ITEM: 23

Florida Gulf Coast University Board of Trustees
October 21, 2008

SUBJECT: University Police and Safety Department (FGCU-PR8)
University Police and Safety Department (FGCU-PR5.004)

PROPOSED BOARD ACTION

Approve revisions to University Police and Safety Regulations, Chapter PR8, as well as the repeal of University Police and Safety Department (FGCU-PR5.004).

BACKGROUND INFORMATION

The University has reviewed Regulations in FGCU-PR8, University Police and Safety Department Regulations, and proposes substantive and technical changes to the regulations. An executive summary of the proposed changes to the regulations’ text is attached. The proposed changes are supported by the FGCU Parking Committee and Chief Steven Moore, Director of Public Safety. Additionally, the repeal of FGCU-PR5.004 referenced above is to properly place it with other regulations related to the University Police and Safety Department and remove it from the Human Resources regulations.

All state universities are required to utilize the Board of Governors’ Regulation Development Procedure. This updated FGCU measure assists in handling matters based upon today’s current practices and expectations.

Supporting Documentation Included: (1) Executive Summary of Proposed Changes, and (2) Notices of Proposed Regulation making and Proposed Amended Regulations, FGCU-PR5.004, FGCU-PR8.000, FGCU-PR8.001, FGCU-PR8.002, FGCU-PR8.003, FGCU-PR8.004, FGCU-PR8.005, FGCU-PR8.006, FGCU-PR8.0061

Prepared by: Chief and Director of Public Safety Steven Moore

Legal Review by: General Counsel Vee Leonard (9/18/08)

Submitted by: Vice President for Administrative Services and Finance Joe Shepard
EXECUTIVE SUMMARY
Proposed Changes to Regulation FGCU-PR8
Change in regulation section to reflect the correct name of the department as University Police and Safety Department.

FGCU-PR8.000 University Police and Safety Department
The regulation, FGCU-PR8.008 University Police and Safety Department, is new to this section, formerly placed with the Human Resources Regulations. FGCU-PR5.004 is moved to Chapter 8 to properly place it with the other regulations related to the University Police and Safety Department.

FGCU-PR8.001 General
The University proposes to repeal this regulation and place it with FGCU-PR8.005 to provide for proper grouping of content.

FGCU-PR8.002 – Authority of University Police
This rule is revised to promulgate it as a regulation under the Board of Governors’ Regulation Development Procedure.

FGCU-PR8.003 - Registration of Vehicles
Approve an administrative cleanup of deleting the words “per permit” and the numbering format.

FGCU-PR8.004 - Decal and Permit Fees
Approve language clarifying when a special event permit fee is required.

FGCU-PR8.005 – Parking and Traffic Regulations
This regulation is being amended to address vehicle registration and payroll deduction, as well as to include language from 8.001. Additionally, the University proposes substantive and technical changes to the regulations:

Under Sections (4)(b) 15, 16 & 17 of this Regulation, the following changes are proposed:

- Making lots general parking, except for reserved and restricted spaces, after 5pm each weekday- the intent is to provide safest/closest parking for night students.
- Clarifying that residential students may park on campus during summer session, due to lack of shuttles and weather; and
- Clarifying no visitor parking in Housing lots during “no visitor” hours. Purpose is to eliminate unregistered vehicles and improve parking availability for residents.
FGCU-PR8.006 - Enforcement
This regulation is being revised to provide for the following:
- Consistent regulation numbering.
- Increasing parking fines to $30.00. Purpose is to gain increased compliance through an increased penalty. The current $20 fine is often viewed by violators as an inconvenience or “the cost of coming to school”.

FGCU-PR8.0061 - Form UPD1001
The purpose of this regulation is to repeal FGCU-PR8.0061 (6C10-8).
FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
University Police and Safety Department

REGULATION NO.:
FGCU-PR5.004

SUMMARY:
The regulation, FGCU-PR5.004 University Police Department, is being repealed to properly place it with the other regulations related to the University Police and Safety Department.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Not Applicable

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Steve Belcher, Director, Human Resources

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE OCTOBER 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
(1) General. The Florida Gulf Coast University Office of Police & Public Safety provides general police services to the University including protection of its population, buildings, grounds and equipment, and the maintenance of peace and order within the University community, and at its functions. The Office of Police and Public Safety is authorized to enforce the laws of the State of Florida, the ordinances of Lee County, and the rules and regulations of Florida Gulf Coast University, including all traffic and parking rules.

(2) University police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission and Chapter 943, F.S., and the rules and regulations promulgated thereunder in addition to any other criteria established by state law, these rules, the rules of the Board of Regents or by the terms of a collective bargaining agreement.

Specific Authority 240.227(1), (5) FS, Law Implemented 240.468 FS. History – New 4-17-97
REGULATION TITLE:
University Police and Safety Department

REGULATION NO.:
FGCU-PR8.000

SUMMARY:
The regulation, FGCU-PR8.008 University Police and Safety Department, is new to this section, formerly placed with the Human Resources Regulations. FGCU-PR5.004 is moved to Chapter 8 to properly place it with the other regulations related to the University Police and Safety Department.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
§§ 1001.74, 1006.66, Florida Statutes

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
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THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
REGULATION: FGCU-PR8.000

University Police and Safety Department

(1) General. The Florida Gulf Coast University Police and Safety Department provides general police services to the University including protection of its population, buildings, grounds and equipment, and the maintenance of peace and order within the University community, and at its functions. The University Police and Safety Department is authorized to enforce the laws of the State of Florida, the ordinances of Lee County, and the regulations of Florida Gulf Coast University, including all traffic and parking regulations.

