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Sequence Number: 03-14-18
Rule ID(s): 6719
File Date: 3/14/18
Effective Date: 6/12/18

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to Tenn. Code Ann. §§ 4-5-202, 4-5-207, and 4-5-229 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within ninety (90) days of the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by ten (10) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of ten (10) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Austin Peay State University
Division:	
Contact Person:	Dannelle Whiteside
Address:	601 College Street, P.O. Box 4628 Clarksville, TN
Zip:	37044
Phone:	931-221-7580
Email:	whitesided@apsu.edu

Revision Type (check all that apply):

___ Amendment
_x_ New
___ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row)

Chapter Number	**Chapter Title**
0240-05-01	Traffic and Parking Regulations
Rule Number	**Rule Title**
0240-05-01-.01	Introduction
0240-05-01-.02	Registration of Vehicles
0240-05-01-.03	Parking Zones
0240-05-01-.04	Vehicle Operation
0240-05-01-.05	Violations
0240-05-01-.06	Enforcement
0240-05-01-.07	Penalties
0240-05-01-.08	Appeals
0240-05-01-.09	Restrictions
0240-05-01-.10	Special Occasions and Emergencies
0240-05-01-.11	Pedestrian

Rules
of
Austin Peay State University

Chapter 0240-05-01
Traffic and Parking Regulations

A Table of Contents is added to Chapter 0240-05-01 and shall read as follows:

Table of Contents

0240-05-01-.01 Introduction
0240-05-01-.02 Registration of Vehicles
0240-05-01-.03 Parking Zones
0240-05-01-.04 Vehicle Operation
0240-05-01-.05 Violations
0240-05-01-.06 Enforcement
0240-05-01-.07 Penalties
0240-05-01-.08 Appeals
0240-05-01-.09 Restrictions
0240-05-01-.10 Special Occasions and Emergencies
0240-05-01-.11 Pedestrian

Rule 0240-05-01-.01 Introduction is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64, 40 C.F.R. §85.1703 (defining motor vehicles).

Rule 0240-05-01-.02 Registration of Vehicles is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

0240-05-01-.02 Registration of Vehicles.

(1) All motor vehicles parked on APSU property between 7:30 a.m. and 4:30 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.

(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, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

Rule 0240-05-01-.03 Parking Zones is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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 4:30 p.m., Monday through Friday when APSU is in session.

(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 4:30 p.m., Monday through Friday when APSU is in session.

(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 4:30 p.m., Monday through Friday when APSU is in session.

(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 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 4:30 p.m., Monday through Friday, when APSU is in session.

(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.

Rule 0240-05-01-.04 Vehicle Operation is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

Rule 0240-05-01-.05 Violations is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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;

(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: §49-9-209(e) and Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee, 1807, Ch. 64.

Rule 0240-05-01-.06 Enforcement is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

Rule 0240-05-01-.07 Penalties is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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

(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).

Rule 0240-05-01-.08 Appeals is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

Rule 0240-05-01-.09 Restrictions is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

Rule 0240-05-01-.10 Special Occasion and Emergencies is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

Rule 0240-05-01-.11 Pedestrian Regulations is added to Chapter 0240-05-01 Traffic and Parking Regulations and shall read as follows:

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.

* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Billy Atkins	X				
Katherine Cannata	X				
Larry Carroll	X				
Don Jenkins	X				
Gary Luck	X				
Valencia May	X				
Robin Mealer	X				
Mike O'Malley	X				
Nell Rayburn	X				

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by Austin Peay State University on 05/19/17, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of ninety (90) days of the filing of the proposed rule with the Secretary of State.

VERONICA JACKSON
STATE OF TENNESSEE NOTARY PUBLIC
MONTGOMERY COUNTY

Date: 11-13-17

Signature: Alisa White

Name of Officer: Dr. Alisa White

Title of Officer: President, APSU

Subscribed and sworn to before me on: November 13, 2017

Notary Public Signature: Veronica Jackson

My commission expires on: December 16, 2020

Agency/Board/Commission: Austin Peay State University

Rule Chapter Number(s): 0240

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

12/12/2017
Date

Department of State Use Only

Filed with the Department of State on: 3/14/18

Effective on: 6/12/18

Tre Hargett
Secretary of State

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PUBLIC DOCS

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

These rules only affect students enrolled at Austin Peay State University and no small businesses will be impacted by their promulgation.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (http://state.tn.us/sos/acts/106/pub/pc1070.pdf) of the 2010 Session of the General Assembly)

These rules only affect students enrolled at Austin Peay State University and will not have an impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

(A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The purpose of these regulations is to facilitate the safe and orderly operation of University business and to provide parking facilities for this operation within the limits of available space. The rules define how to register motor vehicles who utilize parking lots owned by Austin Peay State University. They also describe designated parking zones and the criteria for parking in each zone. Further, the rule defines acceptable vehicle operators as well as violations, which would subject vehicle operators to fines. Finally, the rule clearly designates financial penalties for vehicle operators who receive violations.

(B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

§49-9-209(e), Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

(C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

It is essential that the Board adopt rules concerning traffic and parking to provide guidance to students, faculty, staff, and visitors to APSU. Similar rules were in place when APSU was under the Tennessee Board of Regents. Now that APSU has its own Board of Trustees, it is necessary to promulgate this rule. The rule impacts all persons operating motor vehicles on streets or lots owned by APSU. The Board urges adoption of these rules.

(D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

Not applicable.

(E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars ($500,000), whichever is less;

Not applicable.

(F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Michael J. Kasitz
Chief of Police
Austin Peay State University

(G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Dannelle Whiteside
General Counsel
Austin Peay State University

Chief Michael J. Kasitz
Chief of Police
Austin Peay State University

(H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Dannelle Whiteside General Counsel Austin Peay State University 931-221-7580 whitesided@apsu.edu Chief Michael J. Kasitz Chief of Police Austin Peay State University (931) 221-7786 kasitzj@apsu.edu

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

Rules
of
Austin Peay State University

Chapter 0240-05-01
Traffic and Parking Regulations

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0240-05-01-.11 Pedestrian

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64, 40 C.F.R. §85.1703 (defining motor vehicles).

0240-05-01-.02 Registration of Vehicles.

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(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.

(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, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

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 4:30 p.m., Monday through Friday when APSU is in session.

(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 4:30 p.m., Monday through Friday when APSU is in session.

(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 4:30 p.m., Monday through Friday when APSU is in session.

(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 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 4:30 p.m., Monday through Friday, when APSU is in session.

(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.

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 limit 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.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

0240-05-01-.05 Violations. The following non-exhaustive 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;

(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: §49-9-209(e) and Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee, 1807, Ch. 64.

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

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

(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).

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

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

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

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: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

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.