

Proposed Rules  
of  
The University of Tennessee - 1720  
The University of Tennessee, Chattanooga

Chapter 1720-02-03  
Traffic and Parking Regulations

Presented herein are proposed amendments of The University of Tennessee submitted pursuant to T.C.A. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of The University of Tennessee to promulgate these amendments without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in Room 719 of the Andy Holt Tower located at The University of Tennessee, 1331 Circle Park Drive, Knoxville, Tennessee 37996-0170, and in the Department of State, 8th Floor, Tennessee Tower, William R. Snodgrass Building, 312 8th Avenue North, Nashville, Tennessee 37243, and must be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of these proposed amendments, contact: Matthew M. Scoggins, Assistant General Counsel, The University of Tennessee, Office of General Counsel, 719 Andy Holt Tower, 1331 Circle Park Drive, Knoxville, TN 37996-0170, telephone number (865) 974-2356.

The text of the proposed amendments is as follows:

Amendments

Paragraph (2) of Rule 1720-02-03-.01 Introduction is amended by deleting the phrase "The Safety and Security Department is" and substituting the phrase "The Departments of Parking Services and Campus Law Enforcement are" so that, as amended, the Rule shall read:

- (2) The Departments of Parking Services and Campus Law Enforcement are responsible for implementation and enforcement of these regulations.

Authority: T.C.A. § 49-9-209(e).

Paragraph (2) of Rule 1720-02-03-.05 Violations is amended by adding a new subparagraph (e) so that, as amended, the Rule shall read:

- (e) Disability parking violation, as defined by State law (e.g., an unauthorized use of a disabled parking space, ramp, plate, or placard; parking a vehicle so that a portion of the vehicle encroaches into a disabled parking space in a manner which restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a vehicle properly parked within the disabled parking space).

Authority: T.C.A. § 49-9-209(e).

Subparagraph (a) of Paragraph (5) of Rule 1720-02-03-.05 Violations is amended by deleting the word "handicapped" and substituting the word "disabled" so that, as amended, the Rule shall read:

- (a) The University may tow without advance notice those vehicles parked in a fire lane, designated disabled parking space, spaces reserved for designated vehicles or in such a manner as to impede the flow of traffic or disrupt the orderly affairs of the University.

Authority: T.C.A. § 49-9-209(e).

Paragraph (3) of Rule 1720-02-03-.06 Enforcement is amended by deleting the word "handicapped" and substituting the word "disabled" so that, as amended, the Rule shall read:

- (3) A vehicle parked in a manner which blocks a fire zone, emergency exit, flow of traffic, designated disabled parking space, spaces reserved for designated vehicles, or otherwise poses a danger or disrupts the orderly affairs of the University may be impounded, immobilized, or towed.

Authority: T.C.A. § 49-9-209(e).

Subparagraph (b) of Paragraph (3) of Rule 1720-02-03-.06 Enforcement is amended by deleting the word "fees" and substituting the word "fines" so that, as amended, the Rule shall read:

- (b) If penalties are assessed after such hearing, impounded, towed or immobilized vehicles will be released upon proper identification and receipt for payment of all appropriate fines and penalties (see below).

Authority: T.C.A. § 49-9-209(e).

Paragraph (1) of Rule 1720-02-03-.07 Penalties is amended by deleting the word "fees" where it occurs in the paragraph and substituting the word "fines" so that, as amended, the Rule shall read:

- (1) Violation Fines - Staff, Students and Visitors. All violation fines will be paid at Parking Services or the Bursar's Office.

Authority: T.C.A. § 49-9-209(e).

Subparagraph (e) of Paragraph (1) of Rule 1720-02-03-.07 Penalties is amended by deleting the word "fees" and substituting the word "fines" so that, as amended, the Rule shall read:

- (e) Immobilized vehicles \$20.00 plus other fines owed

Authority: T.C.A. § 49-9-209(e).

Subparagraph (g) of Paragraph (1) of Rule 1720-02-03-.07 Penalties is amended by deleting the phrase "Handicap Space" and substituting the phrase "Disability Parking Violation;" by deleting the word "\$150.00" and substituting the word "\$200.00;" and by adding the sentences "The fine for a disability parking violation is set by State law, Tennessee Code Annotated section 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. The fine shall not be suspended or waived." so that, as amended, the Rule shall read:

- (g) Disability Parking Violation \$200.00  
The fine for a disability parking violation is set by State law, Tennessee Code Annotated section 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. The fine shall not be suspended or waived.

Authority: T.C.A. § 49-9-209(e).

Paragraph (2) of Rule 1720-02-03-.07 Penalties is amended by adding the word "Other" so that, as amended, the Rule shall read:

- (2) Other Penalties - Students.

Authority: T.C.A. § 49-9-209(e).

Subparagraph (a) of Paragraph (2) of Rule 1720-02-03-.07 Penalties is amended by deleting the word "fees" where it occurs in the subparagraph and substituting the word "fines" so that, as amended, the Rule shall read:

- (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.

Authority: T.C.A. § 49-9-209(e).

Paragraph (2) of Rule 1720-02-03-.07 Penalties is amended by adding a new subparagraph (g) so that, as amended, the Rule shall read:

- (g) In addition to the fine imposed for a disability parking violation, not more than five (5) hours of community service work may be imposed. Any community service work requirements imposed shall be to assist the disabled community by monitoring disabled parking spaces, providing assistance to disability centers or to disabled veterans, or other such purposes.

Authority: T.C.A. § 49-9-209(e).

Paragraph (5) of Rule 1720-02-03-.08 Appeals is amended by deleting the phrase "Safety and Security Office" and substituting the phrase "Departments of Parking Services or Campus Law Enforcement" so that, as amended, the Rule shall read:

- (5) No appeals may be made through Campus Law Enforcement.

Authority: T.C.A. § 49-9-209(e).

Rule 1720-02-03-.10 Special Occasions and Emergencies is amended by deleting the phrase "Safety and Security Department" and substituting the phrase "Departments of Parking Services and Campus Law Enforcement" so that, as amended, the Rule shall read:

1720-02-03-.10 Special Occasions 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 Departments of Parking Services and Campus Law Enforcement as required by the conditions which prevail.

Authority: T.C.A. § 49-9-209(e).

The proposed rules set out herein were properly filed in the Department of State on the 17th day of November, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 30th day of March, 2009. (FS 11-27-08; DBID 3697)