal or hang tag 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 or permit. It is the responsibility of the driver to properly display a decal or permit so it is easily visible and readable. Failure to display it correctly may result in a violation for improper display.

_____ 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. For unusually constructed vehicles, decals shall also be permanently affixed in the manner directed by the Department of Parking and Transportation upon issuance of the decal. ~~Housing and Disabled decals shall be permanently affixed adjacent to the current student decal.~~

_____ 3. ~~Housing and Disabled~~ decals shall be permanently affixed adjacent to the current student decal.

_____ 4. The entire decal or permit must be displayed unaltered.

_____ 5. Permits shall be displayed on the front dashboard.

_____ 6. It is a violation of these regulations to transfer a decal or permit from one vehicle to another; alter a decal or permit, falsify documents to obtain a decal or permit or otherwise obtain or display a decal or permit in violation of the University rules and regulations. Any such act shall constitute decal fraud and will result in the revocation of ~~cause~~ the decal or permit. ~~to be revoked~~ In addition, the ~~and~~ vehicle may be ~~is~~ subject to immobilization and/or towing at vehicle owner's expense.

(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 Regulations

1. Golf-carts are restricted by Florida International University for use on University facility premises only by University employees, volunteers, contractors, vendors or agents and are generally recognizable as a low speed passenger or utility type cart, vehicle, such as, but not limited to, golf carts, mules, or gators. ~~club car or conveyance.~~

2. Any person who accepts the privilege of operating ~~operates~~ a golf-cart on University premises is deemed, by so doing, to have the knowledge, training and skill to safely operate ~~this 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 20 ~~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. This includes Pedestrians, as used here, shall include persons in wheelchairs or mobility assistance devices. In addition, golf carts shall not park in the following areas: fire lanes, handicap parking, meter parking, on sidewalks or ramps that would impede handicap accessibility.

d. Operators shall not bring a golf cart to rest for any period of time ~~stop for any extended period of time~~ in the middle of roads and walkways. ~~Golf carts shall not be parked on pedestrian crosswalks.~~

e. Golf-carts may be driven on sidewalks only where streets and/or parking lots are not available, ~~and then only to the nearest street or parking lot.~~ Safety precautions shall be taken while driving golf carts through parking lots. Golf carts are not permitted in any red zones as identified on the maps which can be found at <http://policies.fiu.edu>.

f. Golf-carts shall not be driven through buildings or breezeways covered walkways, landscaped areas or golf cart free red zones as identified on the maps which can be found at http://policies.fiu.edu/record_profile.php?id=782. Golf carts shall not be driven through the Green Library breezeway or any other building except: 1) under circumstances of police or medical emergency, 2) in order to provide maintenance service to a location in a that specific building or to grounds in which large amounts or heavy wherein equipment and supplies, but not people, are being transported to the work site, 3) in order to make a delivery of large amounts or heavy materials to which cannot be otherwise transported to a specific location in a building or, 4) in order to assist a handicapped individual or, 5) when conducting a pre-approved University tour. to pick up or drop off disabled persons:

g. ~~Where circumstances warrant operation of a golf cart in or through any University building as described above, the operator must take the route least disruptive route to building occupants or pedestrians and must follow all other operating requirements.~~

g. Use of ear phones, eating, texting, or the use of any device that may hinder the proper and safe operation of golf carts is prohibited.

(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 decal classification, time or

purpose. Parking areas restricted by decal classification, time or purpose shall be considered no parking zones to those individuals who do not fall within the restriction of the decal 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. E | i. State Vehicles |
| b. Admin | j. Time Limit Parking |
| c. Faculty/Staff | k. Housing Parking |
| d. Student | l. Service/Delivery |
| e. Meters | m. Garage Visitors |
| f. Disabled | n. Golf-Cart |
| g. Disabled Modified Vehicles | o. Carpool |
| h. Motorcycle/Motorbike/Moped | p. Head-in Parking Only |

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 FIU parking decal or permit does not entitle the driver to park in a metered parking space without paying the appropriate fee, unless otherwise specified on the permit.

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/Administrative, Disabled and Meters 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 University Police Department and the Department of Parking and Transportation. Vehicles that are inoperable shall be reported immediately to the University Police Department and the Department of Parking and Transportation. 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. Head-in parking only.

10. 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.

11. 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.

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

13. 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.

14. Parking areas designated as disabled are enforced at all times and a current state issued disabled placard/hang-tag and/or license plate must be visible and properly displayed. Disabled employees and students of the University must register their vehicle with the Department of Parking & Transportation. In addition, all disabled employees and students of the University must obtain/purchase and display a current decal or permit and an FIU Registered Disabled sticker.

15. Disabled visitors with a valid disabled placard may also park in metered spaces for up to 4 hours free of charge. A valid county placard must be displayed at all times.

16. Violation of these rules or the misuse of a disabled placard may result in the immobilization and/or towing of the vehicle at vehicle owner’s expense and the confiscation of the placard.

_____ (e) Garage Parking:

1. A current FIU parking decal is required to park in the garages as restricted by decal classification.

2. A current FIU parking decal or permit does not entitle the driver to park in a metered parking space without paying the appropriate fee, unless otherwise specified on the permit.

