

Salem State University

Parking and Traffic Rules and Regulation

- I. Purpose
- II. Definitions
- III. Authority and Duties of Police
- IV. Traffic Signs
- V. Illegal Parking
- VI. Operation of Vehicles
- VII. Registration
- VIII. No Parking Zones
- IX. Penalties
- X. Fines for Non-Moving Violations
- XI. Moving Violations
- XII. Operation of Bicycles, Skateboards, Skates, and Scooters
- XIII. Enforcement
- XIV. Crossing at Right Angles; Standing or Walking in Roadway; Sleeping in Motor Vehicles
- XV. Amendments
- XVI. Regulatory Authority
- XVII. Enforcement Authority
- XVIII. Note on Citation of the Traffic Rules and Regulations

I. Purpose

The following rules and regulations are promulgated under M.G.L. Chapter 73, § 18 and M.G.L. Chapter 15A, § 22, and pertain to the use of motor vehicles, bicycles and other vehicles on the Salem State University campus and all lands associated with the university.

The rules and regulations are designed to:

- 1.) provide safe and orderly movement of all vehicles;
- 2.) provide for pedestrian safety;
- 3.) assure free and continuing access to all university areas and buildings.

These rules and regulations have the full effect of law.

II. Definitions

Citation: A notice upon which an authorized officer shall record an occurrence involving one or more violations of law or traffic rule violations.

Employees. All employees of the university including faculty, staff and administrative personnel as well as all other persons similarly associated with the

university.

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 other way.

Officer: A person appointed by the university as a police officer, authorized to enforce the traffic/parking rules and regulations governing the control, movement and parking of motor vehicles.

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.

Parking Lot: An area or areas of the campus or other land of the university set aside by the university for the purpose of providing space for the parking of vehicles duly registered to park thereon or vehicles of persons visiting or having business at the university.

Parking Violations Notice: A notice upon which an authorized officer shall record an occurrence involving one or more parking rule violations.

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

Street or Way: The entire width between property lines of every way open for purposes of travel on the campus or other land of the university, including parking lots.

Student: For the purpose of these traffic/parking 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.

Visitor: For the purpose of these traffic/parking rules and regulations, a bona fide visitor is a person other than an employee or student of the university, parking or operating a vehicle on campus.

III. Authority and Duties of Police

General: It shall be the duty of the Salem State University Police Department to enforce the provisions of these traffic/parking rules; provided, however, that to expedite the control, movement, or parking of motor vehicles or to safeguard pedestrians in the event of an emergency or for the purposes of enforcement of these traffic/parking rules and regulations, officers of the respective municipal police or fire department may, upon the request of the Salem State University chief of police or his/her designee,

direct and control traffic as conditions may require, notwithstanding the provisions of these traffic/ parking rules and regulations.

Assistance: In addition to the foregoing, the Salem State University chief of police or his/her designee may request the assistance of the police of the municipality where university property is situated including the county sheriff's department, officers of other university or college police departments and the State Police whenever in his/her judgment such assistance is necessary.

Temporary Parking: The university chief of police or his/her designee is authorized to permit parking or vehicular movement on any parking lot, lands, street, or way or part thereof in an impending or existing emergency or for lawful assemblage, demonstration, or procession.

Closing of Streets or Ways: The university chief of police 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.

One-Way Traffic: Upon those ways designated by the university for one-way traffic, and sign-posted for same, no driver will proceed except in the direction indicated by such signs.

IV. Traffic Signs

General: The university is authorized to place and maintain official traffic signs, signals, markings, and safety zones required on the campus and other lands of the university to control the flow, speed and direction of vehicle traffic and set regulations for pedestrian traffic. Operators of vehicles used in and about the campus and other lands of the university shall conform to official signs, signals, markings, and safety zones.

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 movement, and parking of motor vehicles shall be punished by a fine of not more than fifty dollars. This regulation shall be enforced by the Salem State University Police Department. Violations shall be recorded upon a uniform citation.

V. Illegal Parking

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 university in violation of the traffic/parking rules and regulations except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal. The person in whose name a motor vehicle is registered shall be held responsible for traffic/parking violations cited against the vehicle.

