

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

6C13-1.003 Parking on University Property.

(1) **General.** This rule is applicable to all persons who park a motor vehicle on the campus of Florida Polytechnic University (the “campus”). All Polk County parking ordinances which are not in conflict with or not inconsistent with University rules and all provisions of Chapter 316, Florida Statutes, shall extend and be applicable to the campus. The University parking and traffic rules are available on the Florida Polytechnic University web site. The University assumes no liability for vehicles parked or operated on the campus or University property. The issuance of a digital parking pass (“parking pass”) or permit does not guarantee a place to park. Information regarding parking fees and fines can be found in 6C13-1.004 Schedule of Parking Fees and Fines.

(2) **Registration of Motor Vehicles.** Vehicles used by University employees, students, (full or part-time), concessionaire employees, vendors and those who regularly park a vehicle on campus must be registered with the University and have a valid digital parking pass on or before the first day the vehicle is on campus, unless exempt from this requirement elsewhere in this rule. The license plate must be registered to the parking pass to be considered valid. Vehicle registrations expire on the expiration date indicated on the digital permit or decal. Use of a motor vehicle on the campus or University property is a privilege, not a right and is made available only under this rule. The following persons are not required to register their vehicles with the University:

- (a) Representatives of news media on official business.
- (b) Members of the Florida Polytechnic University Board of Trustees who are on campus to attend meetings and functions of the Board of Trustees. Trustees are issued special permits which must be prominently displayed in their vehicles.
- (c) Members of the Florida Polytechnic University Foundation Board of Directors who are on campus to attend meetings and functions of the Foundation. Directors are issued special permits which must be prominently displayed in their vehicles.
- (d) Visitors, however, visitors must pay the applicable parking fee, unless a complimentary parking permit has been provided, and may only park in areas designated for visitors.

(3) **Persons Required to Have Digital Parking Passes.**

- (a) **Employees.** University employees and temporary employees must obtain a digital parking pass for each vehicle that is, or may be, parked on the campus. Digital parking passes are issued according to the classifications contained in this rule. A digital parking pass will be issued to such employees provided the following conditions are met:
 1. The employee registers the vehicle with the University.
 2. The employee, unless otherwise exempt, pays the appropriate fee and provides proof of eligibility for the requested digital parking pass classification.
 3. The employee has settled all outstanding parking and traffic fines and fees prior to the digital parking pass being issued.

When two or more University employees reside in the same household and drive more than one vehicle, each is required to purchase a separate original digital parking pass.

- (b) **Students.** Students must obtain a digital parking pass for each vehicle that is parked on campus. The University will issue a student a digital parking pass provided the following conditions are met:

1. The student is currently enrolled at the University and pays the appropriate digital parking pass registration fee.
 2. The student provides a valid vehicle registration for the vehicle on which the digital parking pass will be registered.
 3. The student has settled all outstanding parking and traffic fines and fees prior to the digital parking pass being issued.
- (c) Certain Vendors. If a vendor or contractor's business on campus is of a daily and ongoing nature that exceeds 90 days, a digital parking pass must be purchased for each vehicle that is, or may be, parked on campus.
- (4) Digital Parking Pass Classifications.** The issuance of digital parking passes is restricted to the classifications specified in this rule. The following digital parking pass classifications are in effect:
- (a) Student Commuter - An annual commuter student digital parking pass is available to those persons who are currently enrolled as students and have paid the Transportation Access Fee. A single semester commuter digital parking pass (fall, spring, or summer) is available during an academic school year to students who do not wish to purchase an annual digital parking pass.
 - (b) Student Resident- An annual resident student digital parking pass is available to those persons who are currently enrolled as students, have paid the Transportation Access Fee, and are residing on campus. A single semester resident digital parking pass (fall, spring, or summer) is available during an academic school year to students who do not wish to purchase an annual digital parking pass.
 - (c) Employee Annual- An employee annual digital parking pass is available to University employees, OPS employees and temporary employees.
 - (d) Employee Semester- A single semester digital parking pass (fall, spring, or summer) is available during an academic school year to employees who do not wish to purchase an annual digital parking pass.
 - (e) Vendor Annual- A vendor annual digital parking pass is available to vendor employees.
 - (f) Vendor Semester- A single semester digital parking pass (fall, spring, or summer) is available during an academic school year to vendors who do not wish to purchase an annual digital parking pass.
 - (g) Economy Annual- A select number of economy annual digital parking passes are available for those wishing to park only in designated economy lots.
 - (h) Economy Semester- A select number of single semester digital parking passes (fall, spring, or summer) are available during an academic school year for those wishing to park in designated economy lots.
 - (i) Adjunct Faculty Annual- An adjunct annual digital parking pass is available to adjunct faculty.
 - (j) Adjunct Faculty Semester- A single semester digital parking pass (fall, spring, or summer) is available during an academic school year to adjunct faculty who do not wish to purchase an annual digital parking pass.
 - (k) Reserved- A reserved digital parking pass is available to University employees, vendors and students who wish to have access to parking in designated reserve spaces or lots.
 - (l) Employee Special- Special Employee Digital Parking Pass are only available to employees with a primary office assignment not located at the main campus (JD Alexander Campus).
- (5) Display of License Plate.**

