

**3359-46-01 Motor vehicle, traffic and parking regulations.**

Be it resolved, that the following motor vehicle, traffic and parking regulations and enforcement procedures be, and thereby are, adopted as the rules of the board of trustees of the university of Akron, regulating and controlling the use of motor vehicles on the land and property of the university of Akron, wherever located.

(A) Statement of intent and purpose.

- (1) These motor vehicle, traffic and parking regulations and enforcement procedures of the university of Akron are enacted by the board of trustees of the university of Akron to facilitate the work and well being of the faculty, staff and students, as well as other persons, on the lands and property of the university of Akron.
- (2) In general, it is the basis of these rules that the lands and property of the university of Akron and the use thereof are governed by the board of trustees of the university of Akron in Chapter 3359. of the Revised Code, and that motor vehicle, traffic and parking regulations are to be enacted pursuant to the direction and authority contained in section 3345.04 of the Revised Code. Furthermore, the motor vehicle laws of the state of Ohio as set forth in Title 45 of the Revised Code and local traffic ordinances are applicable and enforceable upon the lands and property of the university of Akron wherever vehicles are permitted to travel thereon.
- (3) Therefore, except where specifically modified herein, all applicable provisions of Title 45 of the Revised Code and local ordinances will be enforced on the lands and property of the university of Akron at all times.

(B) Definitions.

- (1) General. The definitions of the various terms used in these regulations shall be the same as those provided in Chapters 4501., 4503., 4505., 4507., 4511., 4513., 4515., and 4549. of the Revised Code, as presently enacted or as amended from time to time hereafter except such modifications thereof as are herein made specifically applicable and applied.
- (2) Land and property of the university. “Land and property of the university” shall mean all lands and all property owned, leased, or operated by the university of Akron and all land and property over which the university of Akron may have control.
- (3) University and board of trustees. “University and board of trustees” shall mean the university of Akron and the board of trustees of the university of Akron respectively.

- (4) Street or highway. "Street or highway" as used herein, or in Title 45 of the Revised Code as applicable to any part of the land and property of the university, shall also mean such portions of the land and property as shall be improved and opened for use of, and upon which motor vehicles are permitted, from time to time, by virtue of these regulations.
- (5) Roadway. "Roadway" as used herein, or in Title 45 of the Revised Code as applicable to any part of the lands and property of the university, shall also mean such portions of the land and property of the university as shall be improved and opened for the use of, and upon which motor vehicles are permitted from time to time, by virtue of these regulations.
- (6) Parking zones. "Parking zones" shall mean those portions of streets, highways, or roadways on which the parking vehicles may be permitted and regulated by the board of trustees.
- (7) Parking lots and parking areas. "Parking lots and parking areas (including parking decks)" shall mean those portions of the land and property owned, leased, licensed or operated by the university which shall, from time to time, be set aside for the parking of motor vehicles.
- (8) Faculty member. "Faculty member" shall mean all persons employed on a full-time basis by the university who hold faculty status and have privileges as defined by the board of trustees, and shall also mean all persons employed to teach on a part-time basis except hereinafter provided.
- (9) Staff member. "Staff member" shall mean all other employees of the university who do not hold faculty status and are appointed by the board of trustees as staff, except that for purposes of these regulations, graduate assistants, research fellows, post-doctorate students, student assistants and resident advisers shall not be considered either faculty or staff members, but shall be considered students as herein provided.
- (10) Students. "Students" shall mean all persons except faculty or staff members, who are registered as students of the university under any classification as to course, subject matter, formal or informal, or as full- or part-time, or special, such as workshops, as well as all persons who may not be registered as students but who attend courses regularly taught as a part of the curriculum of the university.
- (11) Visitors. "Visitors" at the university of Akron shall mean all persons who are not either faculty members, staff members, or students.
- (12) Business day. "Business day" as defined for purposes of appeal only, shall mean Monday through Friday (excluding Saturdays, Sundays and

holidays) during regular hours, which are normally from eight a.m. to five p.m. (eight a.m. to four thirty p.m. in the summer) and during which university administrative offices are open for business.

