

**RULES
OF
AUSTIN PEAY STATE UNIVERSITY**

**CHAPTER 0240-05-01
TRAFFIC AND PARKING REGULATIONS**

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0240-05-01-.01 INTRODUCTION.

- (1) The purpose of these regulations is to facilitate the safe and orderly operation of Austin Peay State University ("The University") business and to provide parking facilities for this operation within the limits of available space.
- (2) The Office of Public Safety is responsible for implementation and enforcement of these regulations.
- (3) Any person operating a motor vehicle on the University campus is required to obey these regulations as a condition to parking or operating the vehicle on the campus.
- (4) The responsibility for locating a legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking regulations.
- (5) The University shall have no responsibility for loss or damage to any vehicle or its contents operated or parked on the APSU or on lots leased by APSU.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, chapter 98, Section 5; Public Acts of Tennessee, 1807, chapter 64; and 40 C.F.R. § 85.1703 (defining motor vehicles). **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.02 REGISTRATION OF VEHICLES.

- (1) All motor vehicles parked on APSU property between 7:30 a.m. and 4:00 p.m. or on lots leased by APSU must have a current APSU permit and be registered with APSU. Housing lots require a valid parking permit twenty-four (24) hours a day, seven (7) days a week.
- (2) Permits are available for pickup/purchase at Parking Services. Students receive a permit as part of their access fee. Faculty and staff must purchase a parking permit.
- (3) The permit must be hung on the rear view mirror of the vehicle. If the mirror prevents the permit from hanging, the permit must be displayed near the rear view mirror.
- (4) Expired permits should be removed (or covered) so that only the current permit is displayed.

- (5) Permits must be renewed at the beginning of each Fall semester and will be valid until the beginning of the following Fall semester so long as the registrant remains a student or an APSU employee.

(Rule 0240-05-01-.02, continued)

- (6) Hanging parking permits are issued to persons, not vehicles, and are required to be affixed to a vehicle. Permit holders are responsible for citations incurred with their permit and/or vehicle. Persons will also be held liable for a violation incurred by a vehicle, when that vehicle is reasonably shown to be associated to that person.
- (7) Persons are entitled to only one (1) category of parking permit at a time. Persons will be identified by their primary affiliation with APSU. Graduate assistants and part-time student workers are eligible for student parking permits only.
- (8) Permit holders are only eligible for one (1) parking permit at a time. This permit can be moved from one (1) vehicle to another. A second parking permit may be issued to students who live in married housing. Faculty/Staff/Students who present extraordinary circumstances may be authorized to have a second parking permit with the approval of the Director of Public Safety/Chief of Police. The cost of a second permit, if authorized, will be equal to the APSU access fee for parking. This fee will be prorated if purchased after the first month of the Fall semester.
- (9) Permits are not transferable to any person other than the registrant, particularly to a person in a different parking category.
- (10) Only persons who are neither students, nor faculty/staff are entitled to a visitor parking permit.
- (11) Lost or stolen permits will be replaced for \$10.00 upon making a report to Parking Services.

Authority: *Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5 and Public Acts of Tennessee, 1807, Chapter 64. Administrative History:* Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.03 PARKING ZONES.

- (1) Parking is permitted only in marked areas with painted control lines. Parking is not permitted in seeded areas or gravel service areas utilized by Physical Plant.
- (2) Faculty or Staff – Zone Color Red – Full-time faculty, staff, contract service employees, and adjunct instructors are authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:00 p.m., Monday through Friday.
- (3) Resident Student – Zone Color Silver – Students who reside in the on-campus residence halls are authorized for this zone. Valid permits must be displayed twenty-four (24) hours a day, seven (7) days a week.
- (4) Commuter Student and Married Housing – Zone Color Green – Students who reside off campus and students who reside in married housing are authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:00 p.m., Monday through Friday.
- (5) Overflow – Zone Color Black – Any valid APSU permit is authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:00 p.m., Monday through Friday.

