

Chapter 172-100 WAC

TRAFFIC AND PARKING RULES

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WAC

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WAC 172-100-010 Purpose. These rules govern pedestrian, bicycle, and motor vehicle traffic and parking at Eastern Washington University (EWU). The purpose of these rules is to facilitate campus safety and access. Specifically, these rules are intended to:

(1) Control parking on campus and in off-campus parking lots that are owned or leased by the university;

(2) Assure access at all times for emergency equipment;

(3) Expedite EWU business, protect state property, and provide maximum safety and convenience;

(4) Provide funds to obtain and maintain suitable campus parking and traffic facilities;

(5) Regulate motor vehicles and minimize traffic disturbances on campus; and

(6) Protect pedestrians and bicyclists.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-010, filed 12/4/13, effective 1/4/14.]

WAC 172-100-020 Applicability. (1) All rules in this chapter and all motor vehicle and traffic laws of the state of Washington apply on campus.

(2) The traffic code of the city of Cheney applies on city streets located on campus.

(3) The traffic and parking rules are effective at all times.

(4) It is the responsibility of all individuals who operate bicycles or motor vehicles on campus to read and fully understand these rules. A lack of knowledge of these rules will not constitute a defense for violation of these rules nor will it limit a violator's responsibility for any citations.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-020, filed 12/4/13, effective 1/4/14.]

WAC 172-100-030 Liability of university. The university assumes no liability for bicycles or motor vehicles or their contents when such bicycles or motor vehicles are on campus. The university offers parking permits to those desiring to park on campus. The university uses license plate recognition technology

to manage parking. A parking permit licenses the holder (licensee) to park one motor vehicle in the lot for which the owner purchased a parking permit as long as the license plate number for the vehicle matches the license plate number on file with parking services. The university is not responsible for fire, theft, damage, or loss of any bicycle, motor vehicle, or any article left in such vehicle. A parking permit is a license to park and no bailment is created.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-030, filed 12/4/13, effective 1/4/14.]

WAC 172-100-040 Authorities. (1) The board of trustees of EWU is granted statutory authority under RCW 28B.10.560 to establish rules to govern pedestrian and vehicular traffic and parking on the campus of the university.

(2) The officers of the EWU police department are fully commissioned peace officers of the state of Washington and have police powers as are vested in sheriffs and peace officers generally under the laws of the state of Washington.

(3) Designated employees of EWU parking services have authority to enforce traffic and parking rules on the campuses

and property of Eastern Washington University. All actions and decisions of parking services personnel in the enforcement of traffic and parking rules are subject to administrative review and approval.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-040, filed 12/4/13, effective 1/4/14.]

WAC 172-100-100 General traffic and vehicle rules. (1)

Bicycle riders and motor vehicle operators shall operate such equipment in a careful and prudent manner at all times and must comply with posted speed limits.

(2) Bicycle riders and motor vehicle operators shall obey all regulatory signs and comply with directions given by parking services personnel and public safety officers and their designees.

(3) Bicycle riders and motor vehicle operators shall yield the right of way to pedestrians. This includes, but is not limited to, yielding to pedestrians crossing streets, roadways, and parking areas within the campus. Riders and drivers shall also yield to pedestrians at intersections, clearly marked crosswalks, or city streets on campus.

(4) Vehicles on university property must be kept in operating condition, except those at the automotive repair shop. Vehicle repairs or maintenance are prohibited on campus unless preauthorized by parking services.

(5) Bicycles may be operated any place where motor vehicles are permitted. Bicycles may also be operated on university walkways, so long as the bicycle is operated in a safe manner and does not interfere with pedestrian traffic or other campus activities.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-100, filed 12/4/13, effective 1/4/14.]

WAC 172-100-110 Special rules and restrictions. During emergencies, special events, or extenuating circumstances, the university police department may impose additional traffic and parking rules or modify existing rules.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-110, filed 12/4/13, effective 1/4/14.]

WAC 172-100-120 Parking rules. (1) Emergency access areas: Parking is prohibited in:

(a) Emergency access areas;

(b) Fire lanes;

(c) Within fifteen feet of a fire hydrant.

(2) No parking/restricted parking areas: Parking is prohibited in any area that is not specifically designated for parking, unless explicitly authorized by parking services or university police. No parking and restricted parking areas include, but are not limited to:

(a) Yellow curb areas;

(b) Bus zones;

(c) Driveways;

(d) Sidewalks; and

(e) Any grassy area.