Employees: Employees' vehicles must be registered with the university. Vehicles registered at the university by employees of the university may be parked only within the confines of unrestricted spaces or in parking areas, stalls or other spaces as authorized by valid insignia appropriately affixed to the vehicle or by proper display of valid temporary authorization. Use of other parking facilities constitutes illegal parking.

Students: Students' vehicles must be registered with the university. The president or his/her designee, acting by authority of the Board of Trustees, may institute a fee for this registration. Vehicles registered at the university by students of the university may be parked only within the confines of unrestricted spaces in parking areas, stalls or other space which is authorized by valid insignia appropriately affixed to the vehicle or by proper display of valid temporary authorization. Overnight parking is authorized for permitted resident students only or by temporary permit.

Visitors: Visitors' vehicles may be parked only in designated visitors' areas, within the confines of unrestricted spaces. Visitors' vehicles must be identified by proper display of valid temporary parking authorization, except when otherwise legally parked within temporary parking areas. Use of other parking facilities constitutes illegal parking.

Specific: In addition to the cases of illegal parking defines in paragraphs 2, 3 and 4 of this section, parking in any of the following manners shall constitute illegal parking, may be fined in accordance with the fine schedule established elsewhere herein or which from time to time may be modified by the university, and may be removed to a convenient place under the direction of the university police.

1. Upon any part of a way in such a manner as to impede the removal or plowing or snow or ice.
2. Upon sidewalks or crosswalks.
3. Within ten feet of a hydrant.
4. In front of any driveway or within 4 feet of a driveway.
5. Upon any way where parking of a vehicle will not leave a clear and unobstructed lane for passing traffic.

6. In front of any barricade erected to temporarily or permanently close a way to vehicular traffic.
7. On land, except a designated parking lot, not designated for vehicular traffic.
8. In front of a gateway or entrance to an athletic field or other field or open area.
9. Upon any way that is an entrance to a parking area.
10. In any Service Zone, except while actually engaged in loading or unloading.
11. In any bus stop.
12. Adjacent to any building in such a manner as to obstruct an exit or entrance thereto, or to interfere with police, fire, ambulance or other emergency apparatus.
13. In any area designated as reserved for handicapped, reserved, police, fire, ambulance, or space designated as visitor parking.
14. Except for university vehicles, in any space for University Vehicles or State Vehicles Only.
15. In any area designated No Parking, Fire Lane, or Tow Zone or Reserved.
16. Outside of an approved area as designated by an approved university parking permit type.
17. Overtime parking.
18. Overnight parking absent a resident student permit or temporary overnight permit.
19. In any area within any parking lot not clearly marked as a parking space by way of roadway markings.
20. Student vehicles parked in faculty/staff areas.

The owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage, if any. All towing resulting from parking violations will be done at the vehicle owner's risk and expense.

Unauthorized, non-use or Abandoned Vehicles: Unauthorized vehicles and vehicles with evidence of non-use left on parking lots, streets or other university property shall be hauled away. Expenses of such hauling and disposal shall be charged against the registered owner. The owner of any vehicle so removed and towed away shall also be subject to any other penalties provided under M. G. L. Chapters 85, 89 and 90. Any vehicle found without a valid license plate shall be considered an abandoned motor vehicle and removed from university property. The owner shall be responsible for costs

involved in removing and storage of such vehicles. The university assumes no responsibility for the care or protection of or damage to any such motor vehicle or its contents.

VI. Operation of Vehicles

General: Operation of vehicles on and about the campus shall be in accord with the General Laws of the Commonwealth, enforceable by the Salem State University Police Department. The General Laws of the Commonwealth (Chapters 85, 89 and 90) and the Rules and Regulations of the Registrar of Motor Vehicles shall apply to the university campus and other lands of the university. Violations shall be recorded on a uniform citation.

