TRAFFIC RULES AND REGULATIONS

The Cape Cod Board of Trustees, acting under the powers granted by Section 3, Chapter 15A of the General Laws of the Commonwealth, hereby adopts, subject to subsequent amendment or revision, the following rules and regulations for the use and operation of vehicles used in and about the campus of Cape Cod Community College and on other lands of the College.

Except as otherwise provided herein, the General Laws of the Commonwealth and the Rules and Regulations of the Registrar of Motor Vehicles, relating to the laws of the road and the operation of vehicles, shall apply to the Campus and other lands of the College.

The applicable portion of these regulations shall form a part of the contract of employment of every employee of the College, and the portions thereof applicable to students shall be deemed a part of the established regulations of the College which governs every student enrolled thereat.

ARTICLE I

DEFINITIONS

Section A: Officer--the President, the Executive Vice President of Administration & Finance, the Director of Facilities Management and/or their designee.

Section B: Street or Highway--the entire width between property lines of every way open for purposes of travel on the Campus of the College or other land of the College.

Section C: Roadway--that portion of a street or way between the regularly established curb line or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic on the Campus of the College or other land of the College.

Section D: Parking--the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to an officer or traffic signs or signals, or while making emergency repairs, or, if disabled, while arrangements are being made to move such vehicle.

Section E: Parking Lot--an area or areas of the Campus or other land of the College set aside by authority of the President of the College or his designee for purpose of providing space for the parking of vehicles duly registered to park thereon or vehicles of persons visiting or having business at the College.

Section F: Motor Vehicle--every vehicle, constructed and designed for propulsion by power other than muscular power, by which a person or property may be transported upon a street or highway.

Section G: Citation--a citation is a notice upon which an authorized officer shall record an occurrence involving one or more traffic rule or regulation violations by the person cited.

Section H: Employees--the term "employees" when used herein shall mean and include all employees of the College (Faculty, Staff, and Administrative Personnel and all other persons similarly associated with the College).
Section I: Student--for the purpose of these rules and regulations a student is any person enrolled in one or more academic courses and who is other than a full-time employee or a part-time employee.

Section J: Visitor--for the purpose of these rules and regulations, a bona fide parking visitor is a person, other than an employee or student of the College, parking a vehicle on Campus that has not been and is not required to be registered with the College Executive Vice President of Administration & Finance.

ARTICLE II

AUTHORITY AND DUTIES OF POLICE

Section A: General--it shall be the duty of the Security Police acting through the authority of the President and the Executive Vice President of Administration & Finance, to enforce the provisions of these rules and regulations; provided that to expedite traffic or safeguard pedestrians in the event of fire or other emergency, officers of the police or fire department may direct and control traffic, as conditions may require, notwithstanding the provisions of these rules and regulations.

Section B: Assistance--the President of the College or his/her designee may request the assistance of the Police of the municipality wherein College property is situated and/or the State Police whenever in his/her judgment such assistance is necessary.

Section C: Temporary Parking--the President of the College or his/her designee is authorized to permit or prohibit temporary parking or vehicular movement on any parking lot, lands, street or highway or part thereof in an impending or existing emergency or for lawful assemblage, demonstration or procession.

Section D: Closing of Streets or Highways--the President of the College or his/her designee is authorized to close temporarily any street or way or parking lot or part thereof in an impending or existing emergency or for lawful assemblage, demonstration or procession.

ARTICLE III

TRAFFIC SIGNS

Section A: General--the President of the College or his/her designee, is authorized to place and maintain all official traffic signs, signals, markings and safety zones required on the Campus and other lands of the College. Operators of Vehicles used in and about the Campus and other lands of the College shall conform to such signs, signals, markings and safety zones.

