

PARKING REGULATIONS

Effective: July 1, 2009

EXCERPT FROM JULY 15, 2009 NMSU POLICY MANUAL

2.95 **Parking and Traffic Regulations** *[The Parking and Traffic Regulations were adopted as restructured by Administrative Council on 02.12.08; Ratified by Board of Regents 07.15.08]*

2.95.1 **Statutory Grant of Authority**

These regulations are established to allow for the consistent and fair treatment of all people (students, faculty, staff, vendors, and visitors) who use the campus, optimal use of available parking, and assist with the safe movement of traffic. Pursuant to the authority granted to the New Mexico State University Board of Regents (NMSU) by NMSA 1978, § 29-5-1.1 to promulgate regulations governing the operation and parking of vehicles in any area within the exterior boundaries of lands under its control which is not a municipal street or highway.

2.95.2 **Delegation of Board's Authority**

The NMSU Parking Department and the NMSU Police Department are assigned the responsibility and legal authority for the implementation, application and enforcement of these regulations.

2.95.3 **Jurisdiction/Scope of Application**

These regulations apply at the NMSU-Las Cruces campus and Doña Ana community college located on the Las Cruces campus. The other NMSU components may request the implementation and enforcement of parking and traffic regulations at their respective locations, including a request for distinct permit fees. Fees distinct from those set forth in this policy are subject to approval by the Board of Regents.

2.95.4 **General Guidelines**

A copy of the current Traffic and Parking Regulations shall be made available at the NMSU Parking Department to anyone requesting a copy. Parking Regulations are also available online at www.nmsuparking.com.

Definitions.

1. **Bus:** Except for taxis, a bus includes every motor vehicle designed for the transportation of more than 16 persons or designed for the transportation of persons for compensation.
2. **Commercial Vendor:** Any person, excluding faculty, staff and students, representing a private business or service that requires parking privileges at NMSU in order to conduct that business.
3. **Commuter Student:** A student residing off of the NMSU-Las Cruces campus during the academic year and who drives to campus.
4. **Resident:** Any person who resides on the NMSU-Las Cruces campus during the academic year.

5. Family Housing: The areas including Cole Village, Sutherland Village, Tom Fort Village and Cervantes B, C, D, E, and G.
6. Faculty: Academic personnel on either the Las Cruces campus or Dona Ana Community College central campus of the rank of instructor or above.
7. Staff: Any NMSU employee on either the Las Cruces campus or Dona Ana Community College central campus who is defined as exempt or non-exempt staff by the NMSU Human Resources Department.
8. Student: Any person on either the Las Cruces campus or Dona Ana Community College central campus who attends classes at any time during the year.
9. Graduate Assistants: Considered students for the purpose of parking.
10. Restricted: Fire/Emergency zones, yellow “no parking” zones, disabled zones, green service zones, reserved, or any other posted signage. Example: Visitor to Dove Hall, Chile Pepper Institute Visitors, etc.
11. NMSU-Las Cruces Campus: The lands belonging to, or controlled by NMSU that are roughly described as the approximately five square miles of