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SECTION I DEFINITIONS

1. **UNIVERSITY CAMPUS:** All property owned or under the control of The University of Texas at El Paso.
2. **CENTRAL CONTROL ZONE:** The Central Control Zone is that area enclosed by the staffed traffic control points and any other barriers erected on access streets running onto or through the University Campus.
3. **PARKING AREA:** Any area on campus which has been designated and marked for parking, whether on streets or in lots.
4. **DESIGNATED PARKING SPACE:** That area outlined by white painted boundary lines on the pavement of any parking area. Areas not marked by boundary lines are not parking spaces.
5. **NO PARKING ZONE:** In addition to zones marked by posted signs, any yellow or red painted curbs or yellow painted zones on pavements designated no parking at any time.
6. **TOW-AWAY ZONE:** An area designated by an officially posted sign, which constitutes public notice that a vehicle parked in violation will be removed. Includes all red painted curbs denoting a Fire Lane.
7. **LOADING ZONE:** A zone marked by posted signs and yellow painted curbs or zones reserved for loading/unloading only.
8. **MOTOR VEHICLE:** Includes automobiles, buses, trucks, trailers, motorcycles, motor bikes, motor scooters, mopeds, tractors, or any other self-propelled vehicle.
9. **VISITOR:** Any person who is not a student, faculty or staff member.
10. **STUDENT:** Every person duly registered, enrolled and attending classes at the University, either full or part-time.
11. **DRIVER:** Every person who drives, operates, or is in actual physical control of a vehicle.
12. **CARPOOL SPACE:** That area outlined by green painted boundary lines on the pavement of any parking area.
13. **VENDOR:** Vendors are individuals that are not directly affiliated with the University but conduct business or use a vehicle to deliver goods on campus.

SECTION II QUICK REFERENCE TO PARKING AND TRAFFIC REGULATIONS

DESIGNATED PARKING AREAS

IC — Inner Campus; PG — Garage; S — Silver; P — Perimeter; R — Remote

REGISTRATION OF A VEHICLE DOES NOT GUARANTEE A PARKING SPACE.

IF PARKING IN UTEP PROPERTY A VALID CURRENT UTEP PARKING PERMIT MUST BE DISPLAYED MONDAY THROUGH SATURDAY FROM 7AM TO 8PM.

- 1. PERMITS REQUIRED FOR ACCESS & PARKING:** Only vehicles conspicuously displaying proper and current University parking permits may enter or park on campus property (as shown by the boundaries on the map accompanying the regulations) from 7am to 8pm. All students, faculty and staff desiring to operate or park a private vehicle on campus property must purchase an appropriate permit.

Faculty/Staff members are not authorized to purchase student permits.

Should the need arise to bring a vehicle without a permit on campus, a temporary permit may be obtained as outlined in Section VI, Parking Permits, ALL OTHER PARKING.

- 2. DISPLAY OF PERMITS:** Parking permits must be properly affixed to the vehicle(s) as described in Section VI. Permits which are taped or affixed by unauthorized materials will subject the holder to a citation. Temporary permits must be conspicuously displayed on the driver's side of the vehicles dashboard.
- 3. SURRENDER OF PERMITS:** Permits must be surrendered when there is a change of vehicle ownership; when association with the University is terminated; when a replacement permit has been issued to take the place of a previously issued permit; or upon expiration or revocation. Ownership of a parking permit remains with the institution and is not transferable.
- 4. CENTRAL CONTROL ZONE:** Access is restricted to an area within the central portion of the main campus which is that area enclosed by the manned traffic control points and traffic barriers. Parking in this zone is limited to faculty and staff between 7:00 am to 5:00 pm Monday through Friday. Student parking in this zone is not permitted during Central Control Zone hours. Students are authorized to park inside campus after 5pm with any current and valid UTEP parking permit. If special event going on inside campus, students may or may not be allowed in due to event. Parking areas outside the Central Control Zone are designated as Silver, Perimeter or Remote lots depending on distance from the Central campus area.
- 5. ZONE PARKING:** Access is restricted to an area within the perimeter portion of the main campus which is that area marked by signage with a color and number schema (i.e. SB2). Parking in these zones is limited to zone permit holders between the hours of 7:00 am to 3:00 pm Monday thru Friday. Faculty, Staff, and Students may park in these zones between the hours of 3:00 pm to 7:00 am Monday thru Friday and on weekends (Saturday and Sunday) with any current valid UTEP parking permit on display.
- 6. PARKING PERMITS AND DESIGNATIONS:**
Valid and current UTEP Parking permits must hang from the rearview mirror or be permanently affixed to the lower center section of the front windshield. Permit information must face outward to be clearly visible. Permits remain University property and can be reclaimed if an individual's privilege to park on campus has been revoked. Vehicles shall be parked only in authorized designated parking zones. PLEASE NOTE, not every space has signage.

SBG (PG-1) permits allow parking on levels 1 thru 5 of the garage and in all green remote zones. S B G zone is strictly enforced between 7:00 am and 4:00 pm weekdays. After 4pm to 8pm any current UTEP parking permit can park at SBG. SBG permit holders may park in any perimeter and silver zone after 4:00 pm with their current PG-1 permit on display.

SCG (PG-2) permits allow parking on levels 1 thru 5 of the garage and in all green remote zones. SCG zone is strictly enforced between 7:00 am and 4:00 pm weekdays. After 4pm to 8pm any current UTEP parking permit can park at SCG. SCG permit holders may park in any perimeter and silver zone after 4:00 pm with their current SCG permit on display. All SBG/SCG permits are available in limited quantities based on parking availability.

HNG (PG-3) New College of Health Sciences/School of Nursing Underground Parking Garage: HNG permits allow parking in the CHS/SON Garage. HNG is strictly enforced 24 hours, 7 days a week. Access is controlled via proximity card that is issued with permit.

Red Permits (Reserved Inner-Campus): Allow parking in the red zone designated on the front of the permit (example: Red UN3 permits may park in Lot UN3) and all orange, blue, and green zones. Red zones are strictly enforced between 7:00 am and 5:00 pm weekdays except for red zone 1 (Red W11) that is designated and enforced 24 hours, 7 days a week. Red permit holders may park in any non-restricted zone after 5:00 pm (see exceptions). Red permits are available in limited quantities based on parking availability.

Orange Permits (Inner-Campus): Allow parking in the orange zone, blue zone, and all green zones. Orange zones are strictly enforced between 7:00 am and 5:00 pm weekdays. Orange permits are available in limited quantities based on parking availability.

Silver Permits (Premium Perimeter): Allow parking in the silver zone designated on the front of the permit (Example: Silver SB2 permits may park in Lot SB2) and all green zones. Silver zones are strictly enforced between 7:00 am and 3:00 pm weekdays. After 3pm to 8pm any current and valid UTEP parking permit can park here with permit on display. Silver permit holders may park in any silver zone or blue zone after 3:00 pm with valid current permit. Silver permits are available in limited quantities based on parking availability. SB1 Red permit holders are allowed to park inside campus in the orange areas with permit on display.

Blue Permits (Perimeter): Allow parking in the blue zone designated on the front of the permit (Example: Blue SC4 permits may park in Lot SC4) and all green zones. Blue zones are strictly enforced between 7:00 am and 3:00 pm weekdays. After 3pm to 8pm any current and valid UTEP parking permit can park here with permit on display. Blue permit holders may park in any blue zone or silver zone after 3:00 pm with current permit. Blue permits are available in limited quantities based on parking availability.

Brown Permits (Remote Reserved): Allow parking in the brown zone designated on the front of the permit (Example: Brown GR4 permits may park in GR4) and all green zones. Brown zones are strictly enforced between 7:00 am and 5:00 pm weekdays. Brown permit holders may park in any non-restricted zone after 5:00 pm. After 5pm to 8pm any current and valid UTEP parking permit on display are allowed to park at Brown remote. Brown permits are available in limited quantities based on parking availability.

Green Permits (Remote): Are available in limited quantities and allow parking in the green zones and may park in any non restricted zone after 3:00 pm with current valid UTEP parking permit on display. After 3pm to 8pm any current UTEP parking permit can park at Remote.

Purple Permits (Miner Village/Miner Heights Residents/Miner Canyon): Are available in limited quantities to students residing on campus and allow parking only in the purple or green zones. Only purple permits are allowed in purple zones, 24 hours, 7 days a week.