(2) University police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission and Chapter 943, F.S., and the rules and regulations promulgated thereunder in addition to any other criteria established by state law.

Law Implemented:
Section §1006.66 Florida Statutes

History of Rule:
New 04/17/97

History of Regulation:
New

Effective Date of Regulation:
REGULATION TITLE:
Parking and Traffic Regulations-General

REGULATION NO.:
FGCU-PR8.001

SUMMARY:
The University proposes to repeal this regulation and place it with FGCU-PR8.005 to provide for proper grouping of content.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Not applicable.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
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THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
Chapter 6C10-8.001

General

(1) This Chapter applies to all persons who operate or park vehicles on property owned or controlled by Florida Gulf Coast University. All Lee County, Florida, traffic and parking ordinances which are not in conflict or inconsistent with University regulations and all provisions of Chapter 316, Florida Statutes, Florida Uniform Traffic Control Law, shall extend and be applicable to the University's premises. The operation and parking of a motor vehicle on University property is a privilege and not a right. Application for and acceptance of a decal or permit shall be deemed an acknowledgment of the requirements of, and an agreement to adhere to, these regulations.

(2) University parking and traffic regulations are enforced twenty-four (24) hours a day, each day of the calendar year. Copies of these regulations and a schedule of fees and fines are available on the FGCU website at www.fgcu.edu (police and public safety). The University assumes no liability for damage to vehicles parked or operated on University premises. Any such damage is a risk assumed by the owner or operator of the vehicle. The issuance of a decal or permit does not guarantee a place to park.

(3) The following are definitions of words and phrases used in the regulations governing traffic, parking and registration of vehicles on the Florida Gulf Coast University campus.

a. Abandoned Vehicle — Any vehicle left parked on campus for more than three (3) consecutive days. A vehicle left in a parking garage for more than forty-eight (48) consecutive hours is considered abandoned.

b. Day — A calendar day unless otherwise noted.

c. Decal — A decal is a sticker affixed to a vehicle authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

d. Director — The Director of the University Police and Safety Department.

e. Immobilized Vehicle — A vehicle that is rendered inoperable by a lawfully attached mechanical device such as a “boot” or clamp device.

f. Impounded Vehicle — A vehicle that has been towed away from the place in which it was parked and held in legal custody.
g. Motor Vehicle – Any self-propelled vehicle not operated upon the rails or guideway and includes any automobiles, motorcycles, motor scooters, mopeds, motorized disability access vehicles, or electric personal assistive mobility devices.

h. Park or Parking — The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of loading or unloading merchandise or passengers.

i. Parking Services Division — The unit within the University Police and Safety Department that is responsible for the issuance of decals and permits for parking on campus and for the enforcement of parking regulations. It is located on the University campus in the Campus Support Complex. Office hours are Monday thru Friday from 8:00 AM to 5:00 PM except on University holidays. The phone number is (239) 590-1912, and the email address is parkingservices@fgcu.edu.

j. Parking Space — Areas governed by the University parking regulations with spaces delineated by white, yellow or blue striping, a parking meter, signage or physical barriers delineating parking parameters.

k. Permit — A permit is a hangtag authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

l. Reserved Space — An individual parking space, appropriately marked for a particular license tag number, permit number, individual, or University position or unit.

m. State Vehicles — Vehicles bearing a duly issued license tag of the State of Florida or a political subdivision thereof.

n. Term — One of the following three academic divisions of a year: fall, spring or summer.

o. University Police and Safety Department — The University unit responsible for providing law enforcement, security, traffic control, disaster planning and emergency response. The Department is authorized to enforce the laws of the State of Florida, the traffic and parking ordinances of Lee County, Florida which are not in conflict with this Chapter, and the regulations of Florida Gulf Coast University. The Department provides routine and emergency services to the University. The Department is located on the University campus in the Campus Support Complex. The phone number for routine services is (239) 590-1900, and the emergency number is (239) 590-1911. The Parking Services Division is a component of the University Police and Safety Department and is at the same location on campus.
p. University Traffic Appeals Board—The University authority established in Regulation 6C10-8.006, Enforcement, to review and render final decisions regarding appeals of traffic and parking citations.

q. Vehicle—Any conveyance used to transport passengers, merchandise, livestock or equipment.

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Action by Florida Board of Governors:
Approved, April 10, 2007

Action by Florida Gulf Coast University Board of Trustees:
Approved, April 17, 2007

Specific Authority:
Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees (“BOG Regulation Development Procedure”)

Law Implemented:
Chapter 316, 1001.74 (35) & (39), 1006.66, FS.

Effective Date of Regulation:
April 17, 2007

History of Regulation:
New 4-18-06, Amended 4-17-07

History of Predecessor Rule:
New 7-10-97, Amended 9-4-02
FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
Authority of University Police

REGULATION NO.:
FGCU-PR8.002

SUMMARY:
This rule is revised to promulgate it as a regulation under the Board of Governors' Regulation Development Procedure.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
§§1001.74, 1006.66, Chapter 943, FS.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE OCTOBER 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
University Police are sworn law enforcement officers in accordance with Chapter 943, Florida Statutes. University police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission and Chapter 943, F.S., and the regulations promulgated thereunder in addition to any other criteria established by state law or these regulations. University police are authorized and empowered to:

(1) Enforce these regulations and to provide for the safety of all persons on University property;

(2) Make arrests, issue citations, and seek the assistance of, and cooperate with, other law enforcement agencies in carrying out their police functions;

(3) Pursue violators off campus to make arrests;

(4) Enforce all State of Florida laws and Lee County, Florida traffic and parking ordinances which are not in conflict or inconsistent with these regulations; and perform any other act authorized by law; and

(5) Employ civilian personnel as Police Service Aides (PSA), Safety Officers (SO) and Parking Enforcement Aides (PEA) who have been trained in the enforcement of this Chapter and are authorized by such training to enforce the provisions thereof.

