

## VII. STANDING COMMITTEES

### B. Finance and Audit Committee

*In Joint Session With*

### C. Capital Assets Committee

#### Adoption of Proposed Amendments to Chapter 478-118 WAC, Parking and Traffic Rules of the University of Washington, Tacoma

#### RECOMMENDED ACTION:

It is the recommendation of the administration, the Finance and Audit and Capital Assets Committees that the Board of Regents adopt the proposed amendments to Chapter 478-118 WAC, Parking and Traffic Rules of the University of Washington, Tacoma.

#### BACKGROUND:

The University originally promulgated parking and traffic rules for the University of Washington, Tacoma campus in 2002. Since that time, the campus has grown in physical size and in the numbers of students, faculty, staff, and members of the public who visit these facilities.

Additionally, in August 2004, the parking and traffic rules for the University of Washington, Seattle campus were amended, resulting in various updated rule definitions and clarifications to language.

The proposed amendments to Chapter 478-118 WAC address these developments by providing new sections on visitor parking, bicycle rules, and skateboard rules. The proposed amendments also update various rule definitions and language to mirror the Seattle campus rules, where compatible. Finally, the chapter's sections have been organized into named parts for the convenience of the reader.

A public hearing on the proposed amendments was held on the UWT campus on February 28, 2005. Notices for the public hearing were published in the *Washington State Register*, the *UWT Ledger*, and *University Week*; included in the online UWT campus calendar of events; and sent out as an email announcement to all UWT faculty and staff. No opposition to the proposed rules was voiced at the hearing or by written comment during the open comment period. A copy of the Hearing Officer's Report is attached.

These proposed amendments have been reviewed by the Transportation Office on the Seattle campus and the Office of the Attorney General, and approved by the Office of the Chancellor, UW Tacoma.

#### ENCLOSURE:

Hearing Officer's Report with proposed amendments to Chapter 478-118 WAC

March 1, 2005

President Mark A. Emmert  
Office of the President  
University of Washington  
Box 351230

Dear President Emmert,

Pursuant to your delegation I served as the Hearing Officer to receive public comment on the University of Washington's proposed amendments to Chapter 478-118 of the Washington Administrative Code, "Parking and Traffic Rules of the University of Washington, Tacoma". The hearing commenced at 12:30p.m. Monday, February 28, 2005, in the Carwein Auditorium of the Keystone Building on the campus of the University of Washington, Tacoma (UWT). I am pleased to provide you my report of that hearing.

As required by the Administrative Procedure Act, the University filed its Preproposal Statement of Inquiry (WSR 04-21-015) and its notice Proposed Rule Making (WSR 05-03-071) with the State of Washington Code Reviser. The proposed rules were published along with notice of the pending public hearing and intended adoption date in the *Washington State Register* on February 2, 2005. Campus notice that the hearing would be held was published on February 17, 2005 in the *University Week* and on February 24, 2005 in *The Ledger* of the University of Washington. Additionally, notice of the public hearing was included on the UWT events calendar on February 14, 2005 and in an email distributed via UWT's email list to faculty and staff on February 15, 2005.

### **Analysis**

Three requests were made to the Rules Coordination Office for copies of the proposed amendments to Chapter 478-118 WAC. No individuals attended this hearing in person to provide comment on these proposed amendments. No written comments were received. The clarifications and changes to Chapter 478-118 WAC were reviewed by the Office of the Attorney General, endorsed by the Transportation Office at the Seattle campus, and approved by the Office of the Chancellor, UWT.

President Mark A. Emmert  
March 1, 2005  
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Chapter 478-118, "Parking and Traffic Rules of the University of Washington, Tacoma" is being amended to clarify the existing rules and to provide additional definitions, visitor parking rules, and bicycle and skateboard rules. The parking and traffic rules were originally promulgated for the University of Washington, Tacoma in 2002. The proposed refinements are necessitated by the growth of the Tacoma campus.

WAC sections to be repealed are listed by caption in the repealer section at the back of the proposed amendments (Attachment 1). These sections also appear in their entirety in the copy of the WAC code as it currently exists (Attachment 2).

**Recommendation**

I recommend that the Board of Regents adopt the proposed amendments to Chapter 478-118 WAC, "Parking and Traffic Rules of the University of Washington, Tacoma."

An audio tape of the hearing has been deposited with the Secretary of the Board of Regents.

