

10.8 VEHICLE OPERATION AND PARKING POLICY*

I. STATEMENT OF AUTHORITY AND PURPOSE

This policy is promulgated pursuant to the authority conferred by §23-41-104(1), C.R.S. (2008) in order to set forth a policy regarding the operation and parking of vehicles on the CSM campus. This policy shall supersede any previously promulgated CSM policy that is in conflict herewith.

II. INTRODUCTION

Pursuant to §23-5-108, C.R.S. (2008), CSM has chosen to share jurisdiction for enforcement of traffic laws on driveways and streets located on its campus with the City of Golden. Therefore, City of Golden traffic ordinances have the same force and effect on driveways and streets located on CSM property as on other streets and highways located in Golden. Additionally, Golden law enforcement officers possess the authority to enforce City of Golden traffic ordinances and State of Colorado traffic laws on driveways and streets located on CSM property. CSM Public Safety Officers and Parking Services employees possess the authority to enforce regulations contained in this policy as well as City of Golden traffic ordinances and State of Colorado traffic laws on driveways and streets located on CSM property. Definitions set forth in the Model Traffic Code, as well as those provided in Section XIV of this Policy, shall be used as a reference to resolve any ambiguity in the terminology used in this policy.

III. POLICY STATEMENT

This policy is intended to promote safe driving by operators of all vehicles utilizing streets, driveways, and parking lots on the CSM campus. Additionally, it is intended to allocate scarce parking space throughout the CSM community on an equitable basis. The provisions set forth below are in effect at all times and apply to all persons physically present on the CSM campus. For the purpose of this policy, the CSM campus shall include all real property owned or managed by CSM including, but not limited to CSM Main Campus, CSM Athletics Fields and complex, CSM property accessible via West Campus Drive, Mines Park developments, property on either side of Jones Road, CSM property south of 19th Street, and the Survey Field. The Board of Trustees hereby delegates to the CSM administration the authority to approve future amendments to this policy, except that any future changes to the level of fines and fees assessed herein require specific approval of the Board

IV. GENERAL PROVISIONS

- A. CSM disclaims responsibility for any damage to or theft of vehicles, or any articles left therein, while parked on CSM property. No bailment is created by CSM through the granting of any parking or operating privileges on any property leased, owned, or otherwise controlled by CSM.
- B. Faculty, staff, students, and visitors are charged with the responsibility of knowing the provisions and regulations contained herein and shall be held responsible for any violations involving a vehicle in their possession or subject to their control.
- C. CSM departments and individuals shall notify Parking Services in a timely manner whenever temporary authorization is granted to anyone to park in a reserved parking space pursuant to Parking Regulation IX-B2; a temporary reserved permit must be acquired prior to the individual utilizing the space. Failure to properly notify Parking Services and acquire the appropriate permit shall result in the issuance of a parking citation to the individual using the parking space. Students are not authorized to park in reserved spaces, even with permission of the space holder.
- D. All vehicles operated on the CSM campus must have valid state license plates and vehicle registration, either from Colorado or from the state of residence of the owner/operator.

- E. Tampering with or defacing parking direction signs and devices or traffic control signs or devices will result in revocation of parking privileges on the CSM campus for a minimum of one (1) full academic semester, and may also result in criminal prosecution.
- F. The parking of trailers of any type is prohibited on the CSM campus without the prior written permission of the Director of Facilities Management and notification to the Parking Services office. When permission is granted, parking of trailers may be restricted to a specific site or area on campus.
- G. In general, students are allowed to have only one (1) vehicle on campus at any given time. Students living in family housing with an adult may have two (2) vehicles on campus provided both vehicles are properly registered with Parking Services.
- H. Persons not living on campus may not leave their vehicles on campus overnight unless they have requested and received permission from Parking Services to do so. Individuals who have been granted such permission shall park only in the area designated by the Parking Services.
- I. Persons who live on campus may not leave their vehicles on campus in a disabled or apparently abandoned state without prior written permission of Parking Services.