**Action by Florida Board of Governors:**
Approved, 1/10/07

**Action by Florida Gulf Coast University Board of Trustees:**
Approved, April 17, 2007

**Specific Authority:**
BOG Regulation Development Procedure

**Law Implemented:**
§§1001.74 (35) & (39), 1006.66, Chapter 943, FS.

**History of Regulation:**
New 4/18/06, Amended 4/17/07.

**Effective Date of Regulation:**
April 17, 2007
FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
Registration of Vehicles

REGULATION NO.:
FGCU-PR8.003

SUMMARY:
Approve an administrative cleanup of deleting the words “per permit” and the numbering format.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
§§1001.74, 1006.66, 1009.24(13)(p), FS.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
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THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
REGULATION: FGCU-PR8.003

Registration of Vehicles

(1) Any motor vehicle, except disability access vehicles or personal assistive mobility devices, that is owned, leased or operated by a student, faculty or staff member, administrator, concession employee or any other person who regularly operates a motor vehicle on University property must be registered with the University and display a validly issued University parking decal or permit. Vehicles which make temporary and brief stops at one or more points on University premises including but not limited to, marked delivery trucks, utility service vehicles, vehicles for hire and buses are exempt from registration. Contractors and contractor personnel who are engaged in University construction projects are also exempted when engaged in work provided that they are parked at specified locations on project sites.

(2) Unless a grace period has been established by the President or designee, and is in effect, vehicle registrations expire on the date indicated on the decal or permit. Notice of a grace period shall be given by publication in the student newspaper and in postings in and around campus.

(3) Decals and permits are issued according to the classifications contained in these regulations. A decal or permit will be issued by the Parking Services Division of University Police and Safety Department upon the following conditions:

- **(a)** The owner or driver registers the vehicle with the Parking Services Division of the University Police and Safety Department by presenting a valid vehicle registration and paying any applicable registration fee;

- **(b)** The owner or driver pays the appropriate fee and provides proof of the decal or permit classification to which he or she is entitled;

- **(c)** The owner or driver settles all outstanding traffic and parking fines and fees;

- **(d)** Parking privileges have not been revoked for the owner or driver; and,

- **(e)** When two (or more) persons who are employed by, or are students at, the University, reside in the same household and drive separate vehicles, each is required
to register and purchase a decal or permit. If two (or more) persons travel together in one vehicle, only one decal or permit is required.

(4) The owner or driver receiving a permit may register a maximum of two (2) vehicles under the same permit, except that students residing on campus may register only one (1) vehicle per permit. A multi-vehicle permit may be displayed on any vehicle registered under such permit.

(5) Boats, trailers, motor homes, or other recreational vehicles shall not be registered or parked on campus. The University Police and Safety Department may grant a waiver of this restriction for up to forty-eight (48) hours when in the best interest of the University.

Action by Florida Board of Governors:
Approved. April 17, 2007

Action by Florida Gulf Coast University Board of Trustees:
Approved. April 17, 2007

Specific Authority:
BOG Regulation Development Procedure

Law Implemented:
§§1001.74 (35) & (39), 1006.66, 1009.24 (1213)(p), FS.

History of Regulation:
New 4/18/06, Amended 4/17/07.

History of Predecessor Rule:
New 7-10-97, Amended 10-4-00

Effective Date of Regulation:
April 17, 2007
FLORIDA GULF COAST UNIVERSITY
NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
Decal and Permit Fees

REGULATION NO.:
FGCU-PR8.004

SUMMARY:
Approve language clarifying when a special event permit fee is required.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
§§1006.66, 1009.24(13)(p), 1009.25(2)(a), 1009.26(4) FS.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

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THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
REGULATION: FGCU-PR8.004

Decal and Permit Fees

(1) Effective July 1, 2008, the annual registration fee for decals and permits is provided below:

a. (a) Three or More Wheels Hanging Permit:
- General Lot Parking (students) No Additional Charge
- Student Housing Residents Parking No Additional Charge
- Senior Citizens Parking No Charge
- Dual Enrollees Parking No Charge
- General Lot Parking (non-students) $107.00
- Faculty/Staff Lot Parking $107.00
- Faculty/Staff Reserved Space Parking $482.00

b. (b) Two Wheels Affixed Decal:
- General Lot Parking (students) No Additional Charge
- General Lot Parking (non-students) $25.00

c. (c) The special event permit fee is provided below and is intended to be applied for events during the normal university hours (Monday-Friday 8:00 a.m. – 5:00 p.m.) or anytime reserve spaces or an attendant is requested:

- General Lot Parking:
  - Ten or More Days in Advance of Event $1.00 per day per vehicle
  - Nine or Less Days in Advance of Event $2.00 per day per vehicle

(2) Term Registration. Effective July 1, 2008, with the exception of faculty/staff reserved parking, permits can be purchased on a per term basis for a fee of $43.00 per term.

(3) Transferability. Decals are non-transferable. Permits are transferable to any other four-wheeled vehicle that is registered in accordance with this regulation and is owned, leased or operated by the applicant.

(4) Sales Tax. All decal and permit registration fees include the required State of Florida sales tax.
(5) Proration of Purchase Price. The purchase price of an annual or term permit or decal will not be prorated. A faculty/staff reserved space permit purchased after January 1, for the duration of the academic year, shall be $275.00.

