

Policy Number: 105.2

Policy: Parking

Effective Date: 08/01/2011

Revision Date: 02/01/2012

Approved by: Scott Forshee, Chief of Police

PROCEDURE:

I. In General:

- A. Vehicle regulations are to promote the convenience and safety of all personnel on the campus and to facilitate efficient operations. These regulations are part of the terms and conditions pertaining to:
 - 1. Students who are enrolled at MSU Billings,
 - 2. Faculty and staff who are employed by the University, and
 - 3. Are applicable to all vehicle owners/drivers on campus.
- B. Enforcement of MSU Billings parking regulations encourages compliance and is not intended to punish. On-campus parking is a privilege, not a right.
- C. All matters concerning traffic and parking should be referred to the University Police & Parking office. For assistance, call 657-1704.

II. Regulations:

- A. The owner/operator of any vehicle is responsible for that vehicle while it is on campus. MSU Billings assumes no responsibility for any vehicle, its contents or occupants, while operated or parked on campus. Please lock your vehicle. **Do not leave children or pets unattended in your vehicle.**
- B. In addition to MSU Billings regulations, Montana laws and Billings City Ordinances are enforced on all University properties. Compliance is expected of every vehicle owner/operator driving or parking on campus property.
- C. Parking permits and fines incurred are considered personal expenses. The use of any institutional funding source to pay for either privately-held parking permits or citations is unauthorized and against University policy.
- D. All vehicles parked on University property must display a current MSU Billings parking permit between 8:00 am and 7:00 pm Monday – Thursday and from 8:00 am to 4:00 pm on Friday during Fall and Spring semesters, and between 8:00 am and 4:00 pm Monday – Friday during Summer sessions. This includes state, motor pool and rental vehicles.
- E. All campus parking is designated by signs indicating Faculty/Staff, Student and Visitor areas. Please observe posted restrictions.
- F. Faculty/Staff permit holders may park in Student areas, but students may not park in Faculty/Staff areas between 8:00 am and 4:00 pm Monday – Friday.
- G. Visitor lots are for visitors and require a visitor permit. Visitor permits are valid only in lots designated on the permit. Faculty, staff and student permits are not valid in visitor areas.

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- H. Loading Zones, indicated by signs and/or white curbs, are for loading and unloading, not to exceed 15 minutes. Emergency flashers must be ON while parked in any Loading Zone.
- I. ATVs are to park in regular vehicle spaces, not motorcycle areas.
- J. Motorcycles and motorbikes must park in areas designated. Only motorcycles and motorbikes may be parked in these areas.
- K. Bicycles are to be parked in bicycle racks only. Please lock your bike.
- L. All parked vehicles must be within the confines of the painted parking space boundaries. The fact that other vehicles may park improperly is not an excuse for parking any part of your vehicle over a line. Unless otherwise indicated by signs or painted boundaries, all parking is perpendicular. Oversized vehicles may be ticketed if parked in a way deemed to be a safety issue, such as obstructing a driving lane or sidewalk. Please do not back in.
- M. Parking is not allowed in driveways, in crosswalks or in areas designated “No Parking,” including “Shop Vehicles Only” and Reserved (CV) spaces, painted crosshatching or yellow curbs. Parking on lawns, sidewalks or other non-designated areas is prohibited. There is 24-hour tow-away enforcement of these zones and spaces. The owner/operator of any towed vehicle is liable for all fines, towing and impounding costs and risks involved.
- N. The campus speed limit is 15 miles per hour. The speed limit is 5 miles per hour within the Parking Garage, which has speed bumps. Speeding on University property is prohibited.
- O. Reserved (CV) spaces are reserved 24-hours a day, seven days a week, year-round. Upon space-holder’s request, violators may be towed without notice and at their own expense.
- P. Only Student Family Housing residents may park in the Family Housing lot. A Housing permit is required. Housing permits are also valid in student lots.
- Q. Entrances to the parking garage are located on Poly Drive and in Cisel parking lot. The University Police and Motor Pool area is reserved for authorized vehicles only.
- R. ADA accessible parking is available in sign-designated spaces. An ADA parking permit or license plate issued by state government is required in addition to a University-issued permit to park in these spaces. Because everyone who parks on MSU Billings campuses must pay to do so, it is not a violation of the Americans with Disabilities Act to charge disabled users as well.
- S. Students, faculty and staff who become temporarily physically disabled may make arrangements for parking.
- T. VIP permits are available for a nominal one-time fee to retired faculty and staff members only. These permits are non-transferable, to be used by retiree only. Vehicle registration is required and permit must be validated annually.
- U. Pedestrians shall be given right of way at all times.
- V. Purchasing a parking permit does not guarantee that a parking space will be available at all times for a registered vehicle.
- W. Regulations may be changed or amended at any time and become effective by order of the University Chancellor.
- X. The University reserves the right to temporarily close specific lots to permit holders to accommodate special events as needed.