- (13) Fraudulent permit. Parking permits shall be considered a “writing” in accordance with division (F) of section 1013.01 of the Revised Code. A permit shall be determined fraudulent in accordance with the provisions of section 2913.31 of the Revised Code (or other applicable code provision or the substantially equivalent municipal ordinance).
  - (14) Parking space. “Parking space” shall refer to the specifically marked parking stalls which are established within the confines of university of Akron parking lots and/or parking areas.
  - (15) Parking stalls. All valid “parking stalls” shall be designated by white painted lines in paved lots and white painted bumper blocks in graveled lots. The color yellow indicates that parking is prohibited.
- (C) Vehicular traffic regulations.
- (1) Vehicular traffic and parking prohibited. All vehicular traffic is prohibited, and no person shall drive, operate or control, park, or otherwise use a motor vehicle upon the land and property of the university, except in the places and areas, and in the manner subject to the provisions and regulations and rules of the board of trustees, as hereinafter provided or may be hereinafter provided.
  - (2) City of Akron and Ohio motor vehicle laws and traffic regulations applicable. Whenever and wherever vehicular traffic is permitted or whenever and wherever any person is permitted to drive, operate or control, park, or otherwise use a vehicle upon the land and property of the university, local ordinances and the provisions of Title 45 of the Revised Code, as presently enacted or as amended hereafter from time to time, shall be applicable and enforced, except where herein specifically modified.
  - (3) Speed limits.
    - (a) All the said roadways and streets and highways designated for vehicular traffic on the land and property of the university of Akron are hereby declared to be as school zones as the same are designated in Chapter 4511. of the Revised Code, and prime facia speed limit thereon shall be twenty m.p.h. or as otherwise posted.

- (b) All the said parking lots of the university of Akron shall have a prima facia speed limit thereon of fifteen m.p.h., unless otherwise posted.
  - (c) All the said parking decks of the university of Akron shall have a prima facia speed limit thereon of five m.p.h., unless otherwise posted.
- (D) Parking regulations - motor vehicles.
- (1) Parking prohibited. No persons shall park any motor vehicle or let any motor vehicle stop or stand on the land and property of the university of Akron except in areas and at the times and under the conditions set out in these regulations or otherwise indicated by signs or markings or while obeying the directions of a police officer, or parking attendant or by order of the board of trustees.
  - (2) Parking permitted. Parking of motor vehicles may be permitted by rule of the board of trustees in and on the following areas of the land and property of the university as designated as appropriate signs or markings and/or on the map of said land and property of the university, as from time to time printed and published.
    - (a) On roadways. Parking may be permitted on roadways where vehicular traffic is permitted only when posted by the ~~manager~~ director of parking ~~systems~~ services, or while obeying the directions of a police officer or parking attendant.
    - (b) On parking lots/decks. Parking may be permitted on parking lots/decks designated on the aforesaid map and in areas designated by appropriate signs/markings authorized by the ~~manager~~ director of parking ~~systems~~ services.
  - (3) Parking areas. The available parking areas on the land and property of the university of Akron shall be designated and parking shall be permitted thereon as follows:
    - (a) Visitor's parking areas. Parking may be permitted on posted/marked areas along roadways and certain parking lots/decks, and the same shall be designated for visitors to the university of Akron. These lots/decks shall be posted/marked as "Visitor's Parking Areas." Metered areas may be provided in some lots for use by visitors. No person shall park a vehicle in a metered area without depositing coins for parking.

- (b) Faculty/staff parking areas. Parking may be permitted on posted/marked spaces along roadways and certain parking lots/decks and shall be designated for faculty members and staff members. These areas shall be posted/marked as “Faculty/Staff Parking Areas.”
  - (c) Student parking areas. Parking may be permitted on posted/marked spaces along roadways and certain parking lots/decks, and the same shall be designated for students. These areas shall be posted as “Student Parking Areas.”
  - (d) Motorcycle parking areas. Parking may be permitted on posted/marked spaces along roadways and certain parking lots/decks, and the same shall be designated “Motorcycle Parking Areas.” The parking of motorcycles and all other two-wheeled motor vehicles shall be restricted to these designated areas and to these areas alone.
  - (e) University parking zone. When deemed necessary, the parking systems office may designate any parking zone or area as a university parking zone and thereby make parking thereon available to all persons displaying a valid and authorized parking permit. These lots shall be posted/marked as “All Permit Parking Lots.”
  - (f) Special events parking zone or general parking zone. When deemed necessary, the parking systems office may designate any parking zone or area as a special events parking zone or a general parking zone, and appropriate fees may be assessed and collected by the parking systems office, without regard to university parking permits.
  - (g) Signs or markings. The rules set forth herein are executable when signs or markings have been erected or otherwise displayed and provide notice that parking is limited thereon to certain persons or times; or, when police officers or parking personnel are present and are directing parking and traffic thereto and therefrom.
- (4) Parking permits. Parking permits will be required of all faculty, staff and students whenever and wherever parking upon the land and property of the university. When deemed necessary by the parking systems office, temporary permits will be required of visitors in situations where the visitors will be on the land and property of the university for an extended period of time.