Sincerely,

Cheryl A. Cameron  
Hearing Officer

Attachments

c: Rebecca Goodwin Deardorff, Director, Rules Coordination Office  
Michele M. Sams, Secretary of the Board of Regents  
Steven G. Olswang, Chancellor, UW Tacoma  
Carol S. Niccolls, Executive Assistant to the President  
Members of the Board of Regents

**Chapter 478-118 WAC**  
**PARKING AND TRAFFIC RULES OF THE UNIVERSITY OF WASHINGTON,**  
**TACOMA**

**Last Update: 7/24/02**

**WAC SECTIONS**

[478-118-010](#) Objectives of parking and traffic rules.  
[478-118-020](#) Definitions.  
[478-118-030](#) Applicable parking and traffic rules.  
[478-118-040](#) Enforcement of parking and traffic rules.  
[478-118-050](#) Permits required for vehicles on campus.  
[478-118-060](#) Carpool and disability parking permits.  
[478-118-070](#) Permit revocations.  
[478-118-080](#) Transfer of permits limited.  
[478-118-090](#) Responsibility of person to whom permit issued.  
[478-118-100](#) Display of permits.  
[478-118-200](#) Parking fees.  
[478-118-210](#) Allocation of parking spaces.  
[478-118-220](#) Parking within designated spaces.  
[478-118-230](#) Parking -- Operator's responsibility.  
[478-118-240](#) Regulatory signs, markings, barricades, etc.  
[478-118-250](#) Speed.  
[478-118-260](#) Pedestrian's right of way.  
[478-118-270](#) Motorcycles, bicycles, scooters.  
[478-118-280](#) Distribution of literature.  
[478-118-400](#) Issuance of traffic citations.  
[478-118-410](#) Fines and impounding.  
[478-118-420](#) Appeals of fines and impoundments.  
[478-118-500](#) Report of accident.  
[478-118-510](#) Liability of the university.

**WAC 478-118-010 Objectives of parking and traffic rules.** The objectives of these rules are:

- (1) To protect and control pedestrian and vehicular traffic on the campus of the University of Washington, Tacoma;
- (2) To assure access at all times for emergency equipment;

- (3) To minimize traffic disturbances;
- (4) To facilitate the operation of the university by assuring access to vehicles;
- (5) To allocate limited parking space for the most efficient use; and
- (6) To protect state property.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-010, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-020 Definitions.** The following definitions apply to this chapter:

- (1) Campus: The campus of University of Washington, Tacoma.
- (2) Employee: An employee of the university.
- (3) Public safety officers: Employees of the university who are responsible for campus security, safety, and parking and traffic control.
- (4) Student: A person enrolled in the university.
- (5) University: The University of Washington, Tacoma, and collectively those responsible for its control and operations.
- (6) Vehicle: An automobile, truck, motorcycle, motorized scooter, or bicycle.
- (7) Visitor: A person who is neither an employee nor a student of the university.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-020, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-030 Applicable parking and traffic rules.** The applicable parking and traffic rules upon the campus are:

- (1) The motor vehicle and other traffic laws of the state of Washington, Title 46 RCW;
- (2) The traffic code of the city of Tacoma; and
- (3) The parking and traffic rules in this chapter. If the Washington laws or the Tacoma traffic code conflicts with these rules, the Washington laws or the Tacoma traffic code shall govern.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-030, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-040 Enforcement of parking and traffic rules.** The university is responsible for parking and traffic management on campus. Duly appointed public safety officers or independent contractors hired by the university are authorized to enforce these parking and traffic rules.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-040, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-050 Permits required for vehicles on campus.** No person shall park or leave any vehicle (other than bicycles), whether attended or unattended, upon the campus unless the person first purchases a permit from the university or from the operator of the parking lot in which the vehicle is parked. Permission to park on campus will be shown by display of a valid permit, or (if a parking lot does not issue permits) by payment of the fee for parking.

(1) A valid permit is:

(a) A current vehicle permit displayed in accordance with WAC [478-118-110](#). Vehicle permits are valid until revoked;

(b) A temporary permit authorized by the university and displayed in accordance with instructions. Temporary permits are valid through the date or time on the permit;

(c) A parking permit issued by a gate attendant and displayed on the vehicle in accordance with instructions; or

(d) A parking permit dispensed by machine at the campus and displayed in accordance with instructions.

(2) Parking permits are not transferable, except as provided in WAC [478-118-060](#) and [478-118-080](#).

(3) The university reserves the right to refuse to issue parking permits.

(4) This section does not apply to vehicles that the university owns or operates.

(5) The university may allow persons without permits to drive through the campus without parking.

(6) A public safety officer may require visitors to wait at the entrances to the campus

when pedestrian or vehicular traffic congestion is above normal.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-050, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-060 Carpool and disability parking permits.** (1) Carpool permits may be issued to employees and students. One transferable permit will be issued by the university for each carpool. This permit is transferable only among the registered members of the carpool. This permit must be displayed in accordance with the instructions provided with the permit. A carpool is a group of two or more employees or students who commute to the campus in the same vehicle.