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- Y. It is forbidden to use an MSU Billings parking permit that has been reported lost or stolen, or to use a false permit. Disciplinary action for fraud and theft of services (including but not limited to improper use of a permit and use of a false permit) may be taken by the Vice Chancellor for Student Affairs and includes expulsion and prosecution.

III. Permits and Registration: The Board of Regents of Higher Education by authority of the Montana State Legislature has authorized MSU Billings to assess fees for all on-campus parking, which requires a valid parking permit. MSUB parking permits remain the property of MSUB. The MSU Billings Parking department is self-funded, and all lots are constructed, maintained, operated and administered through these parking fees, which are paid by all patrons.

A. Vehicle Permit Fees:

1. Annual Permit (fall, spring, summer) - \$75.00
2. Academic Permit (fall, spring) - \$70.00
3. Semester Permit - \$40.00
4. Semester Evening Permit (after 4:00 pm) - \$30.00
5. Summer Permit (May-August) - \$22.00
6. Motorcycle Permit (annual) - \$12.00
7. Hourly Pay'n'Display Permit (coins or bills accepted, dispensers make limited change) - \$0.50
8. Weekly Temporary Permit (2 week maximum) - \$3.00
9. Reserved (CV) Annual Permit - \$150.00 (faculty/staff only)
10. Non-transferable VIP Permit - \$5.00 (available to retired faculty/staff only)

B. Types of Permits:

1. **Sales and Service** permit: Available free of charge, on an annual basis to campus visitors (such as computer repairmen, textbook salesmen, etc.) who may be on campus regularly for short periods of time. Permit to be displayed on dash or windshield. Not valid in visitor lots.
2. **VIP** permit: One-time fee (\$5.00) for university retirees and emeritus faculty, visiting dignitaries at the discretion of the chancellor; validated annually. Not for use by current faculty (except emeritus), staff or students. Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
3. **VIP Community Volunteer** permit: Annual fee (\$5.00) for registered non-campus members of various boards (Wine Festival, Board of Regents), etc. Not for use by current faculty, staff or students. Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
4. **"CV" reserved** permit: Annual purchase only. Reserved parking spaces available 24-hours a day to faculty and staff only. Currently \$150.00. Hangtag permit to be displayed hanging on rearview mirror. Valid in assigned reserved space only.
5. **Family Housing** permit: Currently \$105 for two annual permits (or regular rate if only one vehicle), the permit is required for parking in the Family Housing lot and is valid as a student

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permit on both campuses (student lots before 4:00p and after 4:00p in faculty/staff lots as well). Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.