- (a) Each driver who regularly parks a vehicle on campus must have his/her license plate registered and clearly visible. It is the responsibility of the driver to properly register his/her vehicle and update vehicle information as needed. Failure to register a vehicle or have a clearly visible license plate may result in a violation for not having a valid digital parking pass.
- (b) The entire license plate must be displayed unaltered and clearly visible.
- (c) It is a violation of this rule to alter a license plate and/or falsify documents to obtain digital parking pass. Any such act constitutes digital parking pass fraud and will cause the digital parking pass to be revoked.
- (d) Digital parking passes utilize the vehicle license plate number as the digital parking pass number. Stickers, vehicle covers, or any other objects cannot cover the vehicle's license plate.
- (e) The license plate must be clearly visible to parking enforcement officers. A vehicle backed into a parking space without a front license plate is not considered visible and may be a violation of this rule.

(6) Permits.

- (a) The University may issue temporary permits to those persons who require temporary parking authorization and who are not otherwise required by this rule or by contract to obtain a digital parking pass. Permits must be applied for and are issued for durations that are commensurate with their purposes. Permits may or may not require the payment of permit fees as provided below.
- (b) The circumstances under which a permit rather than a digital parking pass may be issued include, but are not limited to, parking on the campus for occasional business-related purposes; parking on the campus for attendance at conferences and meetings; and parking by visitors who are not otherwise required to obtain a digital parking pass. Departments hosting events on campus which will require additional visitor parking for guests must obtain visitor permits from the Department of Parking and Transportation for each vehicle per day. Departments are encouraged to post directional signs for such events.

(7) Parking Areas.

- (a) Designation and Restricted Areas. 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 or the classification. Individuals parking in areas so restricted are still required to obtain the appropriate digital parking pass or decal. The following parking restrictions are found on the campus:

- Student
- Employee
- Kiosk/Visitor Park and Pay
- Motorcycle/Motorbike/Moped
- Reserved
- State Vehicles
- Time Limited Parking
- Loading Zone
- Handicapped/Disabled
- Golf Cart

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

- (b) **Parking Kiosk.** Kiosk parking (Visitor Park and Pay) is enforced 24 hours a day including weekends and holidays. If a kiosk is malfunctioning, parking in that kiosk space is prohibited. A current digital parking pass or permit does not entitle the driver to park in a Visitor Park and Pay space without paying the appropriate visitor parking fee.
- (c) **Handicapped/Disabled Parking.** Parking areas designated as disabled or handicapped are enforced at all times and a current state issued disabled placard/hang-tag or license plate must be visible and properly displayed on the vehicle along with having a digital parking pass or permit.
- (d) **Parking in Non-Designated Areas.** 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. No motor vehicles, other than police vehicles, emergency vehicles, service or repair vehicles, or golf-carts, may be 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 is prohibited except as identified by authorized signs.
- (e) **Overnight Parking.** No person, other than a current campus housing resident whose vehicle is left in a parking lot, shall leave a vehicle parked overnight on University property without first notifying Parking and Transportation Services. Vehicles that are inoperable shall be reported immediately to Parking and Transportation Services. Vehicles left for more than three (3) consecutive days and nights, without prior notification to Parking and Transportation Services, or which are apparently abandoned are subject to towing, impoundment, and disposal at the vehicle owner's expense. The University does not assume any responsibility for motor vehicles or their contents while the vehicles are parked on University property. Vehicles registered to current housing residents may be left in parking lots during semester breaks but in no event for more than three weeks, unless the person has obtained the prior written permission of Parking and Transportation Services.
- (f) **Vehicle Repair.** Major repairs to vehicles shall not be performed on the campus.
- (g) **Double Parking.** Double-parking is not allowed at any time.
- (h) **Parking a vehicle on campus following failure to pay or appeal any citation for a university parking or traffic infraction within the time provided, or parking on campus with a revoked digital parking pass or decal shall be considered illegal parking and the vehicle is subject to towing.**
- (i) **Parking Golf-carts.**
 - 1. Golf-carts must be parked at least 8 feet from the entrance or exit of any building, except at loading docks or approved designated golf-cart parking spaces.
 - 2. Golf-carts shall not be parked in any manner likely to obstruct or interfere with the flow of pedestrian or vehicular traffic in heavily traveled areas.
 - 3. Golf-carts shall not be parked on pedestrian crosswalks.

(8) Enforcement.