University ADA Permits: Customers are required to display both state issued ADA placard and UTEP ADA parking permit. Allows parking in ADA spaces, including Sun Bowl & Schuster Garages.

Cross Parking:

- Is allowed in Red/Orange Inner-Campus lots **AFTER 5:00 pm (Except for Red Zone W11 that is designated and enforced 24 hours, 7 days a week)**
- Is allowed in the UTEP Sun Bowl Parking Garage **AFTER 4:00 pm.** From 4pm to 8pm, any current and valid UTEP parking permit on display is allowed to park on these areas.
- Is allowed parking in Silver Premium Perimeter and Blue Perimeter lots **AFTER 3:00 pm.** From 4pm to 8pm, any current and valid UTEP parking permit on display is allowed to park on these areas.
- Is allowed parking in Brown Remote Reserved lots **AFTER 5:00pm.** From 5pm to 8pm, any current and valid UTEP parking permit on display is allowed to park on Brown Remote.
- Is allowed parking in Green Remote lots with Any Current and Valid UTEP Parking Permit from 7am to 8pm.

Additional Information:

- Reserved spaces specifically designated for a specific individual are reserved 24 hours a day, 7 days a week.
- Parking permits are transferable to any vehicle that is registered with Parking and Transportation Services. Permit holders are responsible for all vehicles registered.
- Notes on vehicles are not accepted as a substitute for a permit.

- UTEP Parking and Transportation Services is the only authorized entity to sell UTEP parking permits. The sale, loan, or gift of a permit to another person is not allowed and both parties may be subject to disciplinary action via the Dean of Students for students and via the employee's Dean or Supervisor.
 - All changes regarding vehicle registration must be reported to the Parking Office immediately. If you register a vehicle with a VIN number, once the new plates for that vehicle are received, it is the customer's responsibility to immediately change the VIN number into the new license plates in order to avoid a citation. This process can be done online or in person at parking office. At the same time, if you are adding a new vehicle with an already existing parking permit, make sure you link that permit to the vehicle you are adding. When entering license plates into the system online, do not enter any dashes, space or special characters.
 - If customer has international license plates, e.g., Mexico, you must enter the country where the license plates are from, *not* the state.
 - PTS may implement zone changes throughout the year as needed.
 - Replacement permits may be purchased for \$20.00 upon completion of required forms.
7. **LOADING ZONE PERMITS:** A Loading Zone permit is required in order to use such spaces/areas at all times. Permits (normally valid for 30 minutes) may be obtained from the University representatives at the traffic control stations or the campus Police Station.
 8. **BICYCLE REGISTRATION:** Bicycles operated or parked on the campus may be registered with the University Police Department to deter theft. Contact the UTEP Crime Prevention Officer at 5611 for assistance. There is no charge for this service.
 9. **BICYCLES, SKATES, SKATEBOARDS, AND SKATE BLADES (ROLLER BLADES):** Bicycles must be operated in a safe manner on campus streets and parking lots, complying with all general parking and traffic regulations, applicable to vehicles. They may not be operated on campus sidewalks, plazas or other pedestrian areas. Use of skates, skateboards, skate blades (roller blades) are not allowed on campus.
 10. **MOPEDS, MOTORCYCLES AND MOTOR SCOOTERS:** Must be parked in motorcycle parking areas in zones where motorcycle parking exists and may not occupy automobile parking spaces (exception – Red, Orange, Blue and Green Zones where motorcycle parking areas are not available). They must be registered as a motorcycle with the Parking and Transportation Services Department and must display a valid University parking permit on the right fork or fender. Mopeds, motorcycles and motor scooters must not be driven on sidewalks or pedestrian access routes and must be driven with due regard for the safety of pedestrians.
 11. **METERED/ACADEMIC SERVICES BUILDINGPAYSTATION PARKING:** Is enforced Monday through Friday from 7:00 am to 8:00 pm. University parking permits are not valid at metered parking spaces or pay station spaces.
 12. **ADA PARKING:** Areas are enforced every day, 24 hours a day. A vehicle shall not be parked in a space designated for ADA, unless eligible. A vehicle shall not be parked in an area striped for ADA access at any time.
 13. **SPEED LIMIT:** The speed limit on all parts of the campus, whether on streets or in parking areas, is 15 mph on all drives and streets and 5 mph on all parking lots, unless otherwise posted.
 14. **POSTED SIGNS:** Posted traffic control signs, whether permanent or temporary, must be obeyed at all times and take precedence over painted curbs, pavement markings and designations shown on any University maps.
 15. **PARKING IMPROPERLY:** A vehicle may not be parked on a street or parking lot with the back of the vehicle toward a curb or sidewalk, nor may a vehicle be parked opposite the flow of traffic in the traffic lane where parallel parking is required. Parking wholly within the marked boundaries of the parking space is required at all times. Vehicles may not be parked in a manner that obstructs walkways, driveways, ramps, loading docks, marked crosswalks or inflicts damage to shrubbery, trees, grass, grounds or structures. Additionally, no vehicle may be parked on any unmarked or unimproved ground area which has not been marked or designated for parking. Other improperly parked vehicles do not constitute an excuse for improper parking.
 16. **ENFORCEMENT AND IMPOUNDMENTS:** Failure to abide by these regulations may be the basis for disciplinary action against students and faculty/staff. Violators may be subject to immobilization and/or impoundment of their vehicle(s) pending payment of overdue charges. Students also may be barred from re-admission and have grades, degrees, refunds or official transcripts withheld pending payment of overdue charges. In accordance with chapter 648.011, Texas Transportation Code, vehicles also may be impounded and towed without notice in emergency situations such as blocking an exit, roadway, or fire lane or parking in an ADA parking space without displaying the proper ADA plates or placards. Vehicles also may be impounded and towed from properly posted reserved spaces when parked without proper authorization. All impoundment/storage and towing shall be conducted at the expense of the owner or operator of the vehicle.
 17. **APPEAL OF CITATION:** University parking and traffic citations may be appealed, within 18 working days from date of citation, by filing a Citation Appeal Form with the Parking and Transportation Services Office in the Academic Services

Building or online, (See Section VIII for detailed procedures). Court Appearance citations are handled by the appropriate state or municipal court. Visitors cannot appeal citations.

18. VISITOR PARKING

- **Visitor Responsibility.** UTEP welcomes visitors to the campus. Campus visitors are directed to park at the UTEP Sun Bowl Parking Garage (SBG) visitor section, at the visitor parking section in front of the Mike Loya Academic Services Building or at the Hilton Garden Inn Hotel (between the hours of 6:00 am to 6:00 pm). Visitor parking at the Mike Loya Academic Services Building and Sun Bowl Parking Facility are subject to an hourly fee. Visitors parking at the Hilton Garden Inn Hotel must display a Temporary Visitor Permit obtained at the Guard Kiosk on University Avenue. Please observe parking signage posted at the Hotel. Visitors are subject to UTEP Parking Rules and Regulations.
- **Metered Parking.** One (1) Hour Maximum. Metered parking is intended for use by short-term visitors. Metered stalls may be used by visitors who pay the appropriate meter fee. Meters are monitored and citations issued for violations between 7:00 am and 8:00 pm, Monday – Friday.
- **Visitor Lots (Cash & Credit Cards).** The SBG Parking Structure visitor areas serve as a conference parking area and is between 7:00 am and 8:00 pm. The visitor parking area in front of Mike Loya Building is enforced between 7:00 am and 8:00 pm. See posted rates and enforcement hours at each location.