- (a) Application. Registration of motor vehicles and issuance of parking permits will be deemed authorized and valid only when effected through the registration process or by written application to the cashier's office or parking office on forms provided for that purpose. The permit issued will be the appropriate permit for the classification of the person applying.
- (b) Use of permits. The person to whom the permit is issued is responsible for violations incurred against the permit unless notice of theft or loss of the permit is reported in a timely fashion to the university police department or university parking office. Car pool arrangements are encouraged so long as the authorized permit is properly displayed as provided herein. However, permits may not be resold or otherwise transferred. The use of a permit without the permission of the person to whom the permit was issued, or the use of a permit otherwise secured in a manner not specifically provided for herein, or the use of a fraudulent permit, shall be deemed "unauthorized" use, and the person displaying such a permit shall be fined accordingly as provided herein; provided further that the parking systems office shall cause such permit to be confiscated and/or otherwise rendered null and void. Nothing herein is intended to preclude further prosecution by the university or others against any individual displaying an unauthorized permit.
- (c) Permit fees. Permit fees shall be charged for such permits and collected from applicants with other academic fees or at the time application is made. Funds derived from such fees shall be deposited in a fund established for such purpose. Said fund shall be used for establishment and maintenance of traffic controls, facilities for parking, equipment, enforcement and for personnel; including, but not limited to, the acquisition of decals or stickers, signs, construction and maintenance of parking facilities, traffic control devices and other materials and projects for the control of traffic and parking and for the maintenance, repair and extension of existing facilities, and to be pledged in support of the payment of such bonds as may be issued for the aforesaid purposes, and for salaries of traffic control and parking personnel.
- (d) Issuance of permits. Parking permits shall be issued by the parking services office in accordance with generally recognized standards of traffic planning (parking formulas connecting enrollment versus number of spaces), with due consideration given to available space and number of parking permits issued. Student permits are issued each academic session, quarter, semester, or other appropriate period upon payment of fees charged in accordance with action taken by the board of trustees. Faculty and

staff permits may be issued on a yearly basis or for shorter periods of time as determined by the office of parking systems. Temporary permits for faculty, staff, or students may be issued for periods of time as determined necessary by the parking systems office.

- (e) Display of parking permits. Parking permits for any current academic session, or other appropriate period, semester, when issued, shall be affixed to the motor vehicle when parking in university parking facilities and displayed in the manner and location as outlined at the time of issuance, or as otherwise provided for by section 4513.24 of the Revised Code, as presently enacted or as amended from time to time hereafter. All parking permits for any previous semesters, academic session or periods, should be removed from the motor vehicle. Authorization to park a motor vehicle is complete when the permit decal is attached/affixed to the motor vehicle and displayed in the location described herein.
  - (f) Refunds. Refunds for parking permits will be based on an approved schedule which from time to time may be amended by the board of trustees and administered by the cashier's office.
  - (g) Expiration. Permits expire at midnight on the last day of the academic session, quarter, semester, or other period for which the permit was issued.
  - (h) Loss or theft of permit. Any person losing his or her permit shall report the permit number to the parking systems office. The theft of a permit should also be reported to the university police of the university of Akron. An additional permit will be issued at a reduced fee, upon the filing in the parking systems office of an affidavit swearing to the theft or loss of the permit. The fee charged for the replacement permit shall be established by the ~~manager~~ director of the parking ~~systems~~ services.
  - (i) Transfer of a motor vehicle. If a motor vehicle for which a permit shall have been issued is transferred, the parking permit shall be removed from the vehicle and the parking office notified of the transaction.
- (E) Procedures.
- (1) Police powers. The university of Akron police department and its police officers are authorized and directed to enforce these regulations by arrest, upon view or information, of anyone found violating the laws and regulations of the state of Ohio, local ordinances, or these regulations; or,