(3) Loading zones: Parking is permitted in loading zones according to the restrictions and time limits posted for the zone. If no restrictions are posted, users shall:

(a) Display a department permit issued under WAC 172-100-230; or

(b) Obtain and display a permit from parking services.

(4) Service drives/areas: Driving or parking in a service drive without displaying a department or service permit is prohibited.

(5) Visitor spaces: Campus visitors may park in any visitor parking space on campus subject to any posted restrictions.

(6) Reserved spaces: Parking in a reserved parking space, without proper authorization, is prohibited.

(7) Permit-required lots: Except as provided herein, parking is prohibited in any campus parking lot that requires a parking permit unless the vehicle has a valid parking permit for that lot. The university uses license plate recognition technology to manage parking on its campus. Owners purchase parking permits for particular lots on campus and are required to provide the license plate numbers for any vehicles they are requesting a permit for. To be considered valid, parking permits must be issued by the university's parking services office, be current, and be for the license plate associated with the vehicle parked in a parking lot.

(a) All permit-required lots have designated days and times during which a permit is required.

(b) Motorcycles parked in a permit-required lot must have a valid parking permit.

(8) Disabled parking spaces: Any vehicle that is parked in a disabled parking space in a university owned or leased parking lot must register with Parking Services and provide evidence of a valid, state-issued disabled parking permit, license plate, or year tab. The vehicle must also have a valid EWU disabled parking permit if parking in a permit-required parking lot during the designated days and times that a permit is required for parking.

(9) Metered/mobile payment parking: A person who parks a vehicle in a metered or mobile payment parking space must pay for time used during posted times of operation.

(10) Vehicle size limits: Vehicles longer than twenty feet, campers, trailers, buses, and pickup trucks with a camper may not be parked on university property without prior authorization from parking services.

(11) Bicycles: Bicycles must be parked in bicycle racks.

(12) Parking space violation: Vehicles may only occupy one parking space or stall as designated within a parking area.

(13) Disabled, and inoperative vehicles: A disabled or inoperative vehicle may not be parked on the university campus

for more than twenty-four hours without prior authorization from parking services.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-120, filed 12/4/13, effective 1/4/14.]

WAC 172-100-130 Citations and fines. Any violation of these rules is subject to citation. Each offense may result in a separate citation.

(1) Payment: Citation fines must be paid to EWU parking services and may be paid in person, online, by mail, or by phone.

(2) Amounts:

(a) Citations: When a citation is issued, fines are determined in accordance with a fine schedule. The fine schedule is approved by the vice president for business and finance.

(b) Adjustments: When mitigating circumstances exist, authorized parking services personnel may reduce or dismiss fines.

(3) Appeals: Citations may be appealed by submitting an online or written appeal to parking services within fourteen calendar days of the date the citation was issued. If an appeal

is not submitted online, handwritten appeals must be submitted to parking services in person or by mail within fourteen calendar days or a late fee will be assessed. If a timely appeal is not filed, the citation becomes final. Appeals will be reviewed by a board consisting of voting members from the following groups: Associated students, classified staff, faculty, and exempt staff. A parking services representative will act as a consultant to the board. The board may uphold or dismiss the citation. In the case of a tie vote, the board will continue discussion and vote again until a majority vote is obtained. If an impasse exists, the citation will be reduced to a warning. If the board upholds the citation, it may reduce the fine amount. In no event may the board impose a fine exceeding the amount set forth in the fine schedule. Within five calendar days following the board's review, parking services shall notify the appellant, by mail or by email, of the board's determination. The board will meet every two weeks, with additional meetings as necessary. Additional appeal rights are governed by RCW 28B.10.560.

(4) Collection: Unpaid fines are subject to collection through the university's established collection methods under WAC 172-144. An owner and/or driver may be responsible for all collection fees, which may be based on a percentage up to fifty percent of the unpaid charges, and all costs and expenses, including attorneys' fees related to collection of the unpaid debt.

(5) Nonpayment. In addition to seeking collection of unpaid fines under paragraph four, unpaid fines may lead to the immobilization or impoundment of a vehicle when:

(a) A permit account (which may include one individual license plate number or a combination of license plate numbers on a single account) contains four unpaid citations with fines exceeding one-hundred dollars; or,

(b) A permit account (which may include one individual license plate number or a combination of license plate numbers on a single account) has a balance that is older than ninety days and exceeds one-hundred dollars.