V. PARKING REGISTRATION

CSM faculty and staff members who park motorized vehicles on the CSM campus are required to register all such vehicles with Parking Services, immediately upon bringing a vehicle to campus. CSM students who operate or park motor vehicles on the CSM campus are required to register all such vehicles with Parking Services at the start of each semester, or immediately upon bringing a vehicle on campus during the course of a semester. Registration of a motor vehicle does not guarantee a parking place on campus. The person in whose name a motor vehicle is registered shall be responsible for payment of all parking citations and other fees incurred by that vehicle.

VI. PARKING REGISTRATION FEES

A. Student Parking Registration Fee

Each student shall be charged a student parking registration fee. If he or she does not operate or park a motor vehicle on the CSM campus, the student may complete and file a Student Parking Fee Waiver Form with Parking Services by Census day, each semester, and the fee will be waived. The student parking registration fee shall be reduced during field and summer semesters.

B. Faculty and Staff Parking Registration and Fee: Reserved Parking Spaces

Each faculty and staff member parking in an Assigned or Unassigned space in any CSM owned or operated parking lot shall be charged the current appropriate reserved parking registration fee. If a new faculty or staff member registers a motor vehicle after an academic year has begun, a pro rated fee shall be charged.

C. Faculty and Staff Parking Registration and Fee: Non-Reserved Parking Spaces

Each faculty and staff member parking in a non-reserved space in any CSM owned or operated parking lot or on any campus street, shall be charged the current parking registration fee. If a new faculty or staff member begins employment and registers a motor vehicle after an academic year has begun, a pro rated fee shall be charged.

D. Additional or Replacement Parking Permits

A fee shall be charged for replacement parking registration stickers and reserved lot parking

permits. A \$10 fee shall be charged for replacement parking registration stickers. When the replacement is the result of a stolen permit, upon the submission of a police report, this fee will be waived.

One (1) additional permit may be purchased for an additional fee.

VII. TRAFFIC REGULATIONS

The following regulations, in addition to City of Golden traffic ordinances and applicable State of Colorado statutes, shall be enforced on the CSM campus. Offenses shall be referred to the City of Golden or Jefferson County, as appropriate, for prosecution. Sanctions provided in the City of Golden traffic ordinances and applicable State of Colorado statutes shall be imposed upon violators, if convicted.

- A. The speed limit on the CSM campus is 25 miles per hour unless otherwise posted.
- B. Pedestrians shall have the right of way while lawfully on CSM streets, at intersections, crosswalks, driveways, parking lots and sidewalks at all times.
- C. No person shall operate a motor vehicle, bicycle, or skateboard in such a manner as to endanger the health, safety, or welfare of another person.
- D. The operation of motor vehicles and bicycles on sidewalks and lawns is prohibited. The use of skateboards on any streets or roadways through CSM campus property is prohibited. Skateboards may be used on sidewalks as long as they do not interfere with or prohibit the flow of pedestrian traffic.
- E. The operator of every motor vehicle and bicycle shall obey the instructions of all applicable traffic control devices located on the CSM campus.
- F. No person shall interfere with traffic enforcement or refuse to obey the traffic instructions of any Public Safety Officer.
- G. No person shall tamper with, destroy, deface, or remove any traffic control device located on the CSM campus.
- H. No vehicle shall be operated in such a manner as to interfere with the operations of CSM.
- I. No vehicle shall be operated in such a manner as to disturb the peace at CSM.
- J. No motor vehicle or bicycle shall be operated in such a manner as to cause damage to CSM property.

VIII. GENERAL PARKING PROVISIONS

A. Authorized Parking Areas

Authorized parking areas are clearly marked by signage and may be restricted by other traffic control devices from time to time. CSM reserves the right to impose parking limitations upon these areas during special circumstances or in emergency situations.

B. Towing

CSM reserves the right to remove any motor vehicle from its property for the following reasons: (1) apparent abandonment of the vehicle; (2) the vehicle fails to display a valid license plate; (3) the vehicle is parked in such a manner as to constitute a hazard to vehicular or pedestrian traffic; (4) the vehicle is parked in such a manner as to obstruct the movement of emergency equipment; and (5) the parking privileges of the registrant of the vehicle have been previously revoked. The above list is illustrative, not exhaustive, and CSM reserves the right to remove any motor vehicle from its property for other significant reasons not listed above. The registrant of the towed vehicle will be responsible for payment of all costs incurred in removing the vehicle. CSM assumes no responsibility for any damage to a towed vehicle or its contents.

