

Proposed Rules
of
The University of Tennessee - 1720
The University of Tennessee, Health Science Center

Chapter 1720-03-07

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

Part (7) of subparagraph (b) of paragraph (1) of Rule 1720-03-07-.02 Violations and Penalties is amended by deleting the current language in its entirety and substituting new language so that, as amended, the Rule shall read:

- (7) 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).

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 two hundred dollars (\$200). The fine imposed under these regulations will increase or decrease automatically when increased or decreased by State law. The fine for a disability parking violation shall not be suspended or waived. In addition to the fine, not more than five (5) hours of community service work may be imposed for a disability parking violation. 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 (1) of Rule 1720-03-07-.03 Impoundment of Vehicles is amended by deleting the phrase "or handicapped" in subparagraph (d); by redesignating the existing subparagraphs (e), (f), (g), (h), and (i) as subparagraphs (f), (g), (h), (i), and (j), respectively; and by adding a new subparagraph (e) before the newly designated subparagraph (f) so that, as amended, the Rule shall read:

- (d) If it is parked illegally in a reserved parking area.
- (e) For a disability parking violation.
- (f) When the vehicle displays a permit that has been reported lost or stolen.
- (g) When a vehicle displays a forged or altered permit.
- (h) When a vehicle has six (6) or more unpaid citations that have not been appealed and the vehicle is found parked on UT Health Science Center property, provided the owner of such vehicle is first notified in writing of the existence of delinquent citations and UT Health Science Center's intent to tow such vehicle when it is found on UT Health Science Center property, whether parked legally or illegally. Vehicle will then be held until said citations are paid in full.
- (i) If it is parked on campus after parking privileges have been forfeited.
- (j) If it is parked illegally and creates an emergency situation.

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 11-29-08; DBID 3699)