- (a) Violations. Failure to abide by any of the provisions of this rule 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 for violations of this rule. The Public Safety Department is also empowered to issue citations for violations of Chapter 316, Florida Statutes, and county ordinances. Only one citation per calendar day will be issued to a vehicle for each category of violation. Any vehicle which remains in violation of the same category of violation for more than one calendar day is subject to additional citations for the same. Violations of Chapter 316, Florida Statutes, and county ordinances are returnable to the Polk County Court and may carry higher fines or other penalties.
 - (c) Remedies for Failure to Pay Fines or Charges. In addition to the assessment of a late payment charge, and other penalties as provided in this rule, the University has the following remedies when the fines or charges are not timely paid:
 1. Revoke the vehicle owner digital parking pass or decal, owner's parking and driving privileges on University property. A person whose parking privileges are revoked may not be issued a new parking digital parking pass or decal until all prior outstanding citations are satisfied.
 2. Prevent the vehicle owner and digital parking pass/decal owner from registering as a student.
 3. Withhold the vehicle owner and digital parking pass/decal owner's transcripts or degrees.
 4. Immobilize the vehicle.
 5. Have the vehicle towed and impounded.
 6. 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.
- (9) Responsibility for Citations.** If the vehicle is registered with the University, the person who registered the vehicle with the Department of Parking and Transportation ("digital parking pass owner") is responsible for all citations issued to that vehicle. If the vehicle has not been registered with the Department of Parking and Transportation, then the person(s) in whose name the vehicle is registered with the State Department of Highway Safety and Motor Vehicles ("vehicle owner") is responsible for citations issued to the vehicle. University employees operating University vehicles and golf-carts are responsible for any citations issued to such vehicle(s) while under their control.
- (10) Deadline for Payment of Fines or Filing of Appeals.** Citations must be either paid for or appealed within ten (10) business days from the date the citation was issued. If the payment or a request for an appeal is not received by the Department of Parking and Transportation within the ten business day period, the late charge shall be assessed, and the University may take any authorized action to enforce the penalty.
- (11) Payment of Fines and Charges.** Fines and charges may be paid by credit card through the Florida Polytechnic University web site or in person at the Department of Parking and Transportation by check, money order, credit card, or the Florida Polytechnic debit card. Alternatively, payments may be mailed to the Department of Parking and Transportation located on the 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 rules. All payments sent by mail should include the payee's University ID number, if any, and the citation number.

(12) Appeal Process and Procedures. Appeals of University-issued citations for parking infractions and towing/vehicle immobilization procedures and charges may be instituted by timely filing a written appeal with the Department of Parking and Transportation on Form PT #1, 'Parking Citation and Towing/Vehicle Immobilization Appeal Form' ("Appeal Form PT"), within ten business days of the date the citation was issued and according to the instructions provided on the form. This form is hereby incorporated by reference into this rule. Appeal Form PT may be obtained on the University's web site and at the Department of Parking and Transportation. The Appeal Form PT is also available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09108>. County citations are not open to appeal through the University appeal process. County citations must be processed through the Polk County Court system. Inability to locate parking spaces or the failure of others to observe these rules shall not be considered to be valid defenses. The appellant shall provide a current and accurate email address where notices related to the appeal can be sent to and received by the appellant. If the appellant does not provide an email address on the Appeal Form PT, the notices will be sent to the mailing address provided by the appellant on the Appeal Form PT. Completed and signed Appeal Form PTs will be forwarded to an Appeal Hearing Officer for review and decision.

- (a) Appeal Hearing Officers. An Appeal Hearing Officer or Officers will be appointed by the President or designee, and they are responsible for resolving appeals of citations for university-issued parking infractions and/or charges or procedures for towing, impounding, or immobilization of vehicles. It is intended that Appeal Hearing Officers will be members of the University Community.
- (b) Appeal Hearing Officer Procedures. Appeal Hearing Officers receive and evaluate the written appeals. (An appeal from a person whose vehicle has been immobilized, towed and/or impounded will be reviewed within two business days of receipt of the written appeal.) Appeal Hearing Officers are guided by the Parking Rules and they shall consider any relevant circumstances, as articulated in the written appeal, in making their decisions. Appeal Hearing Officers may also request further information or interview the appellant, witnesses or the citing officer to assist in making a decision.
- (c) Appeal Hearing Officer Decisions. Following consideration of the grounds for an appeal, the Appeal Hearing Officer makes a decision 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 via email. The decision of the Appeal Hearing Officer is final without further right of review.
- (d) Appeal Denied. Upon denial of an appeal, the fine or charges assessed shall be paid within ten (10) business days of the date of notification to the appellant or the late payment charge will be assessed.
- (e) Immobilization or Tow Appeal. 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. If the immobilization or tow appeal is granted, the University shall refund the amount charged for the immobilization or tow.

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