(6) Retired Faculty/Staff. Persons with Florida Gulf Coast University retired status who are no longer receiving any form of financial compensation for active employment are eligible to register and obtain the same parking privileges as if still employed by the University, except that retired employees are not eligible to purchase reserved spaces.

(7) Adjunct Faculty. Persons employed by Florida Gulf Coast University as adjunct faculty are eligible to obtain a faculty/staff term parking permit for the applicable term at no charge. For purposes of this provision, adjunct faculty are defined as instructors hired on a per semester basis whose responsibilities are limited to those duties related to classroom instruction and student assessment. Such persons are appointed on a temporary basis for one academic term at a time and possess no continuing contractual or other employment relationship with the University.

(8) Senior Citizens. Persons sixty (60) years of age or older who are residents of the State of Florida and who attend classes for credit as provided by Section 1009.26(4), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(9) Dual Enrollees. Students enrolled in a dual enrollment or early admission program as provided by Section 1009.25(2)(a), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(10) Waiver of Special Event Permit Fees. The special event permit fees in (1)(c) above shall be waived for University events when a written request is submitted to the Department and the Director or designee determines that granting a waiver is in the best interests of the University.

(11) Special Event Parking Attendant Services. When the Director or designee determines that a special event requires the services of a parking attendant, an additional charge of $15.00 per hour will be incurred.
Effective Date of Regulation:
1/15/08
FLORIDA GULF COAST UNIVERSITY
NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
General

REGULATION NO.:
FGCU-PR8.005

SUMMARY:
This regulation is being amended to address vehicle registration and payroll deduction, as well as to include language from 8.001. Additionally, the University proposes substantive and technical changes to the regulations:

Under Sections (4)(b) 15, 16 & 17 of this Regulation, the following changes are proposed:

- Making lots general parking, except for reserved and restricted spaces, after 5pm each weekday- the intent is to provide safest/closest parking for night students.
- Clarifying that residential students may park on campus during summer session, due to lack of shuttles and weather; and
- Clarifying no visitor parking in Housing lots during “no visitor” hours. Purpose is to eliminate unregistered vehicles and improve parking availability for residents.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
§§1001.74, 1006.66, 1009.24(12)(p) FS

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

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THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
Parking and Traffic Regulations

General

(1) This Regulation applies to all persons who operate or park vehicles on property owned or controlled by Florida Gulf Coast University. All Lee County, Florida, traffic and parking ordinances which are not in conflict or inconsistent with University regulations and all provisions of Chapter 316, Florida Statutes, Florida Uniform Traffic Control Law, shall extend and be applicable to the University's premises. The operation and parking of a motor vehicle on University property is a privilege and not a right. Application for and acceptance of a decal or permit shall be deemed an acknowledgment of the requirements of, and an agreement to adhere to, these regulations.

(2) University parking and traffic regulations are enforced twenty-four (24) hours a day, each day of the calendar year. Copies of these regulations and a schedule of fees and fines are available on the FGCU website at www.fgcu.edu (police and public safety). The University assumes no liability for damage to vehicles parked or operated on University premises. Any such damage is a risk assumed by the owner or operator of the vehicle. The issuance of a decal or permit does not guarantee a place to park.

(3) The following are definitions of words and phrases used in the regulations governing traffic, parking and registration of vehicles on the Florida Gulf Coast University campus.

(a) Abandoned Vehicle – Any vehicle left parked on campus for more than three (3) consecutive days. A vehicle left in a parking garage for more than forty-eight (48) consecutive hours is considered abandoned.

(b) Day – A calendar day unless otherwise noted.

(c) Decal – A decal is a sticker affixed to a vehicle authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

(d) Director – The Director of the University Police and Safety Department.
(e) **Immoblized Vehicle** – A vehicle that is rendered inoperable by a lawfully attached mechanical device such as a “boot” or clamp device.

(f) **Impounded Vehicle** – A vehicle that has been towed away from the place in which it was parked and held in legal custody.

(g) **Motor Vehicle** – Any self-propelled vehicle not operated upon the rails or guideway and includes any automobiles, motorcycles, motor scooters, mopeds, motorized disability access vehicles, or electric personal assistive mobility devices.

(h) **Park or Parking** – The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of loading or unloading merchandise or passengers.

(i) **Parking Services Division** – The unit within the University Police and Safety Department that is responsible for the issuance of decals and permits for parking on campus and for the enforcement of parking regulations. It is located on the University campus in the Campus Support Complex. Office hours are Monday thru Friday from 8:00 AM to 5:00 PM except on University holidays. The phone number is (239) 590-1912, and the email address is parkingservices@fgcu.edu.

(j) **Parking Space** – Areas governed by the University parking regulations with spaces delineated by white, yellow or blue striping, a parking meter, signage or physical barriers delineating parking parameters.

(k) **Permit** – A permit is a hangtag authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

(l) **Reserved Space** – An individual parking space, appropriately marked for a particular license tag number, permit number, individual, or University position or unit.

(m) **State Vehicles** – Vehicles bearing a duly issued license tag of the State of Florida or a political subdivision thereof.

(n) **Term** – One of the following three academic divisions of a year: fall, spring or summer.

(o) **University Police and Safety Department** – The University unit responsible for providing law enforcement, security, traffic control, disaster-planning and emergency response. The Department is authorized to enforce the laws of the State of Florida, the traffic and parking ordinances of Lee County, Florida which are not in conflict with this Chapter, and the regulations of Florida Gulf Coast University. The Department provides routine and emergency services to the University. The Department is located on the
University campus in the Campus Support Complex. The phone number for routine services is (239) 590-1900, and the emergency number is (239) 590-1911. The Parking Services Division is a component of the University Police and Safety Department and is at the same location on campus.