in the alternative, to serve notice of such violations either upon the person found violating the same, or upon the motor vehicle found in violation of the same. The parking systems office and the agents thereof are also authorized and directed to enforce these regulations to the extent that they may serve notice of parking violations either upon the person found violating the same or upon the motor vehicle found in violation of same. Said notice, if served, shall provide notice of the violation claimed, the location of the violation, the time of the violation, and notice of the rights of the person accused of the violation.

- (2) Service of notice of violation and election to pay penalty.
  - (a) Notice of violation may be served either upon the person violating university of Akron motor vehicle, traffic and parking regulations, or upon the motor vehicle or owner of such motor vehicle found in violation of same.
  - (b) If
    - (i) an election to pay the penalty, or
    - (ii) a notice of appeal is not properly and timely effected within ten business days from the date of notice, the individual charged will be deemed to have waived his or her right of appeal, and any fine or other penalty shall be finally imposed and shall constitute a financial obligation to the university of Akron. Provided further, that in such event, the parking systems office may notify the proper university offices that such outstanding obligation exists, and thereby cause such office to prevent the issuance of future registration, official academic transcript of credits and awarding of any degree until all existing fines have been paid or otherwise disposed of as provided herein.
  - (c) Any appeal requested after ten business days from the date of notice of the violation will be denied except that the parking ~~systems manager~~ services director in his sole discretion may permit such appeal for reasons beyond the control of the individual. A person upon whom notice is served or the owner of the vehicle upon which notice is served may pay, within ten business days from the date of notice, the prescribed penalty for such violation and thereby avoid further prosecution for collection of any fine for such violation. All fines shall be paid to the

cashier's office or the parking systems office. Any funds which may be received as fines or penalties shall be used in the same manner as those funds derived from parking fees as heretofore specified.

- (d) In the event the motor vehicle is registered in the name of a person who is not a student, a staff or faculty member, and a violation is issued against said vehicle, the parking ~~manager~~ services director shall determine if any member of the immediate family of said person was, at the time of issuance of said violation, a student, staff or faculty member, as provided herein. Upon such determination, the parking ~~manager~~ services director may cause such violation to be charged against any or all of said student(s), staff or faculty, within the immediate family of said person and cause notice thereof to be issued pursuant thereto. Students of the university of Akron are responsible for the vehicles they use on university property, and any violations issued thereon, even if the vehicle's state registration is in their parent's name, or in the name of some other member of the immediate family, or other person.

(F) Appeals procedures.

- (1) Form of appeal. The person upon whom notice of violation is served and/or the owner of the vehicle upon which notice of violation is served may appeal, in writing, a violation within ten business days from the date notice is served, except as provided otherwise herein. Appeals will not be considered unless they comply with the following requirements:
- (a) Appeals must be in writing and submitted to the parking systems office and must contain therein the information required by forms provided for that purpose. The parking systems office shall provide forms for this purpose. Only those appeals which are submitted on the aforementioned form will be considered by the parking ~~systems manager~~ services director for further action.
- (b) The written appeal must indicate therein the specific reasons and/or grounds for appeal.
- (c) The appeal must be filed in a timely manner as provided herein and must be signed by the person making the appeal (appellant).
- (2) Authority of parking ~~manager~~ services director. Upon proper appeal, the parking ~~manager~~ services director may void, reduce or compromise a violation when any of the following circumstances exist:

- (a) The violation is “no parking permit” and the person charged either had or otherwise secures an authorized permit for the academic session in which the violation occurred.
  - (b) The violation is issued to a faculty or staff member, and the person charged demonstrates to the satisfaction of the parking ~~systems manager~~ services director that the violation was incurred during the performance of duties or responsibilities to the university and that the violation could not reasonably be avoided without materially interfering with such duties and responsibilities.
  - (c) When the parking ~~manager~~ services director determines that the violation issued was not consistent with the requisites of these motor vehicle, traffic and parking regulations. In the event the person to whom the citation was issued disagrees with the proposed reduction or compromise to be taken by the parking ~~systems manager~~ services director, the matter shall be submitted to the traffic referee pursuant to those rules.
- (3) Appeal before traffic referee. The president of the university shall appoint a pool of members of the faculty or staff, who shall serve at the president’s discretion, as traffic referees. Upon receipt of a proper appeal, which the parking ~~manager~~ services director is not herein authorized to consider, the parking ~~manager~~ services director shall submit the appeal within five business days to the available traffic referee for review. The parking ~~manager~~ services director shall take such steps as are reasonably necessary to assure that appeals are assigned equally amongst the existing traffic referees, so as to avoid one or a few referees handling most or all appeals. When the matter has been referred to the traffic referee, the following procedures shall be adhered to:
- (a) The traffic referee shall request the parking ~~manager~~ services director to notify the appellant by written notification presented in person to the appellant or by certified mail to the address shown on the written appeal or other last known address of the appellant. The notice shall indicate therein the specific violation, and the time and place which the appellant is directed to appeal before the traffic referee. The hearing before the traffic referee should be held within twenty days from the date the appeal is first received by the parking ~~manager~~ services director.
  - (b) Procedures before traffic referee. The traffic referee shall have the authority to call upon any member of the faculty, or staff, or student body, who, in the opinion of the traffic referee, may have pertinent information. The person appealing to the traffic referee shall have the right to have an adviser or attorney present during

his or her appeal; however, such adviser or attorney shall not participate in the appeal. The appellant shall handle all matters required of he or she during the appeal. The appellant shall have the opportunity to testify and to present evidence and witnesses, and to hear and question adverse witnesses. The parking ~~manager~~ services director or the person designated by him to represent the university's position shall have the right to present evidence and witnesses and to question all witnesses for the appellant. The traffic referee shall exercise normal discretionary controls, prevent abusiveness, require relevance, and ensure the expeditious pursuit of information. The appellant shall not be required to testify against himself. The hearing before the traffic referee shall be closed to the public. The decision of the traffic referee shall be final, subject only to the appellant's right of appeal to the motor vehicle, traffic and parking committee. The decision of the traffic referee may be presented to the appellant in person at the conclusion of the hearing or sent to the appellant's last known address not later than ten business days from the date of the hearing.

- (c) Upon a finding by the traffic referee that the evidence establishes a violation, or violations, the penalty provided for such violation(s) shall be imposed; provided further that the traffic referee may suspend the imposition of the penalty up to an amount not to exceed fifty per cent of the amount otherwise designated for such violation(s). Such partial reduction of penalty shall be made at the sole discretion of the traffic referee. Upon a finding that a violation has not been established, the person appealing shall be informed as herein provided, and the matter closed without penalty or prejudice.
- (d) The burden of proof which is necessary to support a finding that a violation occurred and that a penalty should be imposed is "substantial evidence." Substantial evidence is the test of sufficiency, not "preponderance of the evidence," clear and convincing, or "beyond a reasonable doubt," or any other test common to legal adjudication.

The technical rules of evidence applicable to civil and criminal trials are not applicable to hearings before the traffic referee.

- (e) If the appellant fails to appear before the traffic referee as requested, the traffic referee may consider the matter in absentia and impose a finding and/or penalty in accordance therewith.