Section B: Interference with Signs--any person who willfully, intentionally and without right defaces or otherwise injures, removes, interferes with or destroys any traffic regulating sign, light, signal or marking device lawfully erected or placed on the Campus or other lands of the College for control, movement or parking of vehicles shall be punished by a fine of not more than ten dollars.
ARTICLE IV

ILLEGAL PARKING

Section A: General--no person shall allow or permit any vehicle registered in his/her name or under his/her control to stand or park in any street or on the Campus or other land of the College in violation of the traffic rules and regulations except when necessary to avoid conflict with other traffic or in compliance with the direction of Security Police, a police officer or traffic sign or signal. The person in whose name a motor vehicle is registered will be held responsible for all parking violations noted against the vehicle.

Section B: Employees--vehicles registered at the College by employees of the College may be parked only in unrestricted space or in parking areas, stall, or space which is authorized by valid insignia appropriately affixed to the vehicle or by proper display of valid temporary authorization. Use of the other parking facilities, except those designated by the President of the College or his/her designee constitutes illegal parking.

Section C: Students--the President of the College may require that students' vehicles be registered at the College and be parked only in unrestricted space or in a parking area, stall or space which is so authorized. Use of other parking facilities, except those designated by the President of the College or his/her designee, constitutes illegal parking.

Section D: Visitors--visitors' vehicles may be parked only in a posted VISITORS area. Use of other parking facilities, except those designated by the President of the College or his/her designee, constitutes illegal parking.

Section E: Specific--in addition to the cases of illegal parking defined in Sections B, C and D above, parking in any of the following manner shall constitute illegal parking:

1. Upon any part of any driveway in such a manner as to impede the removal or plowing of snow or ice.
2. Upon any sidewalks except as indicated.
3. Within ten (10) feet of a fire hydrant.
4. On the roadway side of any vehicle stopped or parked at the edge or curb of a roadway.
5. In front of any driveway.
6. Upon any way where parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
7. In front of any barricade erected to temporarily or permanently close a way to vehicular traffic.
8. On land, except a designated parking lot, not designed for vehicular traffic such as walks, lawns and open fields.
9. In front of a gateway or entrance to an athletic field or other field or open area.
10. Upon any way that is an entrance to a parking area.
11. In any Service Zone, except while actually engaged in loading or unloading.
12. Adjacent to any building in such a manner as to obstruct an exit or entrance thereto.
13. In any bus stop.
14. In any area designated as reserved for Fire, Police, Ambulance, Handicapped or space designated as Visitor Parking.
15. Except for official vehicles, in any parking area, stall or space designated as Official Parking or for Official Vehicles Only or for Reserved Parking Only.
16. In any area designated NO PARKING.
Section F: Unauthorized, Unused or Abandoned Vehicles--Unauthorized motor vehicles and old motor vehicles with evidence of non-use, left on parking lots, streets or other College property shall be hauled away. Expenses of this hauling and disposal will be charged against the registered owner. The owner of any vehicle so removed and towed away under the provisions of this Section shall also be subject to the penalties provided in Chapter 90, Section 223 of the General Laws of the Commonwealth. Any vehicle found without a valid license plate will be considered an abandoned vehicle and removed from College Property. The owner will be responsible for costs involved in removing and the storage of such vehicles. The College assumes no responsibility for the care or protection of, or damage to any such motor vehicle or its contents.

ARTICLE V

TOW-AWAY ZONE REGULATIONS

The following regulations authorize the removal to a convenient place of vehicles parked or standing, in such manner or in such areas as are hereinafter described, or any way under the control of Cape Cod Community College.

A. Authorization of Police: The moving or towing of any vehicle under the provisions of this Article shall be by, and at the direction of, the President of the College, the Executive Vice President of Administration & Finance or the Director of Facilities Management.

B. Fees: The fees imposed upon the owner of any vehicle moved or towed to a convenient place shall not exceed the maximum charges established by the Department of Public Utilities of the Commonwealth.

C. Liability for Damage During Removal or Storage: The towing contractor shall be liable to the owner for any damage arising out of negligence caused to a vehicle in the course of removal and storage. No liability shall attach to the officers or employees of Cape Cod Community College.