19. CARPOOL PARKING

- A. A carpool is defined as the shared use of a vehicle by the driver and one or more passengers, usually for commuting. In order to participate in a carpool, members must be currently enrolled students or be employed by the University.
- B. Separate carpool zones are designated for students and faculty. Carpool spaces may only be used when two or more riders are sharing a vehicle (carpooling).
- C. Carpool permits are available on a first-come, first-served basis.
- D. Each member of a carpool must be listed and registered on a Carpool Application form, found online at <https://parking.utep.edu/>. Forms may be returned in person at the Academic Services Building, Room 122. Only one form is necessary for each group.
- E. Carpool annual permit fees will be discounted from regular annual permit fees.
 - One carpool permit will be issued to primary holder and the other members will be registered under the carpool permit as secondary permit holders.
 - A maximum of four people will be allowed to register under the same carpool permit to include the primary permit holder. A maximum of four vehicles may be registered.
 - Carpool members should hang their carpool permit from their vehicle's rear view mirror when using a carpool parking space.
- F. Students may add the cost of their carpool permit to their University account and make payment(s) through Student Business Services office. Faculty/Staff may purchase their carpool permits through payroll deduction, when all carpool members are eligible for payroll deduction.
- G. Carpool permits are non-transferable. Changes in carpool membership should be reported to the Parking and Transportation Services Department at 915-747-5724.
- H. Carpool spaces are reserved from 7:00 am to 5:30 pm daily.
- I. Vehicles should display the carpool permit hung from the rearview mirror to park in the "reserved carpool" area. If a carpool space is not available, then a non-carpool space in that lot or closest parking zone may be used.
- J. Only one registered vehicle per registered carpool is permitted to park in the reserved carpool area at any one time. Carpool permits are not valid in ADA spaces, reserved spaces, or any visitor space.
- K. Once registered in the carpool program, members may not purchase or hold any other University permits.
- L. Any abuse of carpool permits, daily passes or the carpool guidelines will result in cancellation of carpool privileges.

20. PEDESTRIAN RIGHTS AND DUTIES: Pedestrians must obey all traffic control devices. They have the right-of-way at marked crosswalks, in intersections and on sidewalks extending across a service drive, building entrance or driveway. **Pedestrians crossing a street at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the street.** Pedestrians shall not leave the curb or their place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. Pedestrians may cross an intersection diagonally only where permitted by special pavement marking. **Pedestrians must not walk in streets that are meant for vehicular traffic in such a manner as to impede the flow of traffic or cause a possible hazard to themselves.**

All pedestrians are advised to use caution when entering intersections or crossing streets on campus. Being in a crosswalk or having the “right-of-way” does not negate a pedestrian’s responsibility to look carefully in all directions to determine whether it is safe to enter an intersection or cross a street.

21. INOPERABLE VEHICLE: If a vehicle becomes inoperable, it should be reported to the University Police Department at 747-5611. The police will render assistance and authorize temporary parking if the vehicle cannot be moved and must be left unattended. Temporary parking may not exceed 24 hours and must not create an obstruction or hazard. Unreported vehicles may be treated as abandoned and subjected to towing.

22. The University Police Department is located at 3118 Sun Bowl Drive. The phone number is 747-5611. The University Information Center and Police Dispatch Office is open 24 hours a day. Emergency phones are located in all perimeter parking lots and other campus locations and connect directly to the Police Dispatcher.

23. LOT CLOSURES: The University retains the right to change or close, either temporarily or permanently, any campus parking area or facility and designate parking lot use for special events (i.e., sports events, concerts, camps, etc.). UTEP Parking and Transportation Services will give advance notice of parking area changes or closures whenever possible via email bulletins and/or lot signage.

This is a condition of your acceptance of the annual parking permit.

- **Construction**

It is necessary to barricade parking areas and streets from time to time to accommodate construction projects or to perform maintenance. Every effort will be made to notify customers in advance of these disruptions and provide alternate accommodations when possible.

- **Special Events**

During some special events, such as athletic events, concerts and conferences, lots may be reserved to accommodate guests. Event parking passes may be required or fees may be charged to gain access to these lots during special events.

- **Alternate Parking Accommodations**

If parking is not available in an “assigned” lot or area; park in the nearest remote parking lot.

SECTION III GENERAL PROVISIONS

Pursuant to the authority granted by Sections 51.201 et seq., 54.005, 54.503, 65.31 and 69.02 of Title 3 of the Texas Education Code, the Board of Regents of The University of Texas System promulgated Parking and Traffic Regulations to regulate and control parking and traffic and the use of parking facilities, to provide for the issuance of parking permits, and to provide for jurisdiction over offenses. This booklet contains those regulations and procedures applicable to any person who walks or drives and parks a motor vehicle or bicycle on the campus of The University of Texas at El Paso. These rules and regulations are supplementary to the ordinances of the City of El Paso and the statutes of the State of Texas which govern pedestrians and the use of motor vehicles and bicycles.

The operating of a motor vehicle or bicycle on The University of Texas at El Paso campus is a **PRIVILEGE** granted by the University and is not an inherent right of any faculty/staff member or student. All faculty, staff and students who have motor vehicles in their possession or control for use, operation or parking on the University campus must apply for a permit with the Parking and Transportation Services Office in the Academic Services Building, Rm 122 or order online at parking.utep.edu. Purchasing a parking permit does not guarantee a parking place on campus.

Heavy vehicular and pedestrian traffic on campus; the existence of speed bumps and elevated manhole covers; and temporary traffic hazards on the streets such as flowing water, sand and gravel, construction barricades, street and sidewalk maintenance and repairs make it necessary that speed limits be established for campus. Drivers, who fail to operate vehicles within the speed limits established by the traffic and parking regulations of the University, will be issued citations and will be responsible for the consequences of their actions.

The University is not responsible for fire, theft, damage to, or loss of vehicles parked or operated on the University campus. No bailment is created by granting of any parking or operating privileges regarding a vehicle on any property owned, leased or controlled by the University.

The administration and enforcement of the regulations contained in this booklet are as follows:

UNIVERSITY PARKING AND TRANSPORTATION SERVICES ADVISORY COMMITTEE: This committee is composed of faculty, staff and students and is responsible for formulating regulations for the control of parking and traffic on the campus in the form of recommendations to the President of the University. Within the limitations imposed by restricted facilities and staff, it attempts to provide reasonable regulations for the control of the very high density of vehicular and pedestrian traffic on the campus, toward the goal of optimum convenience and safety of all concerned. Requests for individual consideration or any communications concerning these regulations should be directed to this committee.

PARKING AND TRANSPORTATION SERVICES OFFICE: This office is responsible for all administrative functions relating to the issuance of parking permits, the recording of parking and traffic violation charges, the acceptance of appeals from such violations and the collection, through its representative in the Student Business Service's Office in the Academic Services Center, of charges for parking and traffic violations. Questions relating to these functions should be directed to the Parking and Transportation Services Office in the Academic Services Building, Rm 122.

STUDENT TRAFFIC COURT: This panel is composed of three student justices appointed by the Student Government Association. Student Parking and Traffic violation appeals may be directed to this panel upon application through the Parking and Transportation Services Office. Appeals for moving traffic citations must be made in person. Decisions of the panel may be appealed further to the Student Supreme Court or the Dean of Students, See Section VII, F, pg. 11.

FACULTY AND STAFF APPEALS BOARD: This panel, appointed by the President of the University, is composed of two faculty members and one staff member and rules on appeals from University citations issued to faculty and staff for parking and traffic violations on campus.

Parking and Transportation Services along with the University Police have the responsibility and the legal authority for the enforcement of the Parking and traffic regulations listed in this booklet. University police officers may issue University citations, or Court Appearance citations **ENFORCEABLE IN MUNICIPAL OR JUSTICE OF THE PEACE COURT** (See Section VIII).

On special occasions and emergencies, such parking limitations may be imposed by the Chief of Police as are required by the conditions which prevail. When conditions warrant such action, the Chief may waive parking limitations.

The University reserves the right to enforce parking and traffic regulations:

1. through the issuance of University citations and the collection of administrative enforcement charges for offenses;
2. through the impoundment of vehicles interfering with the movement of vehicular or pedestrian traffic, the unauthorized parking in reserved or disabled parking spaces, blocking a sidewalk, loading dock, ramp, crosswalk, entrance, exit, fire lane or aisle;
3. through the impoundment or immobilization of vehicles for unpaid charges after proper notice as provided by these regulations;
4. by the suspension or revocation of permits;
5. by requiring either the vehicle owner or operator or the person who purchased the permit to appear in court or at a University heading for non- payment of outstanding charges;
6. by barring the readmission and withholding grades, degree, refunds and official transcript of any student for non-payment of outstanding charges;
7. by disciplinary action against employees or students who fail to abide by these regulations;
8. by denying parking permits to those with overdue charges;
9. by the issuance of Court Appearance citations requiring an appearance in the appropriate state or municipal court; and
10. by such other methods as are commonly employed by city governments or state agencies in control of traffic regulation enforcement.

Proof of the fact that any parking or traffic control device, sign, parking meter, signal or marking was actually in place at any location on campus of The University of Texas at El Paso shall constitute prima facie evidence that the same is official and was installed under the authority of applicable law and these regulations.

