

Parking and Traffic

Original Implementation: September 1, 1961

Last Revision: July 27, 2021

Purpose:

The Texas Education Code provides that the governing board of each state institution of higher education may promulgate rules and regulations for the safety and welfare of students, employees, and property, and other rules and regulations it may deem necessary to carry out the provisions of the Texas Education Code and the governance of the institution, provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control.

The Board of Regents will approve the establishment of parking fees and any changes thereto. However, the board hereby delegates to the chief of police the authority to adopt rules and regulations that govern the operation and parking of vehicles on property owned or under the control of the university, including but not limited to limiting the rate of speed, assigning parking spaces and designating parking areas and their use, prohibiting parking as it deems necessary, removing vehicles parked in violation of university policy and procedure or law at the expense of the violator, and instituting a system of registration for vehicle identification.

The rules and regulations are supplementary to applicable ordinances of the city of Nacogdoches and the statutes of the state of Texas that govern pedestrians and the use of motor vehicles and bicycles.

The rules and regulations will be reviewed on at least an annual basis, and include review by the office of the general counsel.

General:

- A. The operation of a motor vehicle or bicycle on university property is a privilege granted by the university and is not an inherent right of any faculty/staff member, student or visitor. All faculty, staff, students and visitors who park on university property must have and display a university parking permit or park in a short-term paid parking space. A parking permit signifies that an individual has been granted the privilege of parking a vehicle on university property and does not guarantee a parking place on campus.
- B. The university assumes no liability or responsibility for damage to or theft of any vehicle parked or driven on campus. The university assumes no responsibility or any duty to protect any vehicle or its contents at any time the vehicle is operated or parked on the campus. No

bailment is created by granting any parking or operating privileges regarding a vehicle on any property owned, leased or otherwise controlled by the university.

- C. Each person operating a motor vehicle on university property is responsible for obeying all university parking services regulations as well as all city and state parking regulations.
- D. The regulations are in effect at all times on university property including semester breaks, holidays, weekends, and intersessions.

Administration and Enforcement of the Regulations:

- A. **Parking Services:** The Parking Services division of the SFA University Police Department (UPD) is authorized to enforce the regulations and is responsible for the administrative functions relating to parking permits; establishing procedures and requirements for the issuance of parking permits; the collection of enforcement fees for parking services violations; establishing requirements for the submission of appeals; the processing of appeals from parking services citations; and for management of parking lots and garages. University Parking Services enforcement officers are authorized to write university parking citations.
- B. **The Stephen F. Austin State University Police Department (UPD):** The University Police division of UPD is also authorized to enforce the regulations at any time or under any circumstances deemed necessary. UPD officers may issue university citations or court appearance citations enforceable in justice of the peace or municipal court.

Additionally, the university police shall be vested with the authority to refuse to allow persons having no legitimate business to enter upon any property under the control and jurisdiction of Stephen F. Austin State University and to eject any unauthorized persons from said property upon their refusal to leave peaceably upon request.

The university police are authorized to enforce the Texas Motor Vehicle Code, the Texas Penal Code, and applicable ordinances of the city of Nacogdoches, the parking services regulations of the university, and all other laws.

Authority: Parking Services and UPD are authorized to enforce the regulations:

- A. Through the issuance of university citations and collection of enforcement fees, including the periodic billing of unpaid citations and the referral of individual cases pertaining to unpaid campus citations to a collection agency;
- B. Through the impoundment of vehicles interfering with the movement of vehicular, bicycle, or pedestrian traffic, blocking a sidewalk or space for those with disabilities, loading dock, ramp, cross-walk, entrance, exit, fire lane, or aisle;

- C. Through the impoundment or immobilization of vehicles for unpaid enforcement fees or display of a lost, altered, stolen or unauthorized parking permit;
- D. By the suspension, revocation or denial of campus parking and driving privileges, parking permit and garage access privileges to those who have flagrantly violated these regulations;
- E. By requiring either the vehicle owner or operator or the person who purchased the permit to appear in court for certain moving violations or at a university hearing for non-payment of outstanding charges or other violations of these regulations;
- F. By barring re-admission and by withholding grades, degree, refunds and official transcript of any student for non-payment of outstanding charges in accordance with university standards;
- G. By disciplinary action against employees or students who fail to abide by these regulations;
- H. By such other methods as are commonly employed by city governments or state agencies in control of traffic regulation enforcement.
- I. Violation of the university parking services regulation is a misdemeanor punishable by a fine of up to \$200.
- J. With approval of the vice president for finance and administration, UPD and Parking Services may authorize an alternative method for the payment of fines that is consistent with the university's mission such as community service hours or the collection of food for area foodbanks.

Collection Methods: The university may arrange for collection of debts due to the university pursuant to the regulations in the following manner and as specified elsewhere in the regulations:

- A. Permit payments may be deducted from employee payroll checks with the employee's permission. Deductions for all permit purchases will continue until the full price of the permit is paid or until the permit is returned. Employees are responsible for monitoring their paychecks to ensure that proper deductions are being made for their SFA parking permit.
- B. A financial hold may be placed against students for past due debts.
- C. Any charge not paid when due may be forwarded to a collection agency or an attorney for collection. The offender will be responsible for paying all costs of collection, including any agency fees and/or reasonable attorney's fees, which will be added to the total amount due.

Appeals: The rules and regulations established by Parking Services will provide a procedure for

appeal of a citation.

Cross Reference: Parking Services Regulations; Tex. Educ. Code §§ 51.201-.211, 54.505; Tex. Transp. Code § 681.008, Ch. 683

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Chief of Police

Forms: None

Board Committee Assignment: Academic and Student Affairs