D. General Prohibition Towing Zone: No person shall stand or park or allow permit or suffer any vehicle registered in his/her name or under his/her control to stand or park in any of the following places. Vehicles found in violation of the provisions of this Section, except those specifically exempt by law, shall be removed to a convenient place under the direction of the President of the College or his/her designee as indicated above and the owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage, if any, as set forth in Section 3 of this article.

1. Upon any sidewalk except as posted.
2. Upon any crosswalk.
3. Within ten (10) feet of a fire hydrant.
4. On the roadway side of any vehicle stopped or parked at the edge or curb of the way.
5. In front of a driveway.
6. Upon any highway where the parking of vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
7. In front of any barricade erected to temporarily or permanently close a way to vehicular traffic.
8. On land, except a designated parking lot, not designed for vehicular traffic such as walks, lawns and open fields.
9. In front of a gateway or entrance to an athletic or other field or open area.
10. Adjacent to any building in such a manner as to obstruct an exit or entrance thereto.
11. In any parking area, stall or space designated or reserved for official or handicapped vehicles.
12. By an employee, or student in any parking area, stall or space without proper display of valid temporary authorization issued by the President of the College or his/her designee.
13. Upon any highway that is an entrance to a parking area.
14. In any area designated NO PARKING.

E. Maintenance of Records: The President of the College or his/her designee shall keep a record of all vehicles towed or removed under the provisions of this Article. Such record shall be retained for one (1) year and shall contain the following information:

1. The registration number of the vehicle.
2. The location from which it was towed and the time and date of the tow order.
3. The location to which it was moved.
4. The fee charged for towing.
5. Name of towing contractor if any.
6. Name of person who authorized towing.

ARTICLE VI

OPERATION OF VEHICLES

Section A: Speed Limit--all vehicles will be operated at all times at a speed that is reasonable and proper. At no time will a speed in excess of twenty (20) miles per hour be considered reasonable and proper except for vehicles engaged in emergency work. Lower speeds may be required for certain sections of the Campus or other lands of the College and will be posted on official traffic signs.

Section B: Operating Conditions of Vehicles--motor vehicles parked on any College property must be kept in such condition of mechanical repair that they can be removed at any time under their own power.

Section C: Loading and Discharge of Passengers--loading or discharge of passengers is permissible only when a vehicle is at a complete stop at the edge or curb of a highway or within a safety or service zone expressly approved for this purpose.

ARTICLE VII

REGISTRATION

Section A: Necessity to Register--any employee, who operates a vehicle on the Campus or other lands of the College, must register that vehicle with the President of the College or his/her designee and display a current College registration insignia on the vehicle. Registration must be accomplished within forty-eight (48) hours after arrival or use of the vehicle on Campus. Failure to register within this period will constitute grounds for denial of the privilege to operate a vehicle on the Campus or other lands of the College. Registration of a vehicle is not complete until the registration insignia
is permanently affixed to the vehicle. Permits for motorcycles must be affixed to the rear fender. Any motor vehicle bearing a registration insignia which has been mutilated or damaged so that the number thereof or the date of expiration is illegible shall be treated as not bearing the required insignia of registration. Any subsequent registration or duplicate decal required during a year will be provided at a charge not to exceed one dollar each.

Section B: Eligibility--permission to operate a vehicle on the Campus or other lands of the College is a discretionary privilege bestowed by the Board of Trustees of Cape Cod Community College and such privilege may be denied, revoked, suspended or modified by action of the Board or by officers of the College herein authorized to take such actions.

Section C: Liability Coverage--no vehicle shall be registered for operation on the Campus or other lands of the College unless the person requesting registration has met the motor vehicle liability policy or bond recruitments for the operating and use of motor vehicles upon the ways of the Commonwealth.