When any person is charged with having stopped, parked and left standing a motor vehicle on the campus of The University of Texas at El Paso, in violation of any provision of the Parking and Traffic Regulations of The University of Texas at El Paso, proof that said vehicle was, at the date of the offense, bearing a valid University of Texas at El Paso parking permit shall constitute prima facie evidence that said vehicle was then and there stopped, parked and left standing by the holder of the parking permit. However, if the vehicle does not bear a valid University of Texas at El Paso parking permit, proof that said vehicle at the date of the offense alleged, was owned by an individual is prima facie proof that said vehicle was then and there stopped, parked and left standing by said individual.

The University assumes no responsibility for any vehicle or any duty to protect any vehicle or its contents at anytime the vehicle is operated or parked on the campus.

The University may deem a motor vehicle including a motorcycle, motor scooter, moped, or bicycle parked on the University campus for more than 48 hours without a valid permit to be abandoned and may dispose of such vehicle as provided in Regent's Rules and Regulations, Policy UTS 162, and as provided in Article XII, Section 94, of the Uniform Act, V.C.S. Art. 670ld.

SECTION IV GENERAL TRAFFIC REGULATIONS

1. The purpose of these regulations is to facilitate the safe and orderly conduct of University business and to provide for the control of traffic and parking.
2. On special occasions or emergencies, parking and traffic limitations may be imposed or changed by the Chief of the University Police, as conditions warrant.
3. The operation of a vehicle shall be restricted to the campus drives, streets and parking lots.
4. The Speed Limit on the campus is 15 miles per hour on all drives and streets and 10 miles per hour in all parking lots, unless otherwise posted. The Speed Limit on Sun Bowl Drive is 20 miles per hour from the intersection with Schuster Avenue to the Intersection with Dawson Road, and 30 miles per hour from the intersection with Dawson Road to a point directly west of the Special Events Center at the juncture with the city of El Paso jurisdiction. The speed limit is 5 miles per hour in all parking garages.
5. It is a violation to commit any act prohibited by these regulations or to fail to do any act required by these regulations.
6. No person shall fail or refuse to comply with any lawful order or direction of any University Police Officer or PTS Representative invested by law or these regulations to direct, control or regulate traffic.
7. If any part of the Parking and Traffic Regulations is held to be invalid, such invalidity shall not affect other provisions, which can be given effect without the invalid provision, and to this end the provisions of the regulations are declared to be severable.

SECTION V PARKING REGULATIONS

The various classes of parking permits and their eligibility requirements, privileges and limitations are described in detail in Section VI.

1. Parking and traffic regulations on campus are in effect at all times.
2. Failure to abide by parking and traffic regulations may be the basis for disciplinary action against students and employees.
3. Students may be subject to penalties ranging from disciplinary probation or expulsion from the University as outlined in the Rules and Regulations of the Board of Regents of the University of Texas System, Rule 50101. Unpaid parking or traffic fines shall result in vehicle immobilization and/or impoundment, holding of that student's grades, degrees, official transcripts and refunds.
4. Employees may be subject to disciplinary penalties including termination of employment. When an employee has accumulated three or more unpaid parking or traffic violations and/or charges of \$100.00 or more, the employee's Dean, Director, or Administrative Official may be notified by a Parking and Transportation Services Office Supervisor.

SECTION VI PARKING PERMITS AND DESIGNATIONS

FACULTY, STAFF, AND STUDENTS: A parking permit will be issued on presentation of payment and application (registration form) to the Parking and Transportation Services Office in the Academic Services Building. Payment for permit(s) is to be made at Student Business Services in the Academic Services Building. Only ONE permit will be issued per faculty, staff or student (per fiscal year) regardless of whether the permit holder is the vehicle's registered owner. ONE additional adhesive permit may be purchased for an additional fee upon proof that the second vehicle is a motorcycle. However, multiple permits entitle the holder to **park or operate only one vehicle on campus at any given time**. Students must be enrolled for the current semester for which they purchase a permit(s), and may pay the required parking fees at the time of payment for class registration.

Examples:

a. **Each faculty, staff and student will receive only ONE permit per fiscal year. If it becomes necessary to drive a different vehicle, the permit is transferable** and the owner is allowed to register multiple vehicles. **However, the permit owner is responsible for all violations accrued by any vehicle that has their permit number displayed on the windshield and all citations on said vehicle, when permit is not properly displayed. Temporary permits will be issued only when following policy provided in Section VI, Parking Permits, ALL OTHER PARKING, Temporary Permits.**

b. If you originally register one automobile and it becomes necessary to drive a motorcycle also, you may do so by paying the additional fee of \$15.00 and providing proof of ownership of both your automobile and your motorcycle. You will then be issued a **permanent** motorcycle permit. The permit for your car will remain the same. **When registering an automobile and motorcycle, the motorcycle is always the secondary vehicle.** Multiple permits entitle the holder to **park or operate only one vehicle on campus at any given time**.

c. If you originally register a motorcycle and it becomes necessary to drive an automobile, you may do so by paying the difference between the value of an automobile's permit and original motorcycle permit fee plus \$15.00, and showing **proof of ownership of both your motorcycle and automobile**. You will be issued an automobile permit; the permit for your motorcycle will remain the same. Multiple permits entitle the holder to **park or operate only one vehicle on campus at any given time**.

DISPLAY OF PERMITS: A permit to park a motor vehicle on campus will not be honored unless the permit is displayed properly according to the instructions furnished with the permit. Failure to follow instructions concerning displaying the permit will result in citations being issued. Parking permits for motorcycles, motorbikes and motor scooters must be affixed permanently to a location in which the permit may be seen easily and the number of the permit read easily.

If a permit is lost or stolen and not reported immediately, the owner will be held responsible for all citations issued.

The person to whom the parking permit is issued is responsible for all the parking violations of that motor vehicle whether actually operating the motor vehicle at time of the violation or not.

If after having purchased a parking permit it becomes necessary to use a vehicle without your assigned permit for an emergency or other reason, a temporary permit must be obtained from the Parking and Transportation Services Office and displayed in the vehicle in the proper manner.

REMOVAL OF PERMITS: Permits shall be removed:

1. when association with the University is terminated.
2. when a replacement permit has been issued to take the place of a previously issued permit;
3. upon expiration or revocation of the permit; or

Failure to remove old decal will result in a citation being issued.

ADA AND DISABLED VETERANS PARKING

A Class H ADA person permit allows the holder to enter the Central Control Zone and park in any area designated for parking except for those spaces specifically marked as reserved. Designated Disabled spaces may only be used by individuals who have met the requirements of State law and whose vehicles display the proper State issued identification device and preferably only by persons with severe mobility impairment (wheel chair or

walker assisted).

All ADA individuals are asked to register their vehicles on campus (see Class H permits above) to avoid delays at the entrance gates and to assist the University in assessment of the need for disabled parking spaces. There is a charge for the privilege to park on campus property. All ADA including disabled veterans must show documentation from the County Tax Office that they are authorized to use ADA parking privileges before vehicle(s) can be registered or park on University property. The ADA person to whom the State issued parking privileges have been issued must be present in any car entering the campus which displays the disabled identification devices. Proof of Registered ADA status must be carried when using ADA parking privileges, and must be presented upon request to authorized officers or officials. Persons with authorized ADA parking privileges may park in any spaces where parking is appropriate but may not park in a restricted or prohibited area such as yellow zone/fire lane, tow-a-way, or marked reserved space. Vehicles with Disabled Veteran plates are allowed to park in ADA spaces as long as the requirements of State Law (Vernon Civil Statutes article 6675a-5e) are met and proper State issued identification device is in place, including UTEP ADA parking permit.

MOTORCYCLES/BICYCLES

A Class IC, P, or R motorcycle permit will be honored only after it has been properly and completely affixed on the front fender of the vehicle so that it may be readily seen when viewed from the front of the vehicle. Note: If front fender is not available, mount permit on the right front fork so that it may be readily seen when viewed from the front of the vehicle. Permits may not be affixed by tape or any other unauthorized method. The permit is not transferable and must be affixed to the vehicle for which it was issued.

1. Motorcycles and Motor Scooters may park in designated Class IC, P, or R parking areas, at all times.
2. Motor-Assisted – Bicycles and Mopeds (with a total engine displacement of less than 50cc) may park in any designated Class P or R areas or in those bicycle racks/blocks located outside the Control Zone during hours that zone is restricted for student parking as outlined in Section I. After those hours, the vehicles may park in any no restricted area or in any bicycle rack/block provided for bicycle parking.
3. Owners of bicycles are encouraged to be register with Campus Police and must observe regulations on where they may be parked or secured.