(6) Disposition of fees and fines: Proceeds from fees and fines collected under this chapter are to be deposited in the

university's parking fund and applied to the costs of operating, maintaining, and patrolling the campus parking lots and administering these rules.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-130, filed 12/4/13, effective 1/4/14.]

WAC 172-100-140 Immobilization and impoundment of motor vehicles and bicycles. (1) The vice president for business and finance or designee may order the immobilization, impoundment and storage of any vehicle:

(a) That is parked, in violation of these rules:

(i) In an emergency access area, no parking area, or restricted parking area;

(ii) In a loading zone or service drive or area without a Department Permit as noted in WAC 172-100-230 below;

(iii) In a parking space designated for another person or vehicle; or

(iv) In a disabled parking space;

(b) That is disabled or inoperative; or

(c) That is parked on university property and is connected to a parking permit account that has unpaid fines in accordance with WAC 172-100-130.

(2) The owner and/or driver of an immobilized or impounded motor vehicle is responsible for all immobilization and impoundment costs, and any related costs, and may not recover the motor vehicle until arrangements have been made with parking services. To have the motor vehicle released pending any appeal, the owner and/or driver must post a bond in the amount of the unpaid fines, fees, and costs relating to the immobilization and/or impoundment. If the owner and or driver timely appeals the immobilization and/or impoundment in accordance with paragraph five below and the fines, fees, or costs are overturned, the university will refund the bond to the owner and/or driver. The university and its employees or representatives are not liable for loss or damage of any kind resulting from impoundment or storage. The university is also not financially responsible for any incidentals accrued by the owner and/or driver through this process.

(3) Bicycles may be impounded for violations of the above parking rules. The university is authorized to break any bicycle lock to facilitate impoundment. The university and parking services are not responsible for any damage resulting from the impoundment of a bicycle, including removal of a lock.

(4) Definitions.

(a) "Impoundment" means to take and hold a motor vehicle or bicycle in legal custody, which includes, but is not limited to, securing, towing, and storing the motor vehicle or bicycle.

(b) "Immobilization" means the use of a locking wheel boot or similar device that, when attached to the wheel of a motor vehicle, prevents the motor vehicle from moving without damage to the tire which the locking wheel boot or similar device is attached.

(5) Immobilization and impoundments may be appealed by submitting a written appeal to parking services within fourteen calendar days of the date of the immobilization or impoundment of the motor vehicle. Appeals may be submitted to parking services in person. If an appeal is not timely filed, the fees, fines, or costs are final.

(6) Appeals will be reviewed by a board consisting of voting members from the following groups: Associated students, classified staff, faculty, and exempt staff. A parking services representative will invite members to join the board and will act as a consultant to the board. A quorum of members must be present to adjudicate. The board may uphold or dismiss any fees, fines, or costs of the immobilization/impoundment, the owner and/or driver is responsible for paying all fees, fines and costs. If the board upholds the fees, fines, or costs related to the immobilization or impoundment, the owner and/or driver is responsible for paying all fees, fines, and costs. If the board overturns the immobilization or impoundment, the owner and/or driver is not responsible for the costs related to such immobilization or impoundment. In the case of a tie vote, the board will continue discussion and vote again until a majority vote is obtained. If an impasse exists, the decision will be in the favor of the immobilization or impoundment.

(8) Within five calendar days following the board's review, parking services shall notify the appellant, by mail or by electronic mail, of the board's determination. The board will

meet every two weeks, with additional meetings as necessary.

Additional appeal rights are governed by RCW 28B.10.560.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-140, filed 12/4/13, effective 1/4/14.]

WAC 172-100-150 Electric vehicle charging stations. (1)

These rules govern the use of electric vehicle charging stations (EVCSs) that are located on parking lots or at metered parking spaces which are owned and/or operated by Eastern Washington University (EWU). All EVCSs will be clearly marked by signs and green pavement markings as required by RCW 46.08.185.

(2) General rules:

(a) Vehicles parked in an EVCS must be in compliance with all other parking rules for that parking area as described in chapter 172-100 WAC.

(b) Vehicles must be actively charging while parked in an EVCS. Per RCW 46.08.185, a monetary penalty will be assessed to any vehicle parked in an EVCS on public or private property if the vehicle is not connected to the charging equipment.

(c) There is no additional charge to plug into an EVCS.