(2) The university provides parking for the disabled in accordance with the requirements of federal and state law, including parking spots reserved for persons who display a state of Washington disabled driver permit.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-060, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-070 Permit revocations.** (1) Parking permits issued by the university are the property of the university, and may be recalled by the issuer for any of the following reasons:

- (a) When the purpose for which the permit was issued changes or no longer exists;
- (b) When an unauthorized individual uses a permit;
- (c) Falsification on a parking permit application;
- (d) Multiple or continued violations of parking rules;
- (e) Counterfeiting or altering permits; or
- (f) Failure to comply with a final decision of the citation review committee, or university hearing officer.

(2) Parking permit revocations under this chapter may be appealed pursuant to the procedures in WAC [478-118-420](#).

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-070, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-080 Transfer of permits limited.** (1) Permit holders may transfer one

permit between motor vehicles when used by the permit holder. Improper transfer of a permit shall include, but is not limited to, the sale, lending, or transfer of a parking permit.

(2) Permits displaying license plate numbers shall be used only in the vehicles whose license number is written on the permit.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-080, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-090 Responsibility of person to whom permit issued.** The person to whom a permit is issued is responsible for the vehicle upon which the permit is affixed. He or she shall be held responsible for all violations of this chapter charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule of this chapter simply because he or she is not also the holder of the permit.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-090, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-100 Display of permits.** (1) Parking permits shall be displayed by hanging from the rear view mirror, and shall be fully visible from the exterior of the motor vehicle.

(2) When applicable, the area designator (numeral, letter, or combination) shall be affixed to the vehicle permit and shall be fully visible from the exterior of the motor vehicle.

(3) Motorcycle and scooter permits shall be registered with the university.

(4) Permits not fully visible from the exterior of a motor vehicle are not valid and are subject to citation for no valid permit displayed.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-100, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-200 Parking fees.** The regents of the University of Washington shall adopt parking fees, specifying the charge per day, quarter, and year.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-200, filed 7/24/02, effective 8/24/02.]



**WAC 478-118-210 Allocation of parking spaces.** The parking space available on the campus shall be allocated in a manner that will best attain the objectives of these rules.

During special occasions causing additional or heavy traffic and during emergencies, the university may impose additional traffic and parking policies to achieve the specified objectives of this chapter.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-210, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-220 Parking within designated spaces.** (1) No motor vehicle shall be parked on the campus except in areas designated as parking areas.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not excuse a violation of this section.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-220, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-230 Parking -- Operator's responsibility.** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

- (1) Stopping the engine, locking the ignition, and removing the key; and
- (2) Effectively setting the brake and transmission to prevent movement of the vehicle.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-230, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-240 Regulatory signs, markings, barricades, etc.** (1) The university may erect signs, barricades, and other structures, and paint marks and other directions upon the streets and parking areas within the campus. Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions. Drivers of vehicles shall comply with directions given to them by public safety officers in the control and regulation of traffic. Drivers shall also comply with directions given to them by the traffic guides or parking checkers in the assignment of parking space and in the collection of parking fees.

(2) No person without authorization from the university shall move, deface, or in any way change a sign, barricade, structure, marking, or direction that regulates traffic or parking.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-240, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-250 Speed.** No vehicle shall be operated on the campus at a speed in excess of posted limits. If no limit is posted, no vehicle shall exceed twenty miles per hour or such lower speed as is reasonable and prudent in the circumstances.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-250, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-260 Pedestrian's right of way.** (1) The operator of a vehicle shall yield right of way to any pedestrian. However, no pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass that vehicle.

(3) Where a sidewalk is provided, pedestrians shall proceed upon the sidewalk.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-260, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-270 Motorcycles, bicycles, scooters.** (1) Motorcycles, bicycles, and scooters are subject to all traffic rules controlling other motor vehicles.

(2) Motorcycles and motorized scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles and motorized scooters are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas, or in buildings at any time.

(4) Bicycles shall be parked in designated areas only. Improperly parked bicycles may be impounded and a citation and fine imposed upon the owner.

(5) No bicycles or foot-propelled devices shall be operated in campus corridors, hallways, or buildings unless their use is required as part of the educational process in an authorized program, or authorized by campus personnel. A "foot-propelled device" is a wheeled device designed or used for recreation or transportation, including, but not limited to, skateboards, roller skates, and roller blades.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-270, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-280 Distribution of literature.** No person may distribute literature by placing it on motor vehicles parked on the campus. Literature includes, but is not limited to, pamphlets, flyers, and stickers.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-280, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-400 Issuance of traffic citations.** Upon probable cause to believe that a violation of these rules has occurred, a public safety officer or designated contractor may issue a citation setting forth the date, the approximate time, the locality, the nature of the violation, the permit number, license number, infraction, officer, and the amount of fine(s). The citation shall be served on the person responsible for the violation by: Attaching a copy of the citation to, or placing it prominently within, the vehicle allegedly involved in the violation; mailing a copy of the citation to the person responsible; or serving a copy of the citation personally on the person responsible.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-400, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-410 Fines and impounding.** (1) The current schedule of fines shall be published by the university and made available for review in the safety and security office.