Motorcycles, motor scooters, mopeds and motor assisted bicycles shall not be parked or otherwise secured in unauthorized places, e.g. sidewalks, posts, railings, signs, trees, etc., nor may the vehicles use spaces marked for passenger cars or trucks.

Motorcycles, motor scooters, mopeds and motor assisted bicycles shall NOT be ridden or operated on pedestrian walkways or sidewalks. On University streets, operators shall comply with ALL traffic control devices, e.g., one-way signs, stop, signs, etc.

Faculty and Staff may park registered motorcycle in parking areas appropriate for their classification.

HOUSING RESIDENTS

A Class MV, MH or MC permit allows the holder to park in ONLY the areas designated for residents of UTEP Miner Village, Miner Heights or Miner Canyon and remote parking areas. Residents may purchase an appropriate permit if they desire to park in other authorized parking areas.

RESERVED PARKING

Red IC-R reserved permits allow the holder to park in a space designated for the holder and any orange, silver, blue, brown and green zone. These spaces are reserved at all times and the use of the space may not be informally assigned to anyone other than the holder. These permits will only be issued to persons specified and approved by the Parking and Transportation Services Advisory Committee and/or approved by the President.

ALL OTHER PARKING

RET/VIP Permits are special permits issued to persons retired from the University or other persons authorized by the President, who render a continuing valuable volunteer service to the University. RET/VIP Permits are valid in orange, blue, silver, and green zones.

Departmental Permits: These permits provide the ability for departments that need authorized access to the Inner Campus parking areas to perform work related tasks, or to conduct/transact business operations. Permits will be assigned to a department by the Parking and Transportation management team based on a ratio of Personnel assigned to the department. Consideration will also be given to the nature of the business being conducted when determining the ratio of permits to personnel. Departmental permits will be issued to an individual in the department. Parking citations or fees will be their responsibility of the individual using the permit. This permit allows them to park Inner Campus Orange, Blue and Green areas ONLY for no longer than 3 hours displaying their own permit along with the Departmental permit at the same time. If either one is missing at the time the vehicle is parked, it will be subject to a citation. Departmental permits are not allowed to park in red zones, silver zones or visitor parking. A student is ONLY allowed to use a Departmental permit after 3pm, but must meet the criteria for use of the permit.

Loading Zones: Allows parking in designated spaces for a period of **30 minutes** to conduct the actual loading or unloading operations. The operator must have the **vehicle's emergency lights flashing** anytime a vehicle is parked in a loading zone space. Vehicles loading and unloading may not block existing traffic lanes, ramps or disabled parking spaces, walkways or sidewalks, and other parked vehicles.

University Official Vehicles that park or are stored overnight in faculty/staff spaces in the Central Control Zone or that park or are stored overnight in any student space must pay the annual rate for that given space. Reserved spaces 24 hour/7 days a week, must pay the dedicated reserved annual rate.

Temporary permits may be issued for periods not to exceed 2 weeks, when needed by regular permit holders to address situations where the registered vehicle is in need of repair or similar reasons. Temporary permits also may be issued to persons with official business on campus for short periods of time or as authorized by the Parking and Traffic Committee.

Student Health Center Permits allow students with temporary physical disabilities to park in **orange zones** for a temporary period of time not to exceed six weeks. Individuals having physical disabilities may apply for a Student Health Center Parking Permit by contacting the Parking and Transportation Services Office located in the Academic Services Building, Room 122. Written confirmation of the person's disability must be obtained from either the University Health Center or a qualified physician unless the disability is of an obvious, permanent nature or as specified in Section VI, PARKING PERMITS - "Disabled Vet." Frequent disabled visitors to the campus also should obtain a UTEP DISABLED PERMIT at the same location.

CONTRACTOR AND VENDOR PARKING POLICIES:

Commercial and third party contractors (Vendors) utilizing University parking facilities are required to pay annual parking permit fees to defray the cost of maintenance and improvements made to these parking facilities.

Vendor definition: Vendors are defined as those individuals or entities that are not affiliated with the University and who conduct business regularly on campus or use a vehicle to deliver supplies or equipment to perform services on campus. Faculty, staff, or enrolled students are not eligible for vendor permits.

The University has identified five (5) levels of vendor needs:

1. Sales Representative- frequent visits to campus
2. Marked Commercial Delivery Vehicles/Service-Repair Vehicles
3. Contractors/Vendors occupying University premises and contracted to operate on the campus during regular University business hours
4. Construction contractor vehicles
5. Non-frequent Vendors

PAYMENTS OF FEES

When an application is made for a permit, the fee charged will be for a complete university year (September through August) or for the entire non-expired portion of the University’s permit year. Payment of the fee must be made before the permit will be issued.

REPLACEMENT CHARGES

Anytime a replacement permit is issued without remnants being returned, an additional permit fee will be charged. However, **if the transferable permit becomes defective, it can be exchanged at no charge.** Motorcycle, and transferable automobile permits may be replaced for a \$20.00 fee when remnants are returned. If remnants of a motorcycle, permanent adhesive or transferable automobile permit are not returned, the \$20 permit replacement fee will be charged for a replacement permit. Motorcycles registered in combination with an automobile are always treated as a secondary vehicle (Section VI.1b). Hangtags lost can be replaced at \$30.00 fee. Hangtags with gate access that have been lost, can be replaced at a \$50.00 fee.

UPGRADE CHARGES

Permits may be upgraded for a \$6.00 upgrade charge plus the difference between the new permit price and the purchase price of the original permit. The old transferable permit (or permanent adhesive permit, when applicable) must be returned at the time of request. Permit upgrades will **not** be allowed without an exchange.

REFUNDS

A request for refund will not be honored unless it is filed with the Parking and Transportation Services Office, in the Academic Services Center, during the University’s fiscal year in which payment for the permit was made. A request for refund must be accompanied by the permit or the remnants of the appropriate permit. Refunds will available quarterly through May 31st of the valid permit year. A request for a refund will not be honored when a person’s privilege to park or drive on campus has been suspended nor if outstanding charges or other debts remain unpaid. Refunds are subject to a \$5.00 administrative handling charge.

SECTION VII DRIVING AND PARKING OFFENSES

OFFENSE	FINE
(1) Parallel Parking in which one or both wheels on the curb side Are more than eighteen inches away from thecurb.....	\$25.00
(2) Vehicles not within the designated boundaries of the parking space. The boundaries of a parking space shall be marked on the pavement, outlining the space at each side or end. Areas not marked by boundary lines are not parking spaces	\$30.00
(3) Vehicle parked in a direction inconsistent with the flow of traffic.....	\$30.00
(4) Vehicle backed into a parking space adjacent to a sidewalk	\$30.00
(5) Displaying expired decal	\$30.00
(6) Expired parking meter	\$30.00
(7) Yellow/Fire Zone	\$40.00
(8) Parking Permit Not Properly Displayed on Vehicle	\$30.00
(9) Vehicle obstructing pedestrian or vehicular traffic	

(IMPOUND VIOLATION).....	\$35.00
(10) Double or multiple parking	\$30.00
(11) Parking on any of the following areas: lawn, curb, sidewalk, crosswalk, unauthorized or restricted area, area not specifically designated as a parking space (IMPOUND VIOLATION)	\$30.00
(12) Parking trailer or boats on campus	\$30.00
(13) Failure to display a current parking permit	\$35.00
(14) Unauthorized parking in reserved spaces (IMPOUND VIOLATION)	\$50.00
(15) Exceeding posted speed limits on campus	\$50.00
(16) Excessive speed for existing conditions.....	\$50.00
(17) Failure to obey a University Police Officer	\$50.00
(18) Failure to obey traffic control signs.....	\$50.00
(19) Operating a vehicle without valid operator's license	\$50.00
(20) Reckless driving and/or racing.....	\$50.00
(21) Failure to yield right of way (pedestrian or vehicular)	\$50.00
(22) Leaving the scene of an accident.....	\$50.00
(23) Failure to signal a turn to stop.....	\$50.00
(24) Driving in the wrong direction on one-way street	\$50.00
(25) Following too closely.....	\$50.00
(26) Overloading (Drivers will convey only those passengers who can be accommodated inside the vehicle. Drivers of motorcycles or motor scooters will limit their passengers to one other person, provided the vehicle has accommodations for a passenger	\$50.00
(27) Operating a mechanically unsafe vehicle	\$50.00
(28) Excessive noise from horns, mufflers or other devices	\$50.00
(29) Displaying parking permit issued to another vehicle	\$75.00
(30) Mutilating or improperly displaying or misusing a permit	\$75.00
(31) Willfully attempting to circumvent responsibility or transferring responsibility to another, after receiving a citation for a violation; reuse of a citation by leaving citation on windshield; transferring citation to another vehicle	\$75.00
(32) Improper registration or improperly attempting to register a vehicle	\$50.00
(33) Driving illegally in the Central Control Zone	\$50.00
(34) Violation of revocation restrictions	\$50.00