C. Business Visitor Parking

Persons whose business requires them to be on CSM property periodically or for extended periods to make repairs, perform maintenance work, consult with CSM faculty and staff, or engage in a similar activity shall display a CSM Temporary Visitor Permit. Such a permit, valid for a specified period up to one (1) year, shall be issued by Parking Services free of charge, to business visitors of the CSM campus.

D. Visitor Parking

All non-business visitors to the CSM campus must obtain a CSM Visitor Parking Permit to park on CSM property. Visitor parking permits, valid for a specified period not to exceed one year, shall be issued by Parking Services to non-business visitors to the CSM campus. Campus visitors who are not CSM students, faculty or staff will not be penalized for a No CSM Permit (IX-D) violation while parked on a campus street. They may check the visitor box at the bottom of the ticket and return the envelope to Parking Services.

E. Loading Zone Parking

A motor vehicle may only park in a marked loading zone or other appropriate space to load or unload materials for no more than 20 minutes, while actively loading or unloading. Sidewalks or walkways may not be used for loading or unloading without explicit permission from Parking Services.

F. Handicapped Parking

Parking spaces reserved for handicapped persons are clearly marked and restricted at all times. Only vehicles with state-issued handicapped license plates, placards, or a temporary CSM handicapped permit may park in these spaces. Other unofficial permits or decals will not be recognized.

G. Temporary Handicapped Parking

Persons with a temporary disability affecting mobility may apply to Parking Services for a CSM Temporary Handicapped Parking Permit. CSM Temporary Handicapped Parking Permits are issued for a period not to exceed two (2) weeks. If the temporary disability requires reduced mobility for longer than two weeks, a physician's letter should be taken to the local DMV office for issuance of a temporary State of Colorado handicapped placard.

H. Motorcycle and Moped Parking

Motorcycle and moped parking is provided throughout the campus at cross-hatched areas at the ends of parking rows and on campus streets. Motorcycles and mopeds that run on gasoline may not be parked on sidewalks or secured in bicycle racks, or in other non-designated areas. Electric mopeds may be parked and secured to bicycle racks.

I. Maintenance/Service Parking

CSM Employees whose primary job requires them to be on CSM property periodically or for extended periods to make repairs, perform maintenance work, make deliveries, or engage in a similar activity shall display a CSM Maintenance Permit. Such permit shall be issued by Parking Services free of charge to those service related departments requesting them.

IX. PARKING REGULATIONS and VIOLATIONS

A. Class A Violations

- NO CSM PARKING PERMIT OR IMPROPER PLACEMENT OF CSM PERMIT - All vehicles

parking on campus property shall immediately display a CSM parking permit or a temporary visitor parking permit. The permit must be properly displayed; student and employee permits must be visible on the inside front windshield, lower left corner. Visitor permits must be displayed on the front dash or hanging on the rear view mirror.

Motorcycle parking permits are required for all motorized scooters, mopeds, and motorcycles and must be applied where they are clearly visible.

- PROHIBITED PARKING/PAINTED CURB OR POSTED SIGN - No person shall park a motor vehicle on CSM property in any location other than a designated parking area that has been marked with appropriate signage or other traffic control devices.
- PARKED IN AREA NOT INTENDED FOR MOTOR VEHICLES - Motor vehicles shall not be parked in walkways, on lawns or grassy areas, on sidewalks or other undesignated parking areas. No vehicle shall be parked in an area on CSM property which is not designated as a parking lot and is not a marked parking space.
- PARKED OUTSIDE MARKED BOUNDARIES - Motor vehicles must be parked within the indicated boundaries of a parking stall within a lined lot.
- FRESHMAN OUTSIDE DESIGNATED AREA - From the beginning of Fall semester to the end of Spring semester, first-year freshmen shall not park anywhere outside the designated Freshman parking lots or Mines Park from Monday through Friday during the hours of 7:00 AM to 5:00 PM.
- MODEL TRAFFIC CODE – No motor vehicle shall be parked in violation of any State of Colorado Model Traffic Code Regulation. View online at www.dot.state.co.us/rules/Model_Traffic_Code_2003-NP.pdf - Class A Violations are written for vehicles parked:
 - On or within 20' of a Crosswalk
 - Within 30' of a Stop Sign
 - More than 12" from curb
 - Facing oncoming traffic