6. **1- or 2-Day Temporary** permit: Provided free of charge to guests and visitors. Small variety of permit to be displayed on dash or windshield, hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
7. **Weekly (3+ days) Temporary** permit: Are \$3.00 a week, for one or two weeks. Longer than two weeks is not recognized as “temporary”, although occasionally exceptions are made. Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
8. **Limited Event** permit: Initiated to accommodate visitors playing tennis, attending music lessons, swim teams, sports camps, etc. Free of charge. Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
9. **Off-Campus** permit: Currently, the Mental Health Center and Rimrock Foundation purchase annual permits at double the on-campus rate, to park on campus. Non-campus-associated businesses that rent campus facilities purchase annual permits at regular campus rates. At this time these include the Montana Business Incubator in MacDonald Hall and the Bureau of Mines Technology in the Poly Bldg. Hangtag permit to be displayed hanging on rearview mirror. Valid only in street-level lots along Poly Drive and upon request, on the fourth and fifth levels in the parking garage.
10. **Visitor Lot dispenser** permit: Designated Visitor Lots are equipped with coin operated ‘Pay’N’Display’ permit dispensers. The dispensers also accept bills and make limited change. The fee is 50 cents per hour. Permit to be displayed on dash. After 1600 (4pm), may also be used in other lots, and for customer convenience for evening events. The designated lots are:
 - a. South McMullen,
 - b. North McMullen (alongside Peaks to Plains Park),
 - c. Cisel Hall, and
 - d. South COT lot.
11. **Motorcycle** permit: Available for motorcycles and valid in motorcycle areas only. ATVs also require motorcycle permits (stickers). ATV’s are required to park in regular spaces and are not allowed to park in motorcycle areas. Permit to be displayed on front fork or fender.
12. **Evening** permit: Valid after 1600 (4pm) in faculty/staff lots in addition to student lots. Day-use temporaries are available from the Parking office upon request. Not valid in visitor areas or the Family Housing lot. Hangtag permit to be displayed hanging on rearview mirror. Not valid in visitor lots.
13. **Disabled** permit: Spaces for disabled individuals, as required by state law. Persons with state issued disabled permit are allowed to utilize the space, however a campus permit is required.
14. **Other** permit:
 - a. University Connections: high school students taking classes on campus, currently paying \$10.00 per semester.
 - b. Upward Bound: high school students on campus for summer program, currently paying \$10.00. These are regular student hangtag permits to be displayed hanging on rearview mirror.

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C. Permits:

1. Permits for faculty, staff and students are issued during regular weekday office hours at the University Police & Parking office and also at fee payment in the Student Union Building. Permits for College of Technology faculty, staff and students are available at the COT. Student-workers are not eligible for faculty/staff permits.
2. Permits must be displayed in vehicles. The purchase of a permit will not prevent or void tickets issued for 'no permit' violations.
3. Hang-tag permits may be transferred between permit holder's vehicles; however, permit **holdership** is **not** transferable. All permits remain the property of MSU Billings and may not be exchanged or resold. Unexpired permits must be returned to University Police & Parking upon early departure of students or employees.
4. Hang-tag permits must hang from the inside rearview mirror facing out. Self-sticking permits must be affixed to the lower inside of the front window on the driver's side. Pay'n'Display permits must be placed face-up on the vehicle's dashboard. Motorcycle and ATV permits must be attached to a front fork or the rear fender. All permits must be clearly visible.
5. Persons who have registered their vehicles but must use a substitute vehicle may obtain a free temporary parking permit at the University Police & Parking office.
6. Visitors who are attending conventions, meetings or workshops, or who are guests of the University may receive complimentary 1-2 day parking permits from the University Police & Parking office and are encouraged to utilize the parking garage on Poly Drive.
7. Visitors may purchase a temporary permit using the Pay'n'Display dispensers located near the Tennis Bubble, in the visitor parking areas south of McMullen Hall, along the east side of the Peaks to Plains Park, and between the buildings at the COT. Dispensers accept bills or coins and make limited change. After 4 pm only, visitor permits are also valid in Faculty/Staff and Student lots.
8. Evening parking permits are valid after 4:00 pm, and holders may park in either Faculty/Staff or Student lots.
9. Reserved (CV) permits are available only to current classified faculty or staff members on an annual basis. CV permits may be transferred between holder's vehicles; however, permit holdership is not transferable. CV permits must be displayed in holder's vehicle at all times while parking on campus. CV permits must be returned when relinquishing space or leaving University employment, or a replacement fee may be assessed.
10. Lost or stolen permits must be reported immediately to the University Police & Parking office, and a loss/theft report must be completed. Falsely claiming loss or theft is considered fraud and is punishable according to the Student Code of Conduct. A replacement fee is required for all lost or stolen permits.
11. Complimentary guest and visitor permits are not for personal use by faculty, staff or students. Reserved spaces held by a department for its guests may not be used by University employees or students.
12. No MSU Billings parking permit may be photocopied or otherwise duplicated, or altered in any manner whatsoever.