- (35) Driving without lights during hours of darkness \$50.00
- (36) Possession, Counterfeiting, Altering of Parking Permit And/Or Possession of Lost or Stolen Permit \$150.00
- (37) Illegally entering or exiting a parking facility over, through, or around defined barriers, or “passing back” or sharing an access card to allow an unauthorized vehicle to enter/exit a lot/garage illegally \$75.00
- (38) Running a gate, resulting in any damage to the gate, gate equipment, hardscape or landscape \$75.00 plus cost of repair
- (39) Vehicle parked illegally resulting in blocking of another vehicle, including a Fire Lane or fire hydrant (IMPOUND VIOLATION) \$40.00
- (40) Vehicle with excessive citations (10 or more citations in a 12 month period) and/or that has displayed a habitual pattern of receiving parking citations that are not outstanding Boot eligible
- (41) Failure to register a vehicle \$20.00
- (42) Illegally parked in a faculty/staff only lot \$50.00
- (43) Parking in a lot without proper permit designation..... \$30.00
- (44) Account information discrepancy \$20.00
- (45) **No overnight parking or storing of vehicles on UTEP property without prior authorization and approval from Parking and Transportation and/or University Police.**

Fines:

- 1st Offense \$30.00
- 2nd Offense \$30.00/ Boot warning
- 3rd Offense \$30.00/ Boot vehicle
(discretion of officer)
- 4th Offense..... \$30.00 Impound Violation

If the administration enforcement charges are not paid within 18 calendar days after issuance of the citation, a \$15.00 late charge will be assessed.

It is illegal to park in a designated disabled parking space or use a disabled permit placard and/or disabled plate without entitlement to the privileges.

IMPOUND VIOLATION:

- 1st Offense\$150.00
- 2nd Offense..... \$175.00
- 3rd Offense\$225.00
- 4th Offense.....\$275.00 (and thereafter)

SECTION VIII ENFORCEMENT

A. PARKING AND TRAFFIC CITATIONS: University Police and PTS representatives are authorized to issue two types of citations for violation of University Parking and Traffic Regulations:

1. **UNIVERSITY CITATIONS** - Those issued by the PTS representatives for internal administrative action and assessment of charges, with a right to appeal within the University as provided for in (paragraph E below.)
2. **COURT APPEARANCE CITATIONS** - Those issued by the University Police constituting a summons to appear in either Municipal Court or a Justice of the Peace court for disposition of the complaint, with all rights to the judicial appeal process available by law.

B. POLICY WITH RESPECT TO COURT APPEARANCE CITATIONS: The University reserves the right to issue a court appearance citation for any violation. It is the general policy of the University, however, to issue court appearance citations at the University's option as follows:

1. for moving violations, such as running stop sign, expired plate registration, expired motor vehicle safety inspection; lack of proof of liability insurance.
2. Parking in spaces reserved and marked as Disabled Parking Only without proper authorization, and the blocking of disabled access areas, including ramps, or curb-cut areas, or the misuse of disabled parking privileges.

Failure to properly respond to court appearance citations may result in the issuance of a warrant for the arrest of the person cited.

C. PROCEDURE FOR UNIVERSITY CITATIONS: University citations are issued for offenses described in Section VII. The administrative enforcement charges are as shown. If the charge is not paid within 18 calendar days after issuance of the citation, a \$15.00 late charge will be assessed.

Every person receiving a University citation shall remit the amount of charge to the Parking and Transportation Services Office in the Academic Services Building. Payment must be received within 18 calendar days after issuance of the citation to avoid a late charge.

Requests for exception of the appeal deadline will be considered on an individual basis, if mitigating or unusual circumstances exist. Such requests shall be submitted in writing to the Parking and Transportation Services Office in the Academic Services Building and shall detail reason(s) such a request is being made. Requests based solely on alleged non-receipt of a copy of the citation will not be honored.

NOTE: If a student has the same family name and/or home address as the registered owner, the unpaid charges will also be recorded in the student's name. Unpaid charges for other offenses (such as moving violations) may be recorded in the name of the person driving said vehicle, in the name of the person who has registered it with the University Parking and Transportation Services Office, or in the name of the registered owner.

Persons with unpaid charges recorded in their names shall be ineligible to receive parking permits while such charges remain unpaid. To obtain a permit, a person shall either pay the charge or timely request a University hearing.

D. APPEALS OF UNIVERSITY CITATIONS:

1. Student Appeals:

Any student currently enrolled for classes, enrolled the previous semester, or set to be enrolled in an upcoming semester or session may file an appeal to have their citation reviewed. Citations may be appealed online at <https://parking.utep.edu> or in person at the Parking and Transportation Services office at the Academic Services Building, Room 122.

Citations appealed within **18 calendar days** from the date of the citation may do so without paying the initial citation fee. Anyone wishing to file after the original 18 calendar days may do so provided that the citation(s) and all associated late fees are paid within 12 calendar days from the end of the original 18 days. After 30 days from the date of the original citation, appeals will not be accepted.

Review of an Appeal of University Citation(s) see section E.

2. Faculty/Staff Appeals:

Any University faculty member part-time or full-time and any University staff member part-time or full-time employed by the University may appeal any citation within **18 calendar days** from the date of the citation may do so without paying the initial citation fee. After the 18 calendar days the citation(s) and any associated late fee(s) must be paid in order to file an appeal.

Appeals for faculty/staff must be prepared in writing on the "Citation Appeal" form provided by Parking and Transportation Services. It is recommended that any supporting documentation including photographs be submitted at the time of appeal.

Faculty/Staff appeals are heard by the Faculty/Staff Appeals Committee which is appointed at the pleasure of the President. They meet twice a year to review appeals.

Review of an Appeal of University Citation(s) see section E.

Appeals shall be prepared in writing on the "Citation Appeal" form provided by the Parking and Transportation Services Office in the Academic Services Building. Appeals may be based solely on a written statement, or the appealing party also may request a personal appearance. Failure to request a personal appearance or failure to appear at the hearing (as requested) will result in the decision being rendered on the basis of the written statement (including any supporting material submitted) and the information as shown on the citation(s).

Each "Citation Appeal" form will be reviewed by the Student Government Association Traffic Court for a decision and the appealing party will be notified, in writing, of the decision. The Appeals Panel may order the payment of the administrative enforcement charge(s) in whole, or in part, or the cancellation of such charge(s). If the appeal is denied and the appealing party fails to pay the charge(s) or to request a review of the appeal (See Paragraph F below) within **18 calendar days** after date of notification, a \$15.00 late charge will be assessed on each citation.

APPEALS WILL NOT BE AUTHORIZED IF NOT FILED WITHIN 30 DAYS OF THE CITATION'S ISSUE DATE.

The following reasons are examples of potentially invalid appeals. (These are not all inclusive.)

- Parked Only For A Few Minutes
- Referring To The Rules As Ridiculous
- Inclement Weather
- Late For Class Or Meeting
- Lot Being Full
- Drive Occasionally And Should Not Have To Purchase A Permit Or Pay Any Fine
- Another Student/Faculty/Staff Advised Me To Park There
- All Meter Violations, Including No Signage With Instructions To Pay Meter
- All Violations, Referring to Posted Signs And/Or Designation
- Other Improperly Parked Vehicles Do Not Constitute An Excuse For Improper Parking
- No One Told Me The Permit Expired
- No One Told Me Where Or How To Park On Campus

E. REVIEW OF APPEAL FROM UNIVERSITY CITATION(S):

1. Student Appeals:

Students who have appealed a University citation(s) and who are not satisfied with the decision of the Student Government Association Traffic Court's decision may have their decision reviewed by the Student Supreme Court or Dean of Students. Such requests shall be submitted in writing to the Parking and Transportation Services Office at the Academic Services Building, Room 122 within 18 calendar days from the date of original appellate decision.