(d) Permit required EVCS: A vehicle that is parked in an EVCS located in a nonmetered space on a permit-required parking lot;

(i) Must have a valid parking permit for any campus lot;

and

(ii) Is limited to four hours per day of parking in the EVCS during designated days/times in which a parking permit is required.

(e) Metered EVCS: A person using an EVCS located at a metered-parking space;

(i) Must pay the required parking meter fee; and

(ii) Is limited to four hours per day of parking in the EVCS during posted days/times of operation.

(3) Restrictions:

(a) Charging of an electric vehicle is limited to an EVCS only. No person may use an electrical outlet of any facility owned and/or operated by EWU for vehicle charging except for vehicles that are owned or leased by EWU.

(b) EVCSs may be closed for special event parking, maintenance, and/or construction.

(c) An EVCS may be reserved through the Parking and Transportation Services office for some special event parking.

(d) EWU assumes no responsibility or liability for damage to vehicles using an EVCS.

(e) A violation of these rules may result in issuance of a parking infraction.

[Statutory Authority: RCW 28B.35.120(12). WSR 15-24-048, § 172-100-150, filed 11/23/15, effective 12/24/15.]

WAC 172-100-200 Parking permits—Issuance and responsibility. (1) Parking permits may be obtained through parking services. Permits are issued upon payment of established fees, subject to availability. Permits may not be transferred, assigned, or sold.

(2) Prorated refunds: Refunds of parking permit fees will be issued according to parking office guidelines.

(3) The university reserves the right to refuse parking privileges to anyone who has:

- (a) Had a permit revoked;
- (b) Falsified a parking application or registration;
- (c) Counterfeited or altered an area designator or permit;

(d) Failed to pay outstanding traffic or parking citations;

(e) Possessed or used a lost, altered, or stolen parking permit;

(f) Been given notice of trespass from campus;

(g) Failed to comply with parking services directions; or

(h) Damaged university property while driving or parking on campus.

(4) Responsibility: The person to whom a parking permit is issued is responsible for all violations of these rules involving the vehicle for which the permit was issued regardless of whether the person was operating the vehicle at the time of the violation.

(5) Lost or stolen permits: If a permit is lost or stolen, the permit holder must report the loss to parking services. A replacement permit will be provided to the individual. A fee may be charged for a lost permit.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-200, filed 12/4/13, effective 1/4/14.]

WAC 172-100-210 Parking permits—Limitations on use.

Parking permits entitle users to park in specific campus parking lots during specific dates and times.

(1) All campus parking lots that require a parking permit have designated times during which a permit is required.

(2) Parking permits do not entitle permit holders to any parking right or privilege beyond the dates and times specifically designated for the campus parking lot(s) for which they hold a permit.

(3) During special events, parking services personnel may modify existing parking rules for any campus parking lot. Special event parking modifications include, but are not limited to:

(a) Designating a lot as free parking;

(b) Designating a lot as paid parking and charging users a fee for parking, including those holding a regular permit for the lot; or

(c) Closing a parking lot.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-210, filed 12/4/13, effective 1/4/14.]

WAC 172-100-220 Parking permits for permit-required lots.

(1) Standard permits: The university issues standard parking permits using license plate recognition technology. The permit is connected to any vehicle containing the license plate number identified by the owner at the time the permit is purchased. A permit may be attached to many license plate numbers on file, but only one vehicle attached to the permit is allowed on campus at a time during enforcement hours. Priority for issuance of standard permits will be given to university employees and students.

(2) EWU disabled parking permits: These permits are issued to university employees and students who are authorized to park in disabled parking areas and possess a current, state issued, disabled parking placard, license plate, and/or year tab.

(3) Retiree permits: Individuals who have retired from EWU are entitled to a retiree parking permit at an annual discounted price based on space availability. Retiree permits entitle retirees access to parking in designated areas while attending retiree functions sponsored by the university. Retiree permits are subject to the following:

(a) Retiree permits may not be used to park in residence hall lots.

(b) Retiree permits do not entitle the retiree to free parking during special events.

(c) Retiree permits may only be used by the retiree.

(d) Retiree permits may not be used by a retiree who is employed by the university.

(e) If a retiree permit is used in violation of the above conditions, the university may revoke the retiree's permit.