(p) University Traffic Appeals Board – The University authority established in Regulation FGCU-PR8.006, Enforcement, to review and render final decisions regarding appeals of traffic and parking citations.

(q) Vehicle – Any conveyance used to transport passengers, merchandise, livestock or equipment.

Decal/Permit Registration; Replacements; Refunds

a-(a) If a registered vehicle with an affixed decal is sold, traded, or destroyed, the original registrant may obtain a replacement decal for a fee of $10.00 upon presenting the original decal (or remains thereof, where possible), along with the new vehicle registration (if applicable), to the University Police and Safety Department or the Cashier’s Office.

b-(b) If a registered vehicle with a permit is sold or traded, the permit may be transferred to the new vehicle. The new vehicle shall be registered with the Parking Services Division within ten (10) days of the sale or trade.

c-(c) All lost, stolen or defaced decals or permits should be reported to the University Police and Safety Department.

d-(d) Lost or stolen decals or permits will not be replaced and the registrant will be required to purchase a new decal or permit at a fee of $105.00 for faculty/staff reserved space parking or a fee of $30.00 for all other parking permits.

e-(e) Refunds of Registration Fee to faculty/staff. Refund requests may be submitted to the Division of Parking Services as set forth below. Refunds will not be given in cash. One twelfth (1/12) of the annual price for each unused month may be refunded on an annual decal. Refunds must be requested by the 5th of the month in order for the month to be considered unused. No refunds will be issued unless the permit or decal (or remains thereof, where possible) are returned to the Parking Services Division.

f-(f) University employees may elect to have vehicle registration fees deducted from their paychecks through payroll deduction. This option is only available during the fall term. Due to requirements of the Internal Revenue Service, an employee who paid
a registration fee through payroll deduction is not eligible for a refund of the registration fee.

(g) Temporary permits may be issued under the following circumstances:

(1) When the registered vehicle is undergoing repairs and the registrant is driving a loaner or rental vehicle;

(2) When a University unit is hosting a special event such as a seminar or meeting on University property;

(3) When a University unit employs temporary or seasonal personnel for a duration of no more than two weeks. Where the duration of temporary or seasonal employment is more than two weeks, the cost of a term decal or permit shall be prorated and assessed; or

(4) When the Director or designee determines that the issuance of a temporary permit is in the best interests of the University.

(25) Decal/Permit Display. Decals and permits shall be displayed according to the following regulations:

(a) All persons who park motor vehicles on University premises shall display either a valid decal or permit, except that visitors to the parking areas adjacent to the Alico Arena, the Lee County/FGCU Aquatics Center and the Welcome Center/Kleist Health Education Center complex are not required to display a valid decal or permit when parking in an unrestricted space.

(b) Decals shall be permanently affixed midway down the left side of the windshield of four-wheeled motor vehicles or as otherwise directed by the University Police and Safety Department at the time of registration depending upon vehicle configuration.

(c) A hanging style permit shall be displayed at all times while on campus on the rear view mirror, or otherwise displayed in the windshield, with the permit number facing outward.

(d) Decals shall be permanently affixed to the rear fender of two-wheeled vehicles, or if there is no fender, as directed by the University Police at the time of registration.

(e) No person shall transfer a decal or permit to another person, alter a decal or permit, falsify documents to obtain a decal or permit or to otherwise possess, obtain
or display a decal or permit that is not registered in his or her name. Any such act constitutes decal/permit fraud.

(36) Traffic Regulations. The operation of motor vehicles on University roadways and in parking areas is subject to the following regulations:

a.- (a) Pedestrians and wildlife have the right-of-way over motor vehicles. Pedestrians must use crosswalks when crossing a roadway.

b.- (b) The speed limit in all parking lots is 15 miles per hour and the speed limit on roadways is 30 miles an hour, unless otherwise posted. The speed limit in parking garages is 5 miles per hour, unless otherwise posted.

c.- (c) Motorists and pedestrians shall follow and obey all traffic signs and devices and orders given by University Police. Directions given by University Police supersede posted regulations and traffic signals.

d.- (d) University Police may erect barriers on roadways and in parking lots from time to time to prevent the entry of vehicles. No person shall move or remove barriers or enter into barricaded areas.

e.- (e) No motor vehicles, other than police, emergency or service vehicles, shall be operated or parked on grass, walkways, sidewalks, fire hydrant areas, service areas, or other prohibited zones, except where specifically permitted by signage.

f.- (f) No person shall alter, deface or remove any traffic control device or sign.

g.- (g) No second person shall ride on a motorcycle, motor scooter, or bicycle unless the vehicle is designed and equipped with a seat for a second person.

h.- (h) All vehicular accidents which occur on University property shall be reported to the University Police and Safety Department.

(47) Parking Regulations.

a.- (a) Posted signs, wheel stops and other markings designate the various parking areas on campus. Temporary parking areas may be designated by the University by placement of delineating signs, wheel stops or other identifying marks. Parking areas may be restricted by classification, time or purpose. Parking areas restricted by classification, time or purpose shall be considered "no parking" zones to those individuals who do not fall within the restriction of the classification. The following parking restrictions are found in areas on the University’s premises:
1. Disabled;
2. Motorcycle/moped/bicycle;
3. State Vehicles;
4. Loading Zone;
5. Visitor;
6. Faculty/Staff;
7. Reserved;
8. Short Term;
9. Housing;
10. Service Vehicle;
11. Fire Lane;
12. Head-In;
13. Compact Vehicle;
14. Golf Cart;
15. Metered Parking;
16. Gated;
17. Garage;
18. Volunteer; and
19. Student; and

20. **LEED Vehicles (Low-Emitting & Fuel-Efficient Vehicles per LEED criteria)**

b-(b) The following regulations apply to the parking of motor vehicles on University property:
1. All vehicles must park in marked parking spaces.