2. Faculty/Staff Appeals:

Second appeals will be reviewed by the Faculty/Staff Appeals Committee. Appeal is contingent upon citation being paid and new supporting documentation being provided to substantiate the submittal of the second appeal. Such requests shall be submitted in writing to the Parking and Transportation Services Office at the Academic Services Building, Room 122 within 18 calendar days from the date of original appellate decision.

In the case of an appeal of an original appellate decision faculty/staff and students shall submit the second (2nd) appeal in writing. They meet twice a year to review appeals.

This written request shall set forth the grounds on which the appealing party believes the decision was improper or inequitable. Such written request shall be submitted with an original plus two legible copies (reproduced copies are acceptable) and include the following:

1. citation number(s);
2. license plate number of vehicle(s);
3. date of notification of original decision;
4. date review requested; and
5. printed or typed name, address, and signature of person requesting the review.

Each review will be considered by the appropriate appeals authority. The authority may uphold the decision of the appropriate Appeals Panel, or they may reverse the decision in whole, or in part, as deemed appropriate.

**The decision of the appropriate reviewing authority shall be final.
Visitors are not allowed to appeal a citation. It must be paid in full.**

F. SUSPENSION OF PRIVILEGE TO DRIVE AND PARK ON CAMPUS:

The loss of the privilege of driving or parking a motor vehicle on campus shall commence twelve (12) working days after the Parking and Transportation Services Office mails a letter to the person, at the address of such person as shown in the records of that office, stating that such person's privilege of driving or parking a motor vehicle on campus has been suspended. Such letter shall state the term of the suspension and will give notification of possible impoundment for parking offenses committed during the period of suspension and shall state the reason for such suspension.

Any person who (a) forges or alters a permit; (b) uses a forged or altered permit; (c) transfers a permit, uses a permit not purchased by the individual, or fails to destroy a permit when required to do so by these regulations with the intention of providing any person with parking privileges he/she is not entitled to under these regulations; (d) knowingly provides false information to obtain a parking permit; (e) parks or drives a vehicle using a permit which the individual did not purchase; or, (f) misuse of State issued Disabled Parking Permit shall lose the privilege of driving or parking on the University campus for six months. While a person's privilege of driving or parking a vehicle on campus is suspended, it is unlawful (1) for that person to drive or park any motor vehicle on the campus and (2) for any person to drive or park a vehicle using a permit purchased by such person on the campus.

If a person whose privilege of driving or parking on campus has been suspended receives a citation by reason of having a vehicle on campus during the period of his/her suspension, the period of suspension shall be extended so that it expires twelve (12) months from the date the person received such additional citation. In addition, the violations of the suspension shall be reported to the Dean of Students if the person is a student, or to the appropriate dean, Director or Administrative Official, if the person is a faculty or staff member, for appropriate disciplinary action.

A person receiving notice that his/her privilege of driving or parking a vehicle on campus has been suspended may appeal the suspension within twelve (12) working days on the grounds that the

imposition of such suspension is improper or will create serious and substantial hardship. Such appeal shall be governed by the provision of Paragraph G below. No appeal shall be considered if there are any unpaid citations outstanding at the time such appeal is filed, unless special arrangements are made with the Parking and Transportation Services Office.

G. ENFORCEMENT OF UNIVERSITY CITATIONS:

If any vehicle is cited for multiple violations that are not paid in a timely manner or otherwise discharged through a timely appeal, the Parking and Transportation Services Parking Manager may place the violator's license plate number on a list of repeat offenders after five (5) unresolved violations.

NOTIFICATION: When unpaid charges are recorded in the amount of \$100 or more, the Parking and Transportation Services Office shall send a letter by e-mail or by regular U.S. mail, to the known address of the person in whose name the charges are recorded.

Such letter shall state that unless (1) payment of all accumulated charges is made within twelve (12) working days after the date of the letter, or (2) a written request is made within twelve (12) working days to appear before a University hearing authority concerning impoundment of the vehicle in the case of faculty, staff, students or visitors; or for barring of readmission and/or withholding of grades, degrees, official transcripts and refunds in the case of students as authorized by the Regents' Rules and Regulations, Rule 40401 and state law, the appropriate enforcement action will take place without further notice.

Such a hearing is not an appeal of the Parking and Traffic citations but is a limited hearing to allow the individual an opportunity to show that the vehicle(s) in question was not owned, registered or used by the individual or to show that the individual receiving notice of impending sanctions does not have unpaid parking and traffic charges.

At such hearing, the person requesting the hearing will assume the burden of proving why the appropriate enforcement action should not take place.

1. IMMOBILIZATION (BOOTING):

When a vehicle is found to be displaying a fraudulent or stolen University Parking Permit or found to have accumulated three (3) or more unpaid (past due) citations, the vehicle may be immobilized/ booted in lieu of impoundment. The owner/driver will then have 72-hours to claim the vehicle and clear up any immobilization and/ or unpaid fees or the vehicle will be impounded. Once a vehicle is immobilized, the notice(s) attached to the vehicle's windows will be the only written warning(s) given to the owner/driver that the vehicle is now subject to impoundment. A fee of \$50.00 will be assessed for the removal of any immobilization device. The "boot" removal fee and any outstanding traffic balance must be paid at the Student Business Services Office prior to removal of the device. Arrangements to pay any applicable fees and remove the immobilization device also can be made after normal business hours by contacting the UTEP Police Department. The University is not, nor shall any of its authorized personnel, be liable, nor assume any responsibility for any loss or damage resulting from a vehicle being impounded or booted.

2. IMPOUNDMENT:

If timely payment is not received and either the registered owner, the vehicle operator or the person who was issued the permit has failed to appear at the requested University impoundment hearing or has appeared and has failed to meet his or her burden of proof, the vehicle may be impounded pending payment of all outstanding charges, including towing and storage charges, without further notice.

- a. Violators who accumulate a minimum of three (3) outstanding citations may have their vehicle booted or towed. Additionally, upon notice, violators may be subject to the impoundment of their vehicle(s) pending payment of overdue charges.
- b. Students also may be barred from registration, re-admission, and have grades, degrees, refunds or official transcripts withheld pending payment of overdue charges. Vehicles also may be impounded for specific impound violations

- c. the owner or driver will be expected to pay the wrecker a normal towing fee, in lieu of towing. If the vehicle is impounded, the registered owner or permit holder will be sent notice at the address on file with the Parking and Transportation Services Office.
- d. A daily storage fee based on a 24-hour clock shall be charged to the owner or custodian of a vehicle left at the towing compound. Storage fees vary for cars and motorcycles. The person claiming an impounded vehicle shall be required to provide proof of ownership as required by The University of Texas at El Paso towing vendor. All towing, booting, and storage fees are subject to change.
- e. When a vehicle is towed, the Parking and Transportation Services Department and the UTEP Police Department shall be notified. This notification shall include the name and the phone number of the towing contractor. The UTEP Police Department or Parking and Transportation Services Department may refuse to authorize release of the vehicle to the owner or custodian until the cost of boot removal, storage fees, and all other outstanding fines/fees have been paid.

3. BAR AGAINST READMISSION AND WITHHOLDING OF GRADES, DEGREES, OFFICIAL TRANSCRIPTS AND REFUNDS:

If timely payment is not received from a student and the student has failed to appear at the requested hearing or has appeared and has failed to meet his or her burden of proof, the student may be barred from readmission and grades, degree, official transcript and refunds may be withheld, without further notice. (Additionally, the vehicle registered to the student will also be subject to impoundment)

H. DESTRUCTION OF PERMIT WHEN SUSPENDED:

Every person receiving notice that his/her privilege of driving or parking on the campus has been suspended shall return the remnants of the permit issued (or the entire hanging permit) to the Parking and Transportation Services Office within twelve (12) working days after date of such notice. Failure to do so shall be reported to the Dean of Students, if the person is a student, or to the appropriate, Dean, Director or Administrative Official, if the person is a faculty or staff member, for appropriate disciplinary action.

I. ELIGIBILITY TO OBTAIN NEW PERMIT DURING PERIOD OF SUSPENSION:

A person whose privilege of driving and parking on the campus is suspended and not reinstated shall be ineligible to receive a parking permit of any type during the period of suspension.