3. Garage hours: Gold and PG5 Market Station Garages
_____ 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 from the garage prior to posted closing hours of the garage, except for garages open 24 hours a day. Any vehicle left in the garage after hours will be ticketed and the vehicle is subject to towing at vehicle owner’s expense.

5. Garage speed limit is 5 mph.

6. Skateboarding and rollerblading are prohibited in the garages.

7. Head-in Parking Only

(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 University Police Department and the Department of Parking and Transportation are authorized to issue written citations to persons who violate this regulation. The University Police 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 on the same vehicle.

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

<u>No Valid Decal or Permit</u>	\$ 20.00
<u>Parking on the Grass</u>	\$ 20.00
<u>Restricted Faculty/Staff</u>	\$ 25.00
<u>Hazardous Parking</u>	\$ 25.00
<u>Overtime Parking <u>in Meters</u> (meter)</u>	\$ 20.00
All Moving Violations	\$ 25.00
<u>Restricted/Improper Parking</u>	\$ 25.00
Overtime Overnight Parking (garage)	\$ 25.00
<u>Unlawfully Parked in Disabled Space</u>	\$250.00
<u>Decal Fraud</u>	\$100.00
<u>Radar Speeding Violation</u>	\$ 25.00
<u>Restricted <u>Executive/Admin</u> "E" or "Admin"</u>	\$ 30.00
<u>Golf-Cart Violation</u>	\$ 25.00
<u>Moving Violation</u>	\$ 25.00
<u>Expired Decal/Permit</u>	\$ 20.00
<u>Deactivated Decal</u>	\$ 20.00
<u>Restricted Housing</u>	\$ 25.00
<u>Improper Decal Registration</u>	\$ 20.00
<u>No Carpool Decal/Permit</u>	\$ 20.00
<u>Unregistered Placard with FIU</u>	\$ 25.00
<u>Decal/ Permit-Improperly <u>Affixed</u> Displayed</u>	\$ 20.00
<u>Crosswalk Light Violation</u>	\$ 20.00
<u>Head-in Parking Only</u>	\$ 15.00
<u>Other</u>	\$ 15.00

a. Impoundment and vehicle immobilization charges vary according to type of vehicle and/or type of tow or immobilization needed for the vehicle, but cost at a minimum \$50.00. If a third party towing company is used, the charge will be as determined by the third party towing company.

b. Any vehicle which remains in violation of the same regulation for more than one calendar day is subject to additional citations.

c. Uniform traffic citations for violations of Chapter 316, Florida Statutes, and county ordinances are governed by 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 ~~a 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 of 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 Modesto A. 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 using the “Florida International University Department of Parking and Transportation CITATION APPEAL FORM”, Form PT #04 Appeal Form RVSD. 04/2009. The form is incorporated by reference into this regulation. Uniform traffic citations are not open to appeal through the University appeal process. Uniform traffic citations must be processed through the Miami-Dade County Court system. 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. Appeals should only be filed if a legitimate basis exists. The following reasons are not considered legitimate basis for filing an appeal and will result in the appeal being denied:

1. Disagreement with the Parking & Transportation Rules and Regulations.
2. Ignorance of the regulations.
3. Stated inability to find a permitted parking space.
4. Operation of the vehicle by another individual.
5. Failure to issue citations previously for similar violations.
6. Failure to display an event parking permit.
7. Tardiness to class and/or appointment.
8. Inability to pay fine.
9. Displayed wrong or expired permit.
10. Received incorrect verbal information from a non FIU Parking and Transportation employee.

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. If your appeal is denied, you may file a request for review by the appeal board. The appeal board will meet once a month and its decision is final. ~~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 include external guests, have the option of purchasing parking permits for these guests. 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. In addition to purchasing parking permits, parking spaces may be reserved for these guests and departments are encouraged to order directional signs for each event from the Department of Parking & Transportation. Signs must adhere to the signage protocol established through the Office of Finance and Administration. The Department also handles any event requests that require transportation, including campus tours.~~

1. Any event held on campus, whether hosting internal or external guests, which may require the reservation of parking spaces, must be coordinated with the Department of Parking & Transportation. Pre-purchased parking permits and parking space reservations are available by contacting the Department of Parking and Transportation. Requests must be received seven (7) business days prior to the date of the event. A cancellation fee may be assessed if the Department is not notified at least seven (7) business days in advance of the intent to cancel the event.

2. Although temporary signs are not required for all campus events, all temporary directional signage used on our campuses must adhere to the signage protocol established through the Office of Finance and Administration. Lawn signs are not permitted at the MAM, BBC, or Engineering Campuses. Please contact the Department of Parking & Transportation to order temporary directional signage.

3. The Department also handles any event requests that require transportation, including golf cart, shuttles and campus tours. For more information, please refer to <http://parking.fiu.edu>.

Specific Authority- BOG Regulations 1.001(3)(k) and 7.003(9),, and 1006.66 FS. Law Implemented 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, 8-10-10, 7-5-11, 7-9-12, _____.