(2) All fines must be paid as designated on the citation within twenty calendar days from the date of the citation. Fines must be delivered in person to the university's finance office or postmarked on or before the due date specified in these rules to avoid additional penalties. If any citation has neither been paid nor appealed after twenty calendar days from the date of the citation, the university shall impose an additional fine of ten dollars per offense and may:

(a) Withhold the violator's degrees, transcripts, grades, refunds, or credits until all fines are paid;

(b) Delay registration for the following quarter;

(c) Impound the violator's vehicle;

(d) Deny future parking privileges to the violator; or

(e) Refuse to issue keys to a violator who is an employee or student.

(3) In addition to imposing fines, public safety officers may impound or immobilize any vehicle parked on campus in violation of these rules. The expenses of impounding, immobilization, and storage shall be charged to the owner or operator, or both, of the vehicle and must be paid before the vehicle's release. Grounds for impounding vehicles shall include, but not be limited to, the following:

- (a) Blocking a roadway so as to impede the flow of traffic;
- (b) Blocking a walkway so as to impede the flow of pedestrian traffic;
- (c) Blocking a fire hydrant or fire lane;
- (d) Creating a safety hazard;
- (e) Blocking another legally parked vehicle;
- (f) Parking in a marked "tow-away" zone;
- (g) Leaving a vehicle unattended on campus for longer than two days;
- (h) Failing to pay a fine imposed under this chapter; or
- (i) Parking a nonuniversity vehicle in a spot reserved for university use.

Not more than twenty-four hours after impoundment of any vehicle, the university shall mail a notice to the registered owner of the vehicle and to any other person who claims the right to possession of the vehicle, if those persons can be identified. The university shall not be liable for loss or damage of any kind resulting from impounding, immobilization, or storage. Impounding a vehicle does not remove the obligation for any fines associated with the violation.

(4) An accumulation of traffic violations by a student may be cause for discipline under the student conduct code of the university.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-410, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-420 Appeals of fines and impoundments.** (1) Any impoundment or fine under this chapter may be appealed in writing within twenty calendar days from the date of the citation or the notice of impoundment. The notice of appeal must be addressed to the location indicated on the citation or notice of impoundment. The university will make appeal forms available at the university's finance office. The notice of appeal must explain the reasons for contesting the citation or impoundment. If the person who files a notice of appeal desires an opportunity to make an oral statement in the appeal, the request to make an oral statement must be included in the notice of appeal.

(2) The hearing on the appeal shall be a brief adjudicative hearing as provided by RCW 34.05.482 et seq. If a request for an oral statement was made, the presiding officer or officers shall provide reasonable notice of the time and place for receiving the oral statement. The presiding officer(s) shall review the notice of appeal and provide a written decision to the person submitting the appeal within ten days of taking action. If the appeal is denied, the decision shall include a brief statement of its reasons and information about the opportunity for further review. Any fine owed on a written decision that is not further appealed as provided in subsection (3) of this section shall be paid within twenty-one days after service of the decision.

(3) A person wishing to contest the written decision may request a review by contacting the university in writing within twenty-one days after service of the decision. The request for review shall explain why the decision was incorrect. The reviewing officer shall, within twenty days of the date of the request, review the matter and render a final written decision, which shall include a brief statement of its reasons and information about the opportunity to appeal the decision to the district court. Any final decision of the reviewing officer not appealed as provided in subsection (4) of this section shall be paid within ten days after service of the decision.

(4) A person wishing to appeal a final decision of the citation hearing office to the district court may, within ten days of service of the final decision, file a written notice with the university. Documents relating to the appeal shall immediately be forwarded to the district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-420, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-500 Report of accident.** The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of five hundred dollars shall, within twenty-four hours, report such accident to the campus security department. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within twenty-four hours after such accident.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-500, filed 7/24/02, effective 8/24/02.]

**WAC 478-118-510 Liability of the university.** Except for vehicles that the university owns or operates, the university assumes no liability under any circumstances for vehicles on the campus.

[Statutory Authority: RCW 28B.10.560 and 28B.20.130. 02-15-174, § 478-118-510, filed 7/24/02, effective 8/24/02.]