J. TWO VEHICLES ON CAMPUS: When an applicant, who has registered two (2) vehicles, is found to have both vehicles parked on campus at the same time, in violation of the Alternate Vehicle Policy (Section VII), the following shall apply:

1. First Offense: The Parking and Transportation Services Office shall notify the permit holder that he/she has violated these regulations and that any further violation will result in the loss of the permit for the alternate vehicle. Additionally, any citation(s), which may have been issued, are due and payable.

2. Second Offense: The Parking and Transportation Services Office shall notify the permit holder that he/she has again violated these regulations. Such written notice will inform the permit holder that he/she must surrender the permit from the alternate vehicle for the remainder of the current permit year, in addition to making payment for any citation(s) which may have been issued. Failure to abide by this second notice will subject the permit holder to all enforcement sanctions available, including suspension of parking and driving privileges on campus, impoundment of vehicle and disciplinary action.

K. REMOVAL OF ABANDONED AND DERELICT VEHICLES:

The University may deem a motor vehicle, including a motorcycle, motor scooter or moped, parked on the University campus for more than 48 hours without a valid permit to be abandoned, and may have the vehicle towed and impounded. Any vehicle which is partially dismantled or wrecked and/or that does not display a current license plate and which is left in such condition for more than 120 hours shall be considered abandoned and junked.

NOTICE OF COMPULSORY INSPECTION OF VEHICLE

The following notice is provided in accordance with Section 51.207 of the Texas Education Code:

It is mandatory for all students enrolled in public institutions of higher education in the State of Texas to be in compliance with Vehicle Emissions Testing Laws before privileges may be granted to park or drive a motor vehicle that is not registered in this state on institutional property.

L. TRANSPORTATION CODE, CHAPTER 548, SUBCHAPTER F: MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE

***548.301.** Commission to Establish Program

- (a) The commission shall establish a motor vehicle emissions inspection and maintenance program for vehicles as required by any law of the United States or the state's air quality state implementation plan.
- (b) The commission by rule may establish a motor vehicle emissions inspection and maintenance program for vehicles specified by the conservation commission in a county for which the conservation commission has adopted a resolution requesting the commission to establish such a program and for which the county and the municipality with the largest population in the county by resolution have formally requested a proactive air quality plan consisting of such a program.
- (c) A program established under Subsection (b) may include reregistration- based enforcement.
- (d) A vehicle emissions inspection under this section may be performed by the same facility that performs safety is authorized and certified by the department to perform the vehicle emissions inspection and certified by the department to perform the safety inspection. Leg H. Stats. 1995 74th Leg. Sess. Ch. 165, effective September 1, 1995; stats. 1997 75th Leg. Sess. Ch. 1069, effective June 20, 1997, Ch. 165, effective September 1, 1997; Stats. 2001 77th Leg. Sess. Ch. 1075, effective September 1, 2001.

***548.306.** Excessive Motor Vehicle Emissions

- (a) This section applies to a motor vehicle registered or operated for more than 60 days per calendar year in:
 - (1) a county or a portion of a county designated by department rule in accordance with Section 548.301; or
 - (2) a county adjacent to a county described in Subdivision (1).
- (b) The registered owner of a motor vehicle commits an offense if the vehicle, in an area described by Subsection (a), emits:
 - (1) hydrocarbons, carbon monoxide, or nitrogen oxide in an amount that is excessive under United States Environmental Protection Agency standards or standards provided by department rule; or
 - (2) another vehicle-related pollutant that is listed by a department rule adopted to comply with Part A, National Emission Standards Act (42 U.S.C. Sections 7602-7619), or rules of the United States Environmental Protection Agency in an amount identified as excessive under that rule.
- (c) The department shall provide a notice of violation to the registered owner of a vehicle that is detected violating Subsection (b). The notice violation must be made by personal delivery to the registered owner or by mailing the notice to the registered owner at the last known address of the owner. The department shall include in the notice the date and location of the violation detected and instructions for the registered owner explaining how the owner must proceed to obtain and pass a verification emissions inspection and to make any repair to the vehicle necessary to pass the inspection and explaining any extension or assistance that may be available to the owner or making any necessary repair. Notice by mail is presumed delivered on the 10th day after the date the notice is deposited in the mail.
- (d) A registered owner of a vehicle commits an offense if:
 - (1) notice is delivered to the owner under Subsection (c); and
 - (2) the owner fails to comply with any provision of the notice before the 31st day after the date the notice is delivered.
- (e) An offense under this section is a misdemeanor punishable by a fine of not less than \$1 and not more than \$350. If a person has previously been convicted of an offense under this section, an offense under this section is a misdemeanor punishable by a fine of not less than \$200 and not more than \$1,000.

- (f) It is an affirmative defense to an offense under this section that the registered owner of the vehicle, before the 31st day after the date the owner receives a notice of violation:
- (1) after a verification emissions inspection indicated that the vehicle did not comply with applicable emissions standards, repaired the vehicle as necessary and passed another verification emissions inspection; and
 - (2) has complied with rules of the department concerning a violation under this section.
- (g) The department may contract with a private person to implement this section. The person must comply with terms, policies, rules, and procedures the department adopts to administer this section.
- (h) The Texas Department of Transportation may deny re-registration of a vehicle if the registered owner of the vehicle has received notification under Subsection (c) and the vehicle has not passed a verification emissions inspection.
- (i) A hearing for a citation issued under this section shall be heard by a justice of the peace of any precinct in the county in which the vehicle is registered.
- (j) Enforcement of the remote sensing component of the vehicle emissions inspection and maintenance program may not involve any method of screening in which the registered owner of a vehicle found to have allowable emissions by remote sensing technology is charged a fee.
- (k) The department by rule may require that a vehicle determined by on-road emissions testing fee not to exceed the emissions testing fee charged by a certified emissions testing facility.
- (l) The department by rule may establish procedures for reimbursing a fee for a verification test required by Subsection (c) if the owner demonstrates to the department's satisfaction that: (1) the vehicle passed the verification emissions test not later than the 30th day after the date the vehicle owner received notice that the vehicle was detected as having excessive emissions; and (2) the vehicle did not receive any repair, modification, alteration, or additive to the fuel, fuel tank, fuel delivery system, engine, exhaust system, or any attached emissions control components that would have, or could have, caused the vehicle to experience improved emissions performance between the date of detection and the date of the verification emissions test. **Leg.H. Stats.** 1997 75th Leg. Sess. Ch. 1069, effective June 20, 1997; Stats. 1999 76th Leg. Sess. Ch. 1189, effective September 1, 1999; Stats. 2001 77th Leg. Sess. Ch. 1075, effective September 1, 2001.

*** 548.306. Administrative Penalty**

- (a) In lieu of criminal proceedings for a violation of Section 548.306, the department may impose an administrative penalty against a person who knowingly violates this chapter or a rule adopted by the commission under this chapter.
- (b) The amount of the administrative penalty may not exceed \$1,000 for each violation. The aggregate penalty for multiple violations may not exceed \$10,000. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.
- (c) Except as otherwise provided by this section, the procedures for determining and administering an administrative penalty under this section against a person charged with violating this chapter are the same as those prescribed by Section 643.251 for determining and administering an administrative penalty against a motor carrier under that section.
- (d) An administrative penalty collected under this section shall be deposited in a special account in the general revenue fund and may be used only by the department. **Leg.H. Stats.** 2001 77th Leg. Sess. Ch. 1075, effective September 1, 2001\

M. MAINTENANCE AND RETENTION OF INFORMATION

The following notice is provided in accordance with section 559.003(a) of the Texas Government Code:

1. With few exceptions, you are entitled on your request to be informed about the information the University of Texas at El Paso collects about you;
2. Under Sections 552.023 of the Texas Government Code, you are entitled to receive an review the information; and
3. Under Section 559.004 of the Texas Government Code, you are entitled to have the University of Texas at EL Paso correct information about you that is held by the University of Texas at El Paso and that is incorrect, in accordance with the procedures set forth in the University of Texas System Business Procedures Memorandum 32, *Texas Public Information Act*.

The information that the University of Texas at El Paso collects will be retained and maintained as required by Texas records retention laws (Section 441.180 et seq. of the Texas Government Code) and rules. Different types of information are kept for different periods of time.



- **Hanging parking permit must be displayed on rearview mirror.**
- **Adhesive parking permit must be displayed on the lower bottom center of the inside windshield.**
- **Permit must be legible when viewed from the front.**
- **Permit must not be positioned so that it interferes with the driver's vision.**

**Visit us on the web at
<http://parking.utep.edu>**