(4) Special ('S') permits: The 'S' permit may be issued to university employees whose duties require frequent visits or deliveries to other campus locations. The permit allows employees to park their vehicles in undesignated lots for official campus duties. Issuance and use of 'S' permits is subject to the following:

(a) Requests: University employees may request an 'S' permit through parking services. Requests for an 'S' permit must describe the employee's duties that justify the 'S' permit, including detailed information regarding the frequency and nature of the employee's intra-campus business activities and

why a departmental permit is inadequate to support those activities. Requests must be endorsed by the president or appropriate vice president. The vice president for business and finance, or designee, is the approval authority for 'S' permits.

(b) Issuance. The parking services office shall provide an 'S' permit to an employee who has been authorized by their department's vice president to obtain an 'S' permit and has purchased a core lot permit and paid the additional 'S' permit fee.

(c) Use: 'S' permits may only be used for the purpose of conducting official university business. 'S' permits may be used to park in any campus parking lot, loading zone, or service area, on a space-available basis, limited to the time needed to conduct university business. They may not be used for personal use or convenience.

(d) Restrictions: 'S' permits do not authorize parking in disabled parking spaces unless the person is authorized to park in disabled parking spaces under these rules. 'S' permits are not valid at meters, fire lanes, safety zones, yellow curbs or

zones, designated "no parking" areas, or other areas not designated for parking.

(e) Availability: The vice president for business and finance may limit the number of 'S' permits that are available for issuance throughout the university, and/or to departments or units.

(5) Guest permits: Campus guests and persons doing business with the university may be issued a guest permit allowing them to park in designated lots on campus, subject to the following:

(a) Guest permits are valid for the dates and locations specified at the time of issuance.

(b) A fee may be charged for a guest permit.

(c) A guest permit will not be issued to persons intending to make personal solicitations from or personal sales to university employees or students.

(d) Guest permits do not authorize parking in spaces that are reserved.

(e) Guests may park in disabled parking spaces so long as their vehicle displays the guest permit along with a current,

state-issued disabled parking placard, license plate, and/or year tab.

(6) Duplicate permits and car pool permits:

(a) Additional vehicle license plate numbers may be listed under the original purchaser accounts, but only one motor vehicle bearing the duplicate permit number may park in the designated parking lot at a time. Violation of this section will subject each vehicle involved to a fine.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-220, filed 12/4/13, effective 1/4/14.]

WAC 172-100-230 Parking permits for loading zones and service drives. (1) Department permits: These permits are issued to departments or units to facilitate the movement of equipment and materials by allowing for limited parking in parking lots, service drives, and loading/unloading zones. Department permits may not be used by persons for their own benefit or convenience. They may only be used for official university business. A regular permit is not required when a person uses a department permit.

(a) Issuance and control. Department permits are issued on an annual basis for temporary, short-term use, and must be returned to the department after use. Permit use must be monitored and controlled by a designated person.

(b) Restrictions. Department permits are not valid at meters, reserved spaces, disabled parking spaces, fire lanes, safety zones, yellow curbs or zones, "no parking" areas, or other areas not designated for parking. Departments are assigned a primary lot and are limited to thirty minutes parking in the primary lot.

(c) Loss. If a department permit is lost, the department it is issued to must file a report with parking services. Parking services will determine if a fee is assessed for the lost permit.

(2) Service permits: Service permits are issued at a discounted cost to service providers, contractors, repairmen, and vendors to support their access requirements. Parking services shall specify terms of use upon registration of motor vehicles.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-230, filed 12/4/13, effective 1/4/14.]

WAC 172-100-240 Parking permits—Recall, suspension or revocation. Parking permits are the property of the university and may be recalled, revoked, or suspended.

(1) Recall: Parking permits may be recalled when the purpose for which the permit was issued changes or no longer exists.

(2) Suspension/revocation: Parking permits may be revoked or suspended in response to the following violations:

(a) Use of a permit on an unregistered vehicle or by an unauthorized individual. The vehicle and/or permit holder may also be cited.

(b) Falsification of a parking permit application.

(c) Continued violations of parking rules; or

(d) Counterfeiting or altering of parking permits. The offender may also be cited.

(3) Appeals: Suspension or revocation of a parking permit under this section may be appealed within fourteen calendar days

of issuance. Appeals must be submitted in writing to parking services in person or by mail.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-240, filed 12/4/13, effective 1/4/14.]

WAC 172-100-250 Severability. If any provision of this chapter or its application to any person or circumstances is determined to be invalid, the remainder of the chapter and its application to other persons or circumstances is unaffected.

[Statutory Authority: RCW 28B.35.120(12). WSR 13-24-119, § 172-100-250, filed 12/4/13, effective 1/4/14.]