D. Registration:

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1. All vehicles brought to campus must be registered at the University Police & Parking office. The person in whose name a vehicle and/or permit is registered shall be responsible for all violations recorded against that vehicle and/or permit while on campus.
 2. Any changes regarding vehicle registration must be reported immediately to the University Police & Parking office, and include the following:
 - a. Change of license plate
 - b. Change of address
 - c. Vehicle destruction or abandonment
 - d. Sale or transfer of a vehicle
 - E. Permit Refunds: All refunds are calculated on a semester basis and the permit or proof that it was destroyed must accompany that request. No refunds are issued for partial semesters, beyond the three-week cut-off date. A handling fee of \$3.00 is charged for all refunds. Refunds will be less any financial obligation to the University.
- IV. Penalties and Appeals: The Board of Regents of Higher Education by authority of the Montana State Legislature has authorized MSU Billings to assess fines for violating published parking regulations. Unpaid fines constitute a legal debt owed to the University. Substantial unpaid fines and/or tickets may result in having your vehicle towed and/or loss of on-campus parking privileges. Vehicles may be identified using state DMV files. Failure to identify vehicles that are used by students, staff or faculty in no way releases the driver/owner from obligation for payment.
- A. Penalties:
1. Parking citations for vehicles having no permit are issued during hours listed in section I.D. Citations for vehicles parked in violation of Regulations or for hazardous parking are issued upon detection, not to exceed six in one 24-hour period.
 2. Driving a motor vehicle on University property other than on authorized roads, driveways and parking areas is prohibited. Violators may be ticketed and/or prosecuted in city or county court.
 3. The placement of parking citations is considered proper notification of any violations. Vehicle operators who receive three or more violations and do not promptly resolve those tickets may be deemed a habitual offender and may be towed at any time without additional warning. All fines, towing and impound charges must be paid before the vehicle is released.
 4. Failure to resolve tickets within seven days may result in the University withholding the amount of unpaid fines from any amount owed to any student, faculty or staff member.
 5. Students who have unpaid fines are not permitted to register, receive transcripts, grades or diplomas.
- B. Appeals:
1. Ignorance of the regulations will not be considered in appeals. A lost ticket, a lost or stolen permit, forgetfulness, parking for only a short period, failure to display permit, and/or not seeing posted signs are not acceptable grounds for appeal.