- (6) ADA Accessible Parking – Zone Color Light-Blue – Persons utilizing ADA spaces on campus must have a placard issued by any state. Students, faculty, and staff who have a state issued placard must be registered with APSU Parking Services. APSU Parking checks to ensure the state issued placard is issued to the registrant and issues an APSU ADA Accessible parking (Rule 0240-05-01-.03, continued) permit. ADA Accessible Permit holders are authorized to park in any parking space on campus, except those spaces specifically reserved with a sign (example: Electric Vehicle Charging). Valid permits or state issued placards for ADA Accessible parking spaces must be displayed twenty-four (24) hours a day, seven (7) days a week.
- (7) Visitor Parking Spaces – Visitor parking permits are issued by Parking Services. Areas where visitors can park will be listed on the parking permit provided. Visitor parking permits are available twenty-four (24) hours a day, seven (7) days a week at the Shasteen Building. APSU Departments may request visitor permits in advance by contacting Parking Services. Marked visitor spaces are enforced between 7:30 a.m. and 4:00 p.m., Monday through Friday.
- (8) Yellow curbs, yellow or white striped areas, and yellow bumper blocks. No parking is permitted in these areas. These areas are enforced twenty-four (24) hours a day, seven (7) days a week.
- (9) Temporary Parking Permits – Temporary permits are issued to community members who qualify for zoned parking but do not have their permit in their possession at the time they need to park. Temporary permits are available twenty-four (24) hours a day, seven (7) days a week.
- (10) Motorcycle Parking –
- (a) All motorcycles are to be parked in a parking space in their designated zone or in motorcycle only parking spaces.
 - (b) Motorcycles are not to block stairways, sidewalks, or pedestrian access.

Authority: *Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee, 1807, Ch. 64. Administrative History:* Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.04 VEHICLE OPERATION.

- (1) All persons operating a motor vehicle on APSU property or in the campus area, which includes City streets running through APSU property, must be properly licensed operators.
- (2) Pedestrians have the right-of-way at established pedestrian crossings, except where regulated by traffic control lights or police officers.
- (3) The maximum speed limits on the APSU campus and city streets are clearly marked. Streets interior to APSU campus are limited to twenty (20) mph. However, motor vehicles may not be operated at any speed which is excessive for the conditions which may exist as a result of weather, traffic congestion, pedestrians, etc.
- (4) Traffic control signs, devices, and directions of police officers must be obeyed.
- (5) All persons operating motor vehicles are responsible for maintaining control of the vehicle, safe operation, and observance of traffic control signs, barriers and devices.
- (6) Operating a motor vehicle in any area other than a street or a roadway intended for motor vehicles is prohibited.

- (7) All accidents must be reported to APSU Police immediately (931-221-7786). All motor vehicle break-ins or incidents should also be reported immediately.

(Rule 0240-05-01-.04, continued)

Authority: *Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64. Administrative History: Original rules filed March 14, 2018; effective June 12, 2018.*

0240-05-01-.05 VIOLATIONS. The following non-exclusive examples constitute classifications for violations of these regulations:

- (1) Parking Violations
 - (a) Out of Zone;
 - (b) Not a Parking Space;
 - (c) Loading Zone;
 - (d) Parking on Yellow Curb/No Parking Zone;
 - (e) Blocking Traffic;
 - (f) Parked Facing Traffic;
 - (g) Occupying Two (2) (or more) Spaces;
 - (h) Outside of Designated Space;
 - (i) Within Fifteen (15) feet of Fire Hydrant;
 - (j) Within Twenty (20) feet of entrance/exit/intersection;
 - (k) On Seeded Areas;
 - (l) Failure to Display Permit;
 - (m) No Permit or Improper Display of Permit;
 - (n) Altered, Lost, or Stolen Permit;
 - (o) Reserved – Visitor;
 - (p) Reserved – ADA Accessible Parking Only; and
 - (q) Warning Only.
- (2) Moving Violations
 - (a) Failure to obey stop sign or traffic signal;
 - (b) Failure to yield to pedestrian in crosswalk;

- (c) Traveling wrong way on one-way street;
 - (d) Operating a motor vehicle off a marked roadway;
 - (e) Speeding;
 - (f) Failure to yield right of way;
- (Rule 0240-05-01-.05, continued)
- (g) Failure to obey lawful directions of a police officer;
 - (h) Failure of motorcycle operator or rider to wear required headgear; and
 - (i) Failure to yield to emergency vehicle.
- (3) Impounded Vehicle/Towed Vehicle
- (a) APSU may tow without advance notice those motor vehicles parked in a fire lane, designated ADA accessible parking space, spaces reserved for designated vehicles or in such a manner as to impede the flow of traffic or to disrupt the orderly affairs of APSU.
 - (b) If a motor vehicle has unpaid parking citations APSU may impound/tow the vehicle, if advance notice and opportunity to contest have been given. Windshield notices and/or other methods of notification will be used to provide the operator of the vehicle with advance notice of APSU's intent to tow and the operator's right to a hearing.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5; and Public Acts of Tennessee, 1807, Ch. 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.06 ENFORCEMENT.