- (f) Upon receiving notice of the decision of the traffic referee, the parking supervisor shall implement the penalty determined appropriate by the traffic referee.
- (G) Motor vehicle, traffic and parking committee. The university of Akron shall establish a motor vehicle, traffic and parking committee, the expressed purpose of which is to assist and monitor the operation of the university parking systems.
  - (1) Composition. The motor vehicle, traffic and parking committee shall consist of the vice president for business and finance as chairperson, vice president for student affairs, vice president for capital planning and facilities management, one full-time faculty member appointed by the president for a two-year term, one full-time staff member appointed by the president for a two-year term, one contract professional member appointed by the president for a two-year term, and two students appointed annually by associated student government.
  - (2) Duties.
    - (a) The committee shall act in an advisory capacity to the director of parking systems on matters related to traffic and parking at the university of Akron.
    - (b) The committee shall review the motor vehicle, traffic and parking regulations on an annual basis. The purpose of said review will be the development and submission of proposals to the board of trustees for consideration and adoption. These proposals shall consist of additions, revisions or deletions to the motor vehicle, traffic and parking regulations as deemed appropriate by the committee.
    - (c) The committee shall act as a board of appeals for all persons desiring to appeal the decision of the university traffic referee.
- (H) Final appeal before the motor vehicle, traffic and parking committee. The appellant shall have the right to request an appeal from the decision of the traffic referee, provided that written notice of intent to appeal is timely filed with the parking ~~manager~~ services director within three business days from the date of notification of the decision of the traffic referee. It shall be the responsibility of the parking director to notify the motor vehicle, traffic and parking committee of the appellant's intent to appeal the decision of the traffic referee.
  - (1) Jurisdiction of the motor vehicle, traffic and parking committee. The motor vehicle, traffic and parking committee has no original jurisdiction, and is thereby limited to appeals directly from decision of the traffic referee. The "right" of appeal does not entitle the appellant to a full

rehearsing of his entire case before the traffic and parking committee. Therefore, the traffic and parking committee should limit its review of the traffic referee record and decision to three issues:

- (a) Did the traffic referee conduct himself in such a way that the appellant had an adequate opportunity to prepare and present his defense within the procedural safeguards guaranteed herein?
- (b) Was the evidence presented at the hearing with the traffic referee “substantial” enough to justify the decision against the appellant?
- (c) Was the sanction imposed consistent with the gravity of the wrong doing?

The matter should not be considered by the traffic and parking committee unless the appellant presents the board with a written appeal to the hearing touching on one or more issues above mentioned. The traffic and parking committee should limit its inquiry to the issue, or issues, put forward in the written appeal. The traffic and parking committee may, in its discretion, permit both sides to make an oral presentation, or to produce evidence and witnesses previously presented before the traffic referee. If the traffic appeals board permits either the university or the appellant to make an oral presentation or to produce any of such evidence and witnesses previously submitted, the other party shall then be given an equal opportunity, including the right to cross-examination. However, the appellant shall not be required to testify against himself.

- (2) The motor vehicle, traffic and parking committee shall act by majority vote and the presiding member shall participate in the balloting. The traffic appeals board may:
  - (a) Accept and uphold the decision and record of the traffic referee;
  - (b) Reverse the decision of the traffic referee and dismiss the case; or
  - (c) Reverse the decision of the traffic referee and modify as appropriate (except that the traffic and parking committee may not increase the penalty previously sought to be imposed or the modification made by the traffic referee).

In no case may the committee suggest an increase in the sanction imposed upon remanding the case to the traffic referee for further hearings. The decision of the committee is deemed final upon affirmance of the traffic referee’s decision or upon dismissal of the case; except that either party may petition the traffic referee to re-open the matter upon discovery of new evidence, which with reasonable diligence, such party could not have

discovered and produced at the initial hearing with the traffic referee. The traffic referee will be the sole judge of the sufficiency of the new evidence, and no appeal can be taken from that decision to re-open or not to re-open the matter.

- (3) The motor vehicle, traffic and parking committee shall govern its own internal proceedings and set reasonable rules to this end so long as fundamental fairness is provided to both parties. The power to govern internal proceedings includes, but is not limited to, the power to exclude disruptive persons from the hearing, and to recess and reconvene as deemed necessary by the board. The hearing before the committee shall be closed to the public. It shall be the responsibility of the presiding member of the committee to exercise normal discretionary controls, prevent abusiveness, require relevance and ensure the expeditious pursuit of information. The presiding member of the committee shall prepare a report indicating therein the decision of the committee. The appellant shall have the right to obtain a copy of the report of the traffic referee and the motor vehicle, traffic and parking committee at appellant's expense. The test of "substantial evidence" shall be followed by the traffic and parking committee, and the technical rules of evidence applicable to criminal and civil proceedings shall not apply.
  - (4) The presiding member of the traffic and parking committee shall notify the appellant of the committee's decision in person at the conclusion of the hearing, or by mail to the appellant's last known address not later than ten business days from the date of the hearing.
- (I) Miscellaneous provisions.
- (1) Traffic and parking records are continuous throughout a student's enrollment.
  - (2) Towing and impounding procedures. University of Akron police officers and university parking supervisors are authorized to provide for the removal and impounding of a motor vehicle under the following circumstances:
    - (a) If the motor vehicle is parked within ten feet of a fire hydrant, or within thirty feet of a "Stop" sign.
    - (b) If a motor vehicle is parked in such a manner as to block a driveway or other motor vehicles, block a service entrance, create a hazard to public safety, impede construction and/or maintenance requirements, or block pedestrian traffic.
    - (c) If an improper state license is displayed on a motor vehicle.