B. Class B Violations

- PARKED IN A RESERVED/RESTRICTED SPACE - No person shall park in a reserved parking space without the express permission of the person to whom the space has been assigned, notification to Parking Services, and acquisition of a temporary reserved permit. This regulation shall not be construed to prohibit parking during non-business hours in any CSM lot in which this practice is permitted.
- OBSTRUCTING STREET/DRIVEWAY ACCESS or BLOCKING FIRELANE/ EMERGENCY ACCESS - No motor vehicle or bicycle may be parked in a manner obstructing vehicular or pedestrian traffic.
- ALTERED, EXPIRED, OR INVALID PERMIT - No person shall alter any CSM-issued parking permit. No person shall park on CSM property with an expired CSM-issued parking permit. Permits are considered invalid if they appear altered. Misuse or intentional alteration of any CSM-issued parking permit is prohibited and may result in revocation of parking privileges on the CSM campus for specified period and may also result in criminal prosecution.
- MODEL TRAFFIC CODE – No motor vehicle shall be parked in violation of any State of Colorado Model Traffic Code Regulation. View online at

www.dot.state.co.us/rules/Model_Traffic_Code_2003-NP.pdf - Class B Violations are written for vehicles parked:

- o Obstructing Street/Driveway Access
 - o Blocking Firelane/Emergency Access
 - o Within 15' of Fire Hydrant
 - o Defective/Unsafe Vehicle
 - o Abandoned Vehicle
 - o Expired Vehicle Registration
- No person shall make significant repairs to a motor vehicle on CSM property without the express written permission from Parking Services.
 - Motor vehicles shall not be parked in a manner that causes damage to CSM property.

C. Class C Violations

- PARKED IN HANDICAPPED SPACE WITHOUT HANDICAPPED PERMIT - Motor vehicles shall not be parked in a space designated for handicapped motorists without displaying a state-issued handicapped license plate or placard, or a valid, temporary handicapped permit issued by Parking Services.

X. CITATION APPEAL PROCESS

A. Appeal Procedure

Any appeal of a parking citation must be filed with Parking Services within fifteen (15) calendar days from the date of issuance of the citation. Appeal forms are available from Parking Services and are also available on the Facilities Management website. Extension of an appeal deadline may be granted by Parking Services in exceptional cases, only if a written request for extension is received prior to the expiration of the appeal period. Failure to file a written appeal or a written request for extension within fifteen (15) calendar days from the date of issuance of a citation will result in forfeiture of all appeal rights related to such citation.

The CSM appeal process is not available for moving traffic violations or criminal violations. Violators who wish to contest a moving traffic or criminal violation must bring their citations to the Public Safety office within fifteen (15) calendar days from the date of issuance of the citation and meet with the on-duty officer who will re-issue a court citation and a court date.

B. Effect of Appeal

All appeals will be presented to the CSM Parking Referee. The Referee shall conduct an impartial review of the facts and circumstances surrounding the issuance of the citation and issue a final decision regarding the appeal. The Referee may uphold the citation, reduce the fine attached to the citation, or void the citation. The decision of the Referee is binding upon both the appellant and CSM Parking Services and may not be petitioned further. The Referee or Parking Services shall deliver a statement describing the result of the appeal via first class mail to the address provided on the appeal form by the appellant. The date of delivery of this appeal response shall be deemed to be three (3) business days from the date of mailing.

If an appeal is determined to be frivolous by the Parking Referee, the appellant will be charged double the fines for the citation he or she is appealing.

XI. LATE PAYMENT FEE

A person who fails to pay a parking fine within fifteen (15) calendar days after the issuance of the citation shall be charged a late payment fee. If a parking citation is appealed as set forth herein, no

late payment fee shall be imposed until fifteen (15) days beyond the date of delivery of a statement informing the appellant that a fine remains due.

XII. FINE ENFORCEMENT

A. Students

A student with a parking violation fine or fee shall have such fine added to his or her student account. Subject to applicable CSM Student Life policies, delinquent student accounts may result in denial of registration or withholding of diploma and transcripts. Serious traffic and parking violations may also result in suspension or revocation of the student's CSM parking privileges.