Speed Limit: All vehicles shall be operated at all times at a speed that is reasonable and proper. At no time shall a speed in excess of 10 miles per hour be considered reasonable and proper except as otherwise posted or for vehicles engaged in emergency work. In addition to acceptance of the civil speeding statutes set out in M.G.L. Chapter 90, the university specifically accepts the provisions of M.G.L. c. 85, § 11: Whoever drives at a rate of speed inconsistent with public safety or convenience may be arrested without a warrant.

Operating Conditions of Vehicles: Motor vehicles parked on the campus or other lands of the university must be kept in such condition of mechanical repair that they may be removed at any time under their own power.

Loading and Discharge of Passengers: Loading or discharge of passengers shall be permitted only when a vehicle is at a complete stop at the edge or curb of a way or within a safety or service zone expressly approved for this purpose.

At no time shall any vehicle be operated upon land or ways not specifically designed, intended or designated for vehicle traffic.

At no time shall any vehicle be operated with passengers sitting, lying or standing on the exterior part of the vehicle such as the fender, hood, bumper, or other parts not designed for passenger transportation.

All vehicles shall be operated in accordance with all posted signs, signals and markings.

VII. Registration

Necessity to Register: Any student or employee who operates a vehicle on the campus or other lands of the university must register that vehicle with the university and display a current university decal on the vehicle. Registration must be accomplished

immediately upon arrival or use of the vehicle on campus. Failure to register will constitute grounds for denial of the privilege to operate a vehicle on the campus or other lands of the university. Registration of a vehicle is not complete until the decal is permanently and properly affixed to the vehicle. Any motor vehicle bearing a decal 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 decal. Expired university decals are not to be displayed. Only one university approved decal/permit shall be displayed on a vehicle at any one time. Any duplicate decal required during the year will be provided at a replacement charge.

Eligibility: Permission to operate a vehicle on the campus or other land of the university is a discretionary privilege bestowed by the Board of Trustees of Salem State University and such privilege may be denied, revoked, suspended, or modified by action of the university or police officers of the university authorized to take such actions.

Liability Coverage: No vehicle shall be registered for operation on the campus or other land of the university unless the person requesting a decal has met the motor vehicle liability policy or bond requirements for the operation and use of motor vehicles upon the ways of the Commonwealth.

Expiration of Registration: Except when otherwise specified, university vehicle decals expire annually on August 31 and additionally under the following conditions:

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

Registration and Parking Decals: Faculty, staff and students are required to register their vehicles which will be used on campus and maintain parking decals on the vehicles. Parking decals are authorized for purchase through the university parking permit store only. Purchase and individual resale of permits is strictly prohibited. Students and employees are only authorized purchase of a permit/decal that corresponds with their status. For example, resident students are not authorized to purchase commuter student permits, commuter students are not authorized to purchase resident student permits and employees are not authorized to purchase student permits of any type.

Handicapped Parking: To park in handicapped parking, vehicles must have a Massachusetts State Handicap Permit or Plate on their car. Cars not displaying special plates or permits are subject to immediate tow without warning.

VIII. No Parking Zones

No Parking Zones include all areas that are not lined or marked for parking. This includes roadways, access lanes and turnaround areas in parking areas, grass surfaces, loading and unloading zones, and fire lanes.

IX. Penalties

For Violations of the General Laws and the Rules and Regulations of the Registrar of Motor Vehicles: Penalties for violations of M.G.L. Chapters 85, 89 and 90, and the traffic rules and regulations of the Registrar of Motor Vehicles relating to the laws of the road and the operation of vehicles as applied to the campus and other land of the university shall be the same as prescribed in M.G.L. Chapters 85, 89 and 90 and the traffic rules and regulations of the Registrar of Motor Vehicles. Such rules and regulations shall be enforced by the university police, with violations recorded upon a uniform citation. The court may impose such fines, penalty or both, as would be prescribed for a like offense committed upon other public streets in the Commonwealth.

For Non-Moving Violations: The penalty for non-moving violations shall be determined by the president or his/her designee, acting under the authority of the board of trustees of the university. Fines shall be payable directly to Salem State University. Violations shall be recorded by the university police upon an official parking violation notice.

For Failure to Register: Failure to register a motor vehicle and display a decal within the registration period shall subject the offender to a fine established by the university.