- (d) If a motor vehicle is parked in an area where “No Parking” signs are situated, in an area which is otherwise reasonably designated to prohibit parking or in an area where parking is not reasonably intended (e.g., university sidewalks, lawns, etc.).
- (e) If an excessive amount of traffic violation notifications have been issued on a motor vehicle. For purposes of this paragraph, an “excessive” amount of traffic violation notifications shall be at least three; or if the vehicle contains a lost, stolen or forged parking permit.
- (f) If a motor vehicle is parked in a parking zone not designated for such motor vehicle.
- (g) If a motor vehicle is abandoned or in the process of repair on university property; provided that a motor vehicle shall be determined abandoned if it continuously occupies any parking space for forty-eight consecutive hours.
- (h) If a parking space has been designated by suitable signs and/or markings for the exclusive use of handicapped persons or persons transporting handicapped persons and a motor vehicle is parked in such zone whereby the motor vehicle does not belong to a handicapped person or person transporting a handicapped person.
- (i) If a motor vehicle has been stolen or operated without the consent of the owner.
- (j) If a motor vehicle has been used in or connected with the commission of a felony.
- (k) If a motor vehicle has been damaged or wrecked so as to be inoperable whereby its continued operation would constitute a condition hazardous to life, limb or property.
- (l) If motor vehicle is parked in a university lot over twenty-four hours in a lot that is not marked as a twenty-four-hour university storage lot.

Upon the removal and/or impounding of a motor vehicle, under the above set forth conditions, a towing charge and additional storage and/or an impound fee will be assessed by the removing agency; and any violation penalty will be similarly assessed in accordance with these regulations.

Motor vehicles which are impounded shall not be released to the owner until the impounding and storage fees are paid in full.

If the owner or owner's representative claiming an impounded motor vehicle furnishes evidence of his or her identity and ownership, makes payment of all fees for violation of any provisions of these motor vehicle, traffic and parking regulations, and pays the towing charge and storage fee to the lot where the motor vehicle has been impounded, or the impounding fee of the university, such impounded motor vehicle shall be released to him or her. Thereafter, if the owner desires to contest the towing and impounding of his or her motor vehicle, he or she may file an appeal before the traffic referee in accordance with paragraph (G) of these regulations.

- (3) The university, by issuing a parking permit to an individual, confers a license to such individual to park in any lots appropriately designated for that permit; however, the university does not guarantee a legal parking space to the holder of a parking permit. The responsibility for finding a legal parking space rests with the motor vehicle operator. Lack of space is not considered a valid excuse for violation of these regulations.
- (4) If for any reason a person is unable to display his/her parking permit, a temporary parking permit must be procured from the parking systems office. A valid parking permit must be displayed on a vehicle at all times while said vehicle is on university property.
- (5) In all cases in which a motor vehicle is parked, the position shall be such that the whole of the vehicle is located within the boundaries of the parking space. The fact or allegation that other vehicles are parked improperly shall not constitute an excuse for parking with any part of the motor vehicle over any line.
- (6) The fact that a person parks in violation of any law, ordinance, or regulation and does not receive a citation, does not mean that the law, ordinance, or regulation is no longer in effect.
- (7) The university of Akron assumes no responsibility for the care and protection of any vehicle or its contents at any time while it is operated or parked on land and property of the university. All vehicles should be locked when left unattended.
- (8) The operator of a motor vehicle when involved in an accident on land and property of the university of Akron resulting in property damage or personal injury, shall report such accidents to the university police department immediately.