- (1) The Office of Public Safety and Campus Police are tasked with enforcement of the parking regulations. The Director/Chief of Police is authorized to selectively enforce or not enforce certain regulations and parking categories based on special events and circumstances that require special accommodations.
- (2) A motor vehicle parked in a manner which blocks a fire zone, emergency exit, flow of traffic, designated ADA accessible parking space, spaces reserved for designated vehicles, or otherwise poses a danger or disrupts the orderly affairs of APSU may be impounded, immobilized, or towed.
- (3) A motor vehicle which has accumulated one hundred dollars (\$100.00) or more in unpaid citations may be immobilized or towed.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5; and Public Acts of Tennessee 1807, Ch. 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.07 PENALTIES.

- (1) Parked in Visitor, maintenance, or emergency vehicle space: \$35.00

- (2) Parked in ADA Accessible Space: \$200.00 - The fine for this parking violation is set by State law, T.C.A. § 55-21-108. As of July 1, 2008, the fine was set at \$200. The fine imposed under these regulations will increase or decrease automatically when increased or decreased by State law.
- (3) All other parking violations: \$25.00
- (4) All moving violations when written as an APSU citation: \$35.00

(Rule 0240-05-01-.07, continued)

- (5) Other Penalties
 - (a) Students who fail to pay violation fines or penalties will not be permitted to register for course work, to continue as a student, to receive credit, to receive a degree, or to obtain a transcript until the fines or penalties are paid.
 - (b) Repeated violations of parking regulations will be grounds for towing away, impoundment or immobilization in accordance with regulations under enforcement.
 - (c) Students who persist in violating these regulations or commit a single violation under extreme circumstances will be referred to the Dean of Students' office for disciplinary action which may lead to suspension or dismissal from APSU.
 - (d) Once a motor vehicle or owner has accumulated one hundred dollars (\$100.00) of unpaid fines, his or her motor vehicle, if found parked upon APSU property or lots leased by APSU, will be immobilized or towed in accordance with regulations under 0240-05-01-.06 Enforcement.
 - (e) Any individual (student, faculty or staff) with outstanding citations will not be allowed to register a motor vehicle or purchase a parking permit until indebtedness is cleared.
 - (f) Repeated violations may result in the loss of parking privileges.

Authority: T.C.A. § 49-9-209(e). **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.08 APPEALS.

- (1) Upon receipt of a citation, persons have three (3) class days to submit an appeal.
- (2) Appeal forms are completed and submitted electronically through the parking management software.
- (3) Issuing officers will be afforded the opportunity to comment on appeals before they are presented to the appeal authority.
- (4) The Student Tribunal shall hear and decide all student appeals.
- (5) Students may further appeal the Tribunal's decision to the Vice President of Student Affairs, or designee, within three (3) class days of the finding by Student Tribunal.
- (6) When APSU is not in session, the Dean of Students will hear and decide appeals.

- (7) Staff and visitors' appeals shall be heard by a committee consisting of the Faculty Senate Chair or designee, Staff Council Chair or designee, and the Dean of Students.
- (8) Anyone failing to appeal within three (3) class days of issuance of citation loses the right to appeal.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, chapter 98, Section 5; and Public Acts of Tennessee, 1807, chapter 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.09 RESTRICTIONS. APSU streets or grounds may not be used by any firm, corporation or person for advertising or commercial purposes.
(Rule 0240-05-01-.09, continued)

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.10 SPECIAL OCCASION AND EMERGENCIES. On special occasions, for example: athletic events, concerts, graduation exercises, etc., and in emergencies, parking and traffic limitation may be imposed by the Office of Public Safety and Campus Police as required by the conditions which prevail.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, chapter 98, Section 5; and Public Acts of Tennessee, 1807, chapter 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.

0240-05-01-.11 PEDESTRIAN REGULATIONS.

- (1) Students and staff members must not endanger their safety or constitute an unreasonable impediment to lawful vehicular traffic by crossing streets at other than authorized lanes or by willfully walking or congregating in the streets.
- (2) Violations of these regulations will be cited through appropriate channels for disciplinary action.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64. **Administrative History:** Original rules filed March 14, 2018; effective June 12, 2018.