Disposition of Fines: As stated in M.G.L. c. 15A, § 22, fees collected by the university for parking violations and for all other fees and fines shall be deposited in a fund or funds established in accordance with M.G.L. c. 15A, § 22 at Salem State University for this purpose. Payment in full to the university of the stipulated fine shall operate as a final disposition of each violation cited therefore.

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

Parking Appeals: All parking appeals must be submitted in writing on a form approved by the university to the university police parking clerk/parking appeals board within 21 days from the date of receiving a violation notice or other penalty. Such forms shall be made available to persons upon request through the university Police Department or other locations on campus. The review of such appeals shall be informal; the rules of evidence shall not apply. The parking clerk/parking appeals board shall reply in writing giving the reasons for his/her decision. If the Appellant is not satisfied with this decision, he/she may have a meeting with the parking clerk/parking appeals board at a

time and place of the parking clerk's/parking appeals board's convenience. Appellants shall be permitted during such informal hearing to call and cross examine witnesses and to present evidence on their own behalf. The parking clerk 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. Within 30 days following the conduct of said hearing, the parking clerk's office shall issue a written decision which shall be final subject to further judicial review provided by M.G.L. c. 30A, §14.

X. Fines for Non-Moving Violations.

The following fines are established and are payable to the university.

1.) Fines

- Parking on sidewalk or grass area: \$50
- Parking in a crosswalk: \$50
- Parking within 10 feet of a fire hydrant: \$50
- Parking within an intersection: \$35
- Parking within a posted or marked fire lane: \$100
- Parking so as to obstruct traffic flow: \$35
- Parking within a posted tow zone: \$35
- Parking so as to obstruct a building exit/entrance: \$35
- Parking in a controlled parking area without displaying a proper permit: \$35
- Parking outside marked lanes: \$35
- Parking within a posted bus stop: \$35
- Double parking: \$35
- Parking in violation of snow removal regulations: \$50
- Parking in front of a street barricade: \$35
- Parking in front of a driveway or within 4 feet of driveway: \$35
- Parking so as to block a gateway or field entrance: \$35
- Parking without displaying a permit/pass: \$35
- Parking in a posted delivery or service zone: \$35
- Parking more than 12" from the curb: \$35
- Parking in an access lane: \$35
- Parking facing direction of flow of traffic: \$35
- Parking on land not for vehicular traffic: \$35
- Parking all night in a prohibited area/overnight parking: \$35
- Parking in No Parking Zone: \$35
- Parking in violation of other provisions of these rules and regulations: \$35
- Overtime Parking- Meter Violation: \$20
- Parking Violation Appeal Fee: \$5

2.) \$120.00 fine and Subject to Immediate Tow: Parking in any Handicapped space

without Massachusetts handicapped plates.

3.) \$35.00 fine and Subject to Immediate Tow: Student parking violations in any faculty/staff area and illegal parking violations in Reserved spaces are subject to a \$35.00 fine and immediate tow.

XI. Moving Violations.

Citations will be issued and may be appealed in accordance with General Laws of the Commonwealth of Massachusetts.

XII. Operation of Bicycles, Skateboards, Skates, and Scooters.

For the purposes of this regulation, the term “bicycle” shall mean a two-wheeled vehicle propelled by pedals and steered with handlebars attached to the front wheel; “skateboard” shall mean a footrest mounted upon four or more wheels that is usually propelled by the user, who sometimes stands, sits, kneels, or lies upon the device while it is in motion; “roller skates” (including in-line skates) means a pair of boots or shoes mounted upon wheels that is most often propelled by the user in an upright standing position; “scooter” (or “coaster”) shall mean a footrest mounted upon two or more wheels, controlled by an upright steering handle, and propelled by the user in an upright position.

Every person operating a bicycle, skateboard, skates, or scooter on university property shall do so in obedience to all traffic control devices as well as the regulations included herein, and shall have all the rights and duties applicable to a pedestrian under the same circumstances.