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2. Any request for dismissal may be referred to the Ticket Appeals Board. A person's department and ticket history, including any outstanding fines, may affect the request. A one-time late fee is applied to tickets not appealed within seven days.
 3. Appeals are initially referred to the Chief of Police.
 - a. Before the Chief formulates a decision, the Parking Compliance Officer will provide the Chief with the circumstantial information.
 - b. The Chief will meet with the appellant and rule on the matter.
 - c. The appellant may choose to further appeal the matter to the Ticket Appeals Board.
 4. Persons wishing to appeal citations before the Ticket Appeals Board must appear at the University Police & Parking office and file a notice of appeal **within seven days**. Upon appeal, bond must be posted in the amount of the fine. If the Board upholds the fine, the bond will be used as payment of the fine. If the appellant does not appear before the Board on the appeal date, the Board may hear the case in absentia. If the Board upholds the fine, the bond will be used as payment. If the Board overturns the fine, the bond will be returned to the appellant, less a \$5.00 service fee.
 5. Appeals are heard and decided upon by the MSU Billings Ticket Appeals Board. The TAB consists of two faculty, two staff and two students, and is advised by the Parking Compliance Officer. Board membership is voluntary with final approval by the Administrative Vice Chancellor.
- C. Fine Refunds: Refunds for payment of fines resulting from ignorance or negligence on the part of the ticket recipient will not be issued. Requests for refunds of fine payments must be made **within thirty days** of payment and may be referred to the Ticket Appeals Board.
- D. Violations and Fines:
1. Failure to register a vehicle or display valid permit - \$10.00
 2. Parking in designated No Parking Zone - \$10.00
 3. Parking in Loading Zones over 15 minutes or without emergency flashers on - \$10.00
 4. Parking in non-designated areas such as lawns or sidewalks - \$10.00
 5. Expired time on coin dispensed permit - \$10.00
 6. Unauthorized parking in Disabled space - \$100.00
 7. Parking in the wrong lot - \$10.00
 8. Improper display of permit - \$10.00
 9. False permit/false use of permit - \$20.00
 10. Failure to resolve a fine within seven (7) calendar days - \$5.00
 11. Improper parking of any vehicle - \$10.00
 12. Other violations - \$10.00

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13. Parking in Reserved (CV) or Shop Vehicles Only spaces - \$10.00 and/or immediate tow plus expenses.

V. Emergencies, Accidents and Special Circumstances:

- A. All traffic accidents occurring on campus should be reported to the MSUB University Police before the vehicles involved are moved. University Police do not investigate “fender-benders” (no injury) on campus, but do have accident information exchange forms available for insurance purposes.
- B. In emergencies and special circumstances, the University Police may impose parking restrictions as required. No authorized barricades may be removed.
- C. All vehicles parked on campus must be in safe operating condition. Any vehicle that constitutes a hazard or interferes with University operations may be towed and impounded at owner/operator’s expense.
- D. In general, no vehicle may be stored on campus. Exceptions to any parking restrictions must be approved by the University Police & Parking office, in advance of parking. ‘Storage’ connotes a vehicle that is not in operating condition, a vehicle that is not moved for seven (7) days, a vehicle that has no campus affiliation. Vehicles deemed stored or abandoned may be towed and impounded at owner/operator’s expense.
- E. Arrangements for temporarily parking buses or trailers must be made in advance with University Police & Parking. Bus/trailer parking location indicated on map.
- F. No overnight campers or RV parking allowed.

VI. Permit Replacement:

- A. When a permit is reported lost or stolen, the holder is to read, complete and sign a lost/stolen report form. The report is to be added to the ticket-writers ‘watch-for’ list.
- B. There is a \$20.00 replacement fee per semester to replace lost or stolen permits.
- C. If a permit is accidentally destroyed (motorcycle accident, etc...), the permit will be replaced free of charge upon receipt of proof.

VII. Refunding Permits:

- A. The cut-off date for permit refunds is the same as that used by the Business Office for partial tuition refunds, as indicated in the campus calendar, which is approximately three weeks into the semester. Summer refunds may cut off at two weeks.
 1. The Business Office does not issue refund checks for amounts under \$10.00, although they will credit Banner accounts for lesser amounts.
 2. A \$3.00 handling fee is assessed.
- B. Refunds for permits that were paid for *but were not issued*:
 1. After verification (itemized in Banner account and no record of a registration slip) the only deadline is the semester which it’s for. A \$3.00 handling fee applies.
- C. Refunds for permits that *were issued*:
 1. Permit must be returned.