2. Visitors must obtain a visitor’s parking permit from the University Police Department, the Parking Services Division, or the information booth near the entrance to campus on FGCU Boulevard South. Visitors may park in any visitor-designated or unmarked space, unless otherwise directed by University police.

3. No vehicle shall be parked in more than one space at a time or in a manner that straddles the marked lines of a parking space.

4. No vehicle shall be parked or left standing in a manner that blocks the egress or ingress of another vehicle.

5. Vehilces shall not be parked or left standing in such a way as to create a hazard or an obstruction with the free movement of vehicular or pedestrian traffic.

6. No vehicle shall be parked or left standing on grass, sidewalks, or on the street, unless otherwise permitted by signage.

7. A person who must leave a vehicle overnight on University premises due to mechanical failure, flat tire, lack of fuel and the like, must notify the University Police and Safety Department. Any abandoned vehicle shall be subject to towing, impoundment and disposal at the owner's expense. Disabled vehicles shall be reported immediately to the University Police and Safety Department.

8. No major repairs to vehicles shall be performed on University property.

9. Loading zones shall be used only for the purposes of loading and unloading vehicles and only for the time limit permitted by signage.

10. No person shall park in any restricted parking space unless the person or vehicle satisfies the terms of the restriction.

11. Vehicles parked in disabled accessible spaces without state-issued disabled accessible parking permits are subject to being towed and impounded in addition to any other penalty provided by Regulation 6C10FGCU-PR-8.006.

12. Any parking space within an assigned lot that is not reserved for a particular kind of parking is open on a first come basis to students, faculty, staff or other registrants.

13. Parking a vehicle on University premises following failure to pay or
appeal any citation for a University decal, parking or traffic infraction within the time provided, or parking on University premises with a revoked decal or permit shall be considered illegal parking and subject the vehicle to towing and impoundment or immobilization at the owner's expense in addition to any other penalty or fine provided by Regulation 610C-FGCU-PR8.006.

(14) Motorcycles, motor scooters, mopeds, and bicycles shall be parked only in special racks or designated areas and shall not occupy spaces designated for automobiles.

(15) Residential students are prohibited from parking in all non-housing parking lots and garages between 7 a.m. and 7:50 p.m., Monday through Friday, during the fall or spring terms. During summer sessions, residential students may park in main campus student lots or garages. Housing lots are restricted to only vehicles displaying housing parking permits from 1:00 a.m. to 10:00 a.m. Monday through Friday.

(16) Parking Garages. Parking garages will be closed to all vehicles and persons from midnight to 5:00 a.m. daily. All vehicles must be removed before garage closure. After a garage is officially closed, all remaining vehicles will be cited as parking in a reserved space and can be towed and impounded. The use of skateboards, roller-skates, in line skates, or similar devices, are prohibited in parking garages.

(17) General Parking Hours. Students, faculty, staff and other registrants shall park in assigned lots between 7:00 a.m. and 7:55 p.m., Monday through Friday. All student and faculty/staff lots, and except reserved spaces, are general parking between 7:50 p.m. and 7:00 a.m., Monday through Friday, and on weekends. Unless otherwise designated, parking garages are general parking twenty-four (24) hours a day, seven (7) days a week, and operate on a “first-come, first-served” basis.

(18) Temporary Suspension of Parking Privileges or Regulations for Construction or Special Events. When the Director or designee determines that a temporary suspension of parking privileges or restrictions is in the best interests of the University to enable construction to proceed in a timely manner or to enable the general public or members of the University community to attend special events on campus such as athletic events, concerts, conferences, lectures, or commencement ceremonies, the Director or designee shall temporarily suspend parking privileges or regulations. In so doing, the Director or designee shall provide affected registrants with such notice of suspension as is practicable under the circumstances.
Action by Florida Gulf Coast University Board of Trustees:
Approved, April 17, 2007_____________________

Specific Authority:
BOG Regulation Development Procedure

Law Implemented:
§§1001.74(35) & (39), 1006.66, 1009.24(1213)(p), Chapter 316; F.S.

Effective Date of Regulation:
April 17, 2007

History of Regulation:
New 4/18/06, Amended 4/17/07, 1/15/08, ________________

History of Predecessor Rule:
New 7-10-97, Amended 10-4-00, 7-2-03.
REGULATION TITLE:
Parking and Traffic Enforcement

REGULATION NO.:
FGCU-PR8.006

SUMMARY:
This regulation is being revised to provide for the following:
  • Consistent regulation numbering.
  • Increasing parking fines to $30.00. Purpose is to gain increased compliance through an increased penalty. The current $20 fine is often viewed by violators as an inconvenience or “the cost of coming to school”.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at [http://www.fgcu.edu/generalcounsel/promulgation.asp](http://www.fgcu.edu/generalcounsel/promulgation.asp)

LAW IMPLEMENTED:
§§1001.74, 1006.66, 1009.24(13)(p), FS.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE OCTOBER 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
REGULATION: FGCU-PR8.006

Parking and Traffic Enforcement

(1) Violations. Failure to abide by any provision of these regulations shall be deemed a University traffic infraction. University traffic infractions are enforced through use of written warnings, citations and fines, towing and impoundment, immobilization and any other means authorized by this Chapter.