Section D: Expiration of Registration--except when otherwise specified, College vehicle registrations expire annually on September 1 and, additionally, under the following conditions:

1. All registrants -- upon revocation, upon transfer of ownership of the vehicle or upon change of license plate number.
2. Employees - upon termination of employment at the College.
3. Students - upon termination of status as a student at the College.
ARTICLE VIII

PENALTIES

Section A: Penalties for violation of the rules and regulations of Cape Cod Community College as set forth above and as indicated below are as follows:

1. Group A Violation: Fine $5.00
   - Failure to display parking decal

2. Group B Violation: Fine $5.00 (Reduced from $20.00 2/15/83)
   - Improperly parked
   - Double parking
   - Parking in delivery or service zone
   - No parking zone
   - Parked upon sidewalk
   - Obstructing snow removal
   - Parking on land not for vehicular traffic
   - Obstructing fire lane
   - Parked in handicapped area: $50.00 (effective January 1, 1999)
     - Any subsequent violations: Towed at owner’s expense

   - Applies to all violations such as speeding, driving to endanger, etc. Fines and penalties will be as prescribed by the laws of the Commonwealth of Massachusetts.

Section B: Deposition of Fines--as stated in Section 13, chapter 15A of the General Laws of the Commonwealth:

Notwithstanding any other provision of law, all fines and penalties recovered for violations of rules and regulations made under authority of this section shall be accounted for by the respective institution at which the violation occurred. Each such institution shall deposit such fines or penalties in a special fund to be known as the Massachusetts Regents Scholarship fund, in the name of the particular institution, which shall be established in accordance with regulations established by the Board of Regents; provided, however, that such fund shall be used for the purpose of granting scholarships to such worthy students as the Board of Trustees may determine."

In addition to the foregoing, fees collected by the College for parking/traffic registrations duplicate parking/traffic registration decals or subsequent vehicle registrations during a year and for failure to register a motor vehicle and to display such authorized College parking/traffic registration insignia within the prescribed registration period shall also be deposited in said trust fund established in accordance with Section 13, Chapter 15A of the General Laws at each College for this purpose. Payment in full to the parking/traffic clerk of the stipulated fine shall operate as a final disposition of each violation cited therefor.

Section C: Disciplinary Action--In addition to fines and penalties imposed or other action taken by the College, repeated violations of the State or College motor vehicle laws or
regulations shall subject the offender to the same disciplinary action, including suspension or expulsion from the College, as would be taken for a violation of other College regulations governing the general conduct of its students.

Section D: Appeals—Any person subject to disciplinary actions or other parking/traffic fines or penalties levied by the designated officials of the College under the provisions of these parking/traffic rules and regulations shall retain all rights to appeal granted under applicable provisions of the laws of the Commonwealth.

All appeals at the campus level must be submitted in writing on a form approved by the President of the College or his/her designee to the campus parking/traffic clerk within twenty-one (21) days from the date of receiving notice of the disciplinary action or other penalty. Such forms shall be made available to persons upon request through the office of the campus parking/traffic clerk. Any person making such appeal shall be informed at the time the appeal is filed with the campus parking/traffic clerk of the time, date and location of the appeal hearing; provided, however, that such hearing shall be conducted within thirty (30) days after receipt of the appeal. Said hearing shall be informal, the rules of evidence shall not apply. Appellants shall be permitted during such informal hearing to call and cross examine witnesses and to present evidence on their own behalf. The campus parking/traffic hearing officer shall have sole and exclusive jurisdiction to determine the conduct of the hearing, including determinations regarding the admission of evidence, the number of witnesses to be heard and other related matters of procedure. Appellants may be represented by counsel or other designated representatives.

Within thirty (30) days following the conduct of said hearing, the campus parking/hearing officer shall issue a written decision which shall be final subject to further judicial review provided by Section 14 of Chapter 30A of the General Laws.

ARTICLE IX

AMENDMENTS TO THESE REGULATIONS

Should modifications or additions to these parking/traffic rules and regulations be deemed necessary by the President of the College, such modifications, as consistent with the General Laws of the Commonwealth, may be adopted upon the approval of the Board of Trustees.

Passed by the Board of Trustees*
March 16, 1982

*Group B Violation Fine reduced 2/15/83
Handicapped Parking Violation increased 8/25/92, 12/16/93, 9/1/97 and 12/17/98)
(Titles have been updated with current organization.)