Operation of a bicycle, skateboard, skates, or scooter is normally permitted on all campus sidewalks and pathways where pedestrian traffic is allowed. Skateboarding shall not be permitted in areas prohibited by sign or marking and shall not be permitted on ways that are open to vehicular traffic.

Bicycles, skateboards, skates, and scooters are to be used strictly as transportation.

Pedestrians and bicyclists shall be considered to have the right of way. The operator of a skateboard, skates, or scooter shall yield to pedestrian and bicycle traffic in all situations of conflicting traffic.

A person operating a bicycle, skateboard, skates, or scooter on campus shall practice courteous operation, giving due consideration to pedestrian or bicycle congestion, and must have the bicycle, skateboard, skates, or scooter under control at all times.

Bicycles, skateboards, skates, and scooters shall be prohibited from use in all

campus buildings, their entrances, and wheelchair ramps leading to those buildings.

Salem State University advocates the responsible use of bicycles, skateboards, skates, or scooters. Reckless, unsafe or disruptive bicycling, skateboarding or skating is prohibited. Reckless, unsafe or disruptive operation is defined as riding at excessive speed and/or performing or practicing stunts; causing noise which disrupts people; riding with undue regard for the safety of others; or riding in a manner that causes damage to Salem State University property and landscaping. Bicycles, skateboards, skates or scooters must never be operated on steps, stairways, access ramps, retaining walls, seat walls, benches, railings or similar architectural features.

XIII. Enforcement

The Salem State University Police Department is responsible for enforcing these regulations. Campus community members who violate the regulations are subject to warnings or referral for corrective or disciplinary action through applicable university procedures. Violations by non-affiliated persons shall be enforced by the immediate seizure and impoundment of bicycles, skateboards or scooters (for no longer than necessary) to determine the identity of the operator and/or to facilitate contact with a parent in the case of a juvenile operator; and withdrawal of consent to be on campus.

Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property owned or controlled by the university will be subject to arrest for criminal trespass.

Parents and guardians of juvenile operators and adult operators, including students, faculty and staff, are responsible for damage to university buildings or property by their bicycles, skateboards, skates, or scooters.

XIV. Crossing at Right Angles; Standing or Walking in Roadway; Sleeping in Motor Vehicles

For the purposes of this regulation, a pedestrian is defined as any person afoot.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

No person shall stand or walk in any roadway other than a crosswalk if such action interferes with the lawful movement of traffic. This provision shall not apply to any university employee or other public employee when necessarily upon a street in performance of duty.

Sleeping in any motor vehicle parked on the property of the university is

prohibited during the hours of darkness, year-round.

The Salem State University Police Department shall be responsible for enforcing this regulation. Campus community members who violate this regulation are subject to warnings or referral for corrective or disciplinary action through applicable university procedures. Violations by non-affiliated persons shall be enforced by warning or withdrawal of consent to be on campus.

Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property owned or controlled by the university will be subject to arrest for criminal trespass.

XV. Amendments.

Should modifications or additions to these parking/traffic rules and regulations be deemed necessary by the university, such modifications, as consistent with the General Laws of the Commonwealth, may be adopted upon the approval of the board of trustees, or on behalf of the board by the president of the university or his/her designee. (M.G.L., c. 15A, § 1 and M.G.L., c. 73. § 18)

XVI. Regulatory Authority.

M.G.L. C. 15A, § 22

M.G.L. C. 73, § 18

M.G.L. C. 90, § 20A 1/2

XVII. Enforcement Authority.

M.G.L. C. 15A, § 22

M.G.L. C. 73, § 18

M.G.L. C. 147, § 10F

M.G.L. C. 90, § 20A, 1/2

XVIII. Note on Citation of the Traffic Rules and Regulations

In accordance with the complaint language guide published by the Massachusetts District Court (2004), violations of the traffic rules contained herein should be cited as 666666, Miscellaneous Munic Ordinance/Bylaw Viol, followed by "SSU Traffic R.," and the section number, paragraph number, and heading description of the specific regulation alleged to be violated.

Example: 666666 Miscellaneous Munic Ordinance/Bylaw Viol, SSU Traffic R. IV(2),

Interference with Signs.

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