(2) Citations. All University Police Department employees (sworn officers, PSA’s, PEA’s, or Safety Officers) have the authority to issue written University citations to persons who violate Lee County, Florida or University decal/permit and parking regulations. State of Florida Uniform Traffic Citations are issued for moving violations, which are returnable to the Lee County Court for appearance and payment of fines. State of Florida Uniform Traffic Citations may carry higher fines or penalties and cannot be appealed through the University’s administrative processes.

a. (b) Schedule of Fines. The schedule below establishes fines for University traffic infractions:

<table>
<thead>
<tr>
<th>Description</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decal/Permit Violations (Except Decal/Permit Fraud)</td>
<td>$230.00</td>
</tr>
<tr>
<td>Decal/Permit Fraud</td>
<td>$100.00</td>
</tr>
<tr>
<td>Parking Violations:</td>
<td></td>
</tr>
<tr>
<td>General Violations</td>
<td>$230.00</td>
</tr>
<tr>
<td>Disabled Accessible Space Violations</td>
<td>$200.00</td>
</tr>
<tr>
<td>Reserved Space Violations</td>
<td>$100.00</td>
</tr>
<tr>
<td>University Traffic Violations</td>
<td>$230.00</td>
</tr>
</tbody>
</table>

b. (b) If Payment Received after Ten (10) Days
A $10.00 late fee will be assessed in addition to the above charge.

c. (c) Vehicles, which remain parked in time-restricted parking spaces such as Loading Zones beyond the time allowed, are subject to additional citations. Any vehicle which remains in violation of any other provision of these regulations twenty-four (24) hours beyond the time of the original citation, is subject to additional citations.
Administrative Action. In addition to the accrual of a fine and a late fee, the University is authorized to take administrative action if a University traffic citation is not paid or appealed within the time provided in these regulations. Such administrative action includes withholding of grades, degrees and/or transcripts; revocation of parking privileges; turning the citation over for collection, and/or towing and impoundment or immobilization of the person's vehicle.

Permit Revocation. A person who has been accused of decal/permit fraud or who falsifies or misrepresents information when applying for or exercising parking and traffic privileges is subject to revocation of parking privileges, if such charges were sustained.

Responsibility for Citations. The person(s) in whose name a decal/permit is registered or in whose name a vehicle is registered with the Department of Highway Safety and Motor Vehicles, shall be held responsible for citations issued to a vehicle.

Procedures for Payment of Fines and Appeals.

A person who has been issued a University traffic citation has ten (10) days from the date of its issuance to settle the citation either by paying the designated fine or by filing an appeal. If payment is not made or an appeal instituted within the allotted time, a late charge shall be assessed. If the fine and fee are not paid within ten (10) days from the date the citation is issued, then the University will turn the matter over to the University’s Cashier’s Office for collection, in which case the person shall also be responsible for paying reasonable costs of collection.

1. Payment of Fines. Fines can be paid as follows:

a) For students, faculty members and staff, payments shall be made through the FGCU Gulfline account credit card payment system at www.fgcu.edu (gulfline); or

b) For members of the general public, payments shall be made by U.S. mail or in person to the FGCU Cashier’s Office, which is located in McTarnaghan Hall, 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565. Office hours are Monday through Friday, from 8:00 a.m. to 5:00 p.m., except on University holidays. The phone number is (239) 590-1213. The University accepts the following forms of payment in U.S. Dollars: cash, major credit cards, and money orders, personal checks or cashier's checks that are drawn on institutions located in the United States of America. All payments shall include the payor’s full name, the payor’s university identification number if applicable, the cited vehicle’s license tag number and the citation number.

2. Appeals of Citations. Appeals of citations for University traffic infractions are instituted by filing a written appeal with the Director of University Police and Public.
Safety Department or a designee on Form UPD #1001 (Notice of Appeal) (4/06 10/08) which is incorporated by reference into this regulation. Forms may be obtained at the University Police and Safety Department, Division of Parking Services. Faculty/staff and students shall file appeals electronically through the Division of Parking Services website at http://admin.fgcu.edu/police/appeals.html.

Lack of parking spaces or the failure of others to observe these regulations shall not be valid defenses to violation of the University’s parking and traffic regulations. The appeal shall include a current and accurate address where notices can be sent and received. The Director of University Police Public Safety or designee shall make a determination whether to grant the appeal within fourteen (14) days of receipt of the appeal. If the appeal is denied, then the appeal shall be forwarded, as completed, to the University Traffic Appeals Board for hearing and resolution within sixty (60) days.

3. University Traffic and Appeals Board. The University Traffic Appeals Board consists of six members who are appointed by the University President for two-year staggered terms. The membership of the Board shall include two representatives from student government, one faculty member, one Administrative and Professional employee, one USPS Support Personnel employee and one additional member appointed at large by the President. The student, faculty, Administrative and Professional and USPS Support Personnel representatives will be nominated by their respective governance structures. The Director of University Police and Public Safety Department or a designee shall be an ex officio member of the Traffic Appeals Board. The University Traffic Appeals Board shall have the authority to hear and resolve appeals of University traffic infractions including cases of permit revocation.

a. Upon receipt of an appeal, the Board shall set a place, time and date for hearing and provide the appellant with at least three (3) days advance written notice if the appellant indicated a desire to attend the meeting. Failure of the appellant to appear at the hearing shall result in dismissal of the appeal.

b. At the hearing, the Traffic Appeals Board shall consider any facts or evidence, which is relevant to its determination of the appeal. The board may request additional information prior to rendering its decision and may hear the testimony of the appellant, witnesses or the citing officer. The board may modify the penalties provided in Section 6C10-8.006 Regulation FGCU-PR8.006. Such modification may include a reduction in penalty or a warning to the appellant. The board shall render a decision within thirty (30) days of the close of the hearing and notify the appellant in writing.

c. The decision to grant or deny an appeal shall be in writing and contain findings supporting the board’s determination. The decision of the Traffic Appeals Board is final without further right of review. When an appeal is denied, the fine assessed for the violation shall be paid within ten (10) days of notification to the appellant or a late
A fee of $10.00 will be assessed. The appellant will also be subject to any other administrative action authorized by these regulations to collect all outstanding fines and fees.