- (9) The parking systems office shall establish procedures by which arrangements shall be made to provide parking for individuals who are invited to attend and/or participate in short courses, workshops and other conference-type meetings, and such parking may be at fees established thereof by such procedures.
- (J) Prescribed penalties - motor vehicle, traffic and parking regulations.
- (1) As provided in paragraph (E)(1) and (E)(2) hereof, violation notices shall also contain a schedule of penalties provided for violation of these paragraphs. The following penalties for violations of these regulations, or of state law or local ordinances, are provided as those which a person accused of violation shall be permitted to pay to avoid further prosecution of said violation:
- (a) Failure to display a valid permit.
  - ~~(b) Permit improperly displayed.~~
  - ~~(e)(b) Parking in an area for which permit is unauthorized and/or invalid.~~
  - ~~(d) No parking zone.~~
    - ~~(i) Parking in a drive, doorway or loading zone.~~
    - ~~(ii) Parking on sidewalk or grass.~~
    - ~~(iii) Parking in an area where signs or markings are established to indicate prohibited parking.~~
    - ~~(iv) Parking outside of lines or beyond the boundaries of bumper blocks.~~
  - ~~(e) Blocking drive, doorway, sidewalk or vehicle.~~
  - (c) Parking in a prohibited area marked by signs/markers.
  - (d) Parking out of bounds.
    - (i) Parking in a drive, doorway, or loading zone.
    - (ii) Parking on sidewalk or grass.
    - (iii) Parking outside of lines or beyond the boundaries of bumper blocks.

- ~~(f)~~(e) Expired parking meter.
  - ~~(g)~~ Failure to display daily ticket in a visitor parking area.
  - ~~(h)~~ Driving on sidewalk or grass.
  - ~~(i)~~(f) Exceeded posted time limit.
  - ~~(j)~~ Failure to remit fee for special event parking.
  - ~~(k)~~(g) Failure to heed directional signs posted at the entrances and exits or within a parking zone area or zone.
  - ~~(h)~~ Blocking a driveway, doorway, loading zone, sidewalk, or vehicle.
  - ~~(l)~~(i) Disregarding or failing to heed the signal or direction the instructions of a police an officer or parking employee.
  - ~~(j)~~ Parking in a fire lane.
  - ~~(m)~~(k) Parking in a handicap access area or blocking a handicap ramp.
  - ~~(n)~~ l) Displaying a false, altered, or forged, lost, or stolen permit.
  - ~~(m)~~ Parking in a handicap access area.
- (2) Whoever violates paragraph (J)(1)(a) through ~~(J)(1)(k)~~ (J)(1)(m) or any other paragraph or provision of these rules and regulations for which no penalty is otherwise provided, shall be fined according to the fine schedule approved by the board of trustees at its November 3, 2004 meeting and, thereafter, as such fine schedule shall be amended from time to time. Copies of the then current fine schedule shall be made available by the office of parking services. Such fine shall be five dollars if paid within five working days (of the university) from the date of issuance of a traffic violation notification; however, such fine shall be eight dollars if paid any time after five working days (of the university) from the date of issuance of a traffic violation notification.
- ~~(3)~~ Whoever violates ~~(J)(1)(l)~~ through ~~(J)(1)(m)~~ of these rules and regulations shall be fined. Such fine shall be ten dollars if paid within five working days (of the university) from the date of issuance of a traffic violation notification; however, such fine shall be fifteen dollars if paid anytime after five working days (of the university) from the date of issuance of the traffic violation notification.

- ~~(4) — Whoever violates (J)(1)(n) of these rules and regulations shall be fined. Such fine shall be fifty dollars.~~
- (K) Ultimate disciplinary action. In any event, and in addition to other powers of enforcement, any person violating the provisions of these regulations shall be subject to such disciplinary action by university authorities as may be provided by the rules and regulations of the board of trustees as may be deemed appropriate by the disciplinary authorities as provided in said rules. The parking systems office shall have the authority and is directed to initiate such disciplinary procedures in cases provided in these regulations or in such cases as are deemed appropriate under the rules of the board of trustees.
- (L) The parking systems office shall have the primary responsibility for implementing the provisions of these motor vehicle, traffic and parking regulations and shall have the authority to establish administrative procedures in support thereof.