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D. Semester permit:

1. Returned before cut-off date: \$37.00 (full refund \$40.00 minus \$3.00 handling)
2. Returned after cut-off date: none

E. Academic permit:

1. Returned before fall cut-off date: \$67.00 (full refund \$70.00 minus \$3.00 handling).
2. Returned after fall cut-off date but before spring cut-off date: \$27.00 (\$70.00 minus fall semester rate \$40.00 minus \$3.00 handling).
3. Returned after spring cut-off date: none

F. Annual permit:

1. Returned before fall cut-off date: \$72.00 (full refund \$75.00 minus \$3.00 handling).
2. Returned after fall cut-off date but before spring cut-off date: \$37.00 (\$75.00 minus spring semester rate \$40.00 + summer rate \$5.00 = \$40.00 minus \$3.00 handling).
3. Returned after spring cut-off date: none (The summer part of a combination permit costs only \$5.00 and is therefore not refundable).

G. Summer permit:

1. Returned before summer cut-off date: \$19.00 (\$22.00 minus \$3.00 handling).
2. Returned after summer cut-off date: none

VIII. Ticket Dismissal: As a courtesy a parking ticket may be dismissed.

IX. Ticket Appeals Board (TAB): Is an impartial jury of campus community members. The objective of the Ticket Appeals Board is to arbitrate contested campus parking citations and issues in a fair and consistent manner. (Refer to Policy 105.2.1).

A. The TAB shall be composed of two faculty volunteers, two staff volunteers and two student volunteers. From the members a Chairperson shall be appointed to preside, and will vote only in case of a tie. The University Police Chief or his designee shall serve as a non-voting advisor.

B. The duties of the TAB shall be:

1. Hear appeals stemming from parking citations.
2. Interpret the regulations regarding campus parking.
3. Recommend changes to the parking regulations.

C. The TAB shall have the authority by its decision to:

1. Sanction (uphold) the issuance of parking citations.
2. Void or dismiss a citation.

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3. Reduce the fine amount specified for a violation. (The TAB may not increase a fine specified in the regulations.)
 4. Deny parking privileges to a violator.
- D. TAB Meetings:
1. Held at the University Police conference room, scheduled one Wednesday of each semester at 4:00 PM.
 2. Appellants shall be advised of the date of the next meeting,
 3. Complete an appeals form and receive a copy of it.
 4. If an appellant fails to appear, or fails to call to reschedule, the fine shall stand and the appellant will be encumbered for that amount.
 5. Questions or concerns may be addressed to the Parking Compliance Officer or to the University Police Chief at the MSU Billings University Police & Parking Office, 657-2147.
- X. Records Storage:
- A. **Access Parking 2009;** (computer records) Computer records are maintained for up to seven years.
 - B. **Registration Slips;** (vertical file at north end of front counter: current and five preceding years; also, current temporary registrations and visitor permit dispenser revenue receipts stored here)
 - C. **Current File;** (unresolved tickets from current semester) center cupboard, front counter.
 - D. **Encumbered File;** (unresolved ticket originals prior to current semester, belonging to identified (BID) campus-related people) north-end cupboard, front counter.
 - E. **Non-ID'd File;** (unresolved tickets prior to current semester, belonging to identified people without BIDs, and also unidentified people)
 - F. **Paid Tickets;** Current year originals stored on shelf below till in front counter, previous years stored in vertical files in kitchen
 - G. **Dismissed/Voided Tickets;** Current year originals and carbon copies when available stored on shelf below till in front counter, previous years stored in vertical files in kitchen
- XI. Records Disposal:
- A. Once a year, tickets older than six years are deleted from the database by IT. This does not affect Banner Holds; a student may still be on hold for a ticket that no longer 'exists.'
 - B. Physical records (the original white tickets and pink carbon copies) of resolved tickets (paid, dismissed or voided) need to be stored on-site for three years, after which time they may be destroyed (shredded).
 - C. Once a year, the oldest registration slips (the vertical file - bottom drawer) are removed and destroyed (shredded), along with any old permits that may have been filed.
 - D. Once a year, originals of the newly deleted tickets are culled from the Encumbered File and destroyed (shredded), along with any tickets that were paid or dismissed during the year. Paid and dismissed tickets are then refilled appropriately.