(5) Towing and Impoundment; Vehicle Immobilization.

a. Towing and Impoundment. The University is authorized to tow and impound any vehicle, which is found to be parked in violation of this Chapter. The towing and impoundment of a vehicle shall be used as a last resort under the following conditions: the vehicle is abandoned per regulation 6C10-FGCU-PR 8.001(3)(a); the vehicle is parked in a disabled accessible or reserved space for which it is not permitted; the vehicle is creating a hazardous parking condition; the parking decal/permit is fraudulent; or the registrant is deemed a chronic violator in that they have obtained three or more citations during a school term which have remained unpaid or unsatisfied during that term.

b. Immobilization. As an alternative to towing and impoundment, the University may immobilize a vehicle by attaching a “boot” or similar wheel lock device when there are two (2) or more University traffic or parking citations outstanding against the vehicle and timely action has not been taken to pay or appeal the citations. A vehicle may also be immobilized when it is found to display a lost, stolen, forged or altered University parking decal or permit. At the time of attachment, a notice shall be affixed to the vehicle which states the sum of outstanding fines and fees that must be satisfied before the wheel lock will be removed and the location where the moneys can be paid. A $30.00 immobilization fee shall be charged in addition to all other fines and fees which are due and owing.

c. Release of Vehicle. All outstanding fines and fees against the vehicle must be satisfied before a vehicle will be released from impoundment or immobilization. A person whose vehicle has been towed and impounded or immobilized may challenge the validity of the action by filing a written appeal to the University Traffic Appeals Board within ten (10) days of the date the vehicle was released, using UPD Form #1001 (Notice of Appeal University Parking Citation (4/06)(10/08). The Director of University Police and Public Safety or designee shall review and determine whether an immediate release of the vehicle is warranted. If the subsequent appeal to the University Traffic Appeals Board is granted, the University shall refund the amount charged for towing and impoundment of the vehicle.

Action by Florida Board of Governors:
Approved, April 10, 2007

Action by Florida Gulf Coast University Board of Trustees:
Approved, April 17, 2007
Specific Authority:

BOG Regulation Development Procedure

Law Implemented:

§§1001.74-(35) & (39), 1006.66, 1009.24(12)(p), FS.

History of Predecessor Rule:

New 7-10-97, Amended 10-4-00.

History of Regulation:

New 4/18/06, Amended 4/17/07.

Effective Date of Regulation:

___________________
FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION
September 18, 2008

REGULATION TITLE:
Parking Citation Form

REGULATION NO.:
FGCU-PR8.0061 (6C10-8)

SUMMARY:
The purpose of this regulation is to repeal FGCU-PR8.0061 (6C10-8).

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Not applicable.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, Director of Public Safety

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE OCTOBER 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: SEPTEMBER 18, 2008.
FLORIDA GULF COAST UNIVERSITY
NOTICE OF APPEAL UNIVERSITY PARKING CITATION

Please Print: __________________________ Filing/Submission Date: __________________________

Citation No: __________________________ Citation Date: __________________________

Name: ______________________________
Address: __________________________________ Apt. No.: __________________
City: ___________________ State: __________ Zip: __________
Daytime Phone No.: ____________________ Decal/Permit No.: __________________

Check one:
( ) I wish to appear in person.
( ) I wish to submit a written statement.

I appeal the above parking citation for the reasons outlined below:
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

I certify that the statements made above are true and correct to the best of my knowledge and belief. The appeal constitutes my agreement to abide by the decision of the University Traffic Appeals Board.

Appellant’s Signature: __________________________

____________________________________________________________________________________

Official Use Only

UNIVERSITY POLICE AND SAFETY DEPARTMENT

( ) Appeal Approved ( ) Appeal Disapproved, forward to Appeals Board

Signature: Director, University Police and Safety or Designee Date: __________________________

UNIVERSITY TRAFFIC AND APPEALS BOARD

After reviewing the above case, it is the decision of the Appeals Board that the following disposition be made:

( ) Guilty
( ) Appeal Dismissed for failure to appear
( ) Not Guilty
( ) Reduction of Penalty
( ) Change to Warning
( ) Continuance to __________________

Payment due in this case: $ _______________

Please remit all fines within ten (10) calendar days from the date of this hearing to Finance and Accounting, Florida Gulf Coast University, 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565.

FAILURE TO PAY WITHIN THE PRESCRIBED TIME WILL RESULT IN LATE CHARGES BEING IMPOSED AND POSSIBLE TOWING OR IMPOUNDMENT OF VEHICLE.

Signature of University Traffic Appeals Board Chair or Designee Date: __________________________

____________________________________________________________________________________

White/Yellow Copies: Campus Police and Safety Pink Copy: Appellant
Form UPD 1001 (4/06); FGCU Regulations Chapter 6C10-8, Parking and Traffic