B. Faculty and Staff

A faculty or staff member with a parking violation fine or fee shall have such fine added to his or her CSM account. Any fines or fees that remain unpaid more after sixty (60) days from the due date may be deducted from the faculty or staff's paycheck and shall include a late fee. Serious traffic and parking violations may also result in suspension or revocation of the employee's CSM parking privileges.

XIII. BICYCLES

A. Operation

Bicycles utilized for transportation on the CSM campus shall be operated in a safe, responsible manner with due regard for the welfare of pedestrians. Ordinances of the City of Golden regarding the operation of bicycles shall be enforced on the CSM campus by the Department of Public Safety.

B. Parking

Bicycles should be parked in and secured to the bicycle racks provided on campus. Bicycles shall not be parked in stairwells, on stairways, in hallways, or attached to trees, railings, signs, or lamp posts, etc. Violation of this regulation shall result in the removal of the bicycle for storage by the Department of Public Safety. Reasonable storage fees will be assessed on a monthly basis and must be paid in full before the bicycle is released to the owner.

XIV. DEFINITIONS

The following definitions of words and phrases supplement those described in the City of Golden Traffic Ordinances, which also apply to the Colorado School of Mines parking regulations.

1. **Campus** – All property owned, leased and/or under the control of the Colorado School of Mines, East to West from Washington Street to 6th Avenue and North to South from Brooks Field to the Jones Road property, and including Mines Park.
2. **Faculty and Staff Members** – All full-time, temporary, special, or regular faculty and State classified personnel. Includes all non-student hourly or part-time non-student temporary employees, faculty in a transitional appointment status, and resident employees of cooperating agencies housed on campus.
3. **Student** – All persons enrolled for credit or audit of one (1) or more hours of graduate or undergraduate work except faculty and staff members as defined above. (Continuously enrolled students are considered as regularly enrolled students even though credit hours may not be received).
4. **Immediate Family** – Spouse, child, or sibling living in the student or employee's household.
5. **Visitor** - A visitor is considered to be anyone who is not included under the definitions for faculty, staff, and students (See definitions B and C above).

6. **Motor Vehicle** –All vehicles which are self-propelled (no distinction is made among federal, state, and privately-owned vehicles).
7. **Service Vehicles** –Includes CSM Facilities Management and Computing & Networking vehicles actively engaged in service or maintenance of the buildings and grounds displaying a current CSM Service Permit, or vehicles owned or operated by commercial establishments and actively engaged in servicing the campus. All other vehicles are excluded except by specific permission of Parking Services.
8. **Emergency Vehicle** – Ambulance, fire, or police vehicles.
9. **Bicycle** – Every device propelled solely by human power upon which a person can ride. This includes tricycles, recumbent bicycles, unicycles, and tandem bicycles.
10. **Motorcycle** – A motor vehicle designed to travel with no more than three (3) wheels in contact with the ground, except tractors with an engine size of 50CC or greater.
11. **Moped** – mopeds, motor scooters, and motorized bicycles powered by electricity or combustible fuel with an engine size no greater than 49CC.
12. **Parking** – Leaving a vehicle standing, whether occupied or not, whether running or not.
13. **Color Code** – Paint on the street or curbing used as a traffic control device: **Red** - no parking, stopping, or standing. **Yellow** – no parking in lots and other areas except as authorized by posted signs. **Blue** – Handicapped parking only.
14. **Parking Summons** – A citation issued by a Parking Services or Public Safety employee for a violation of parking regulations which is disposed of by Parking Services in accordance with CSM policies set forth in these Parking Regulations.
15. **Appeals Referee** – Those person(s) made up of faculty, staff and students charged with the responsibility, by expressed authority of the Board of Trustees of Colorado School of Mines, to decide appeals of campus parking citations.
16. **Frivolous Appeal** –An appeal that is written by appellant with previous citations for like violations, which appears to the Appeals Referee to be based on a situation which bears little or no weight, worth, or merit.

Promulgated by the CSM Board of Trustees on September 8, 1993.

Amended by the CSM Board of Trustees on February 11, 1994.

Amended by the CSM Board of Trustees on May 5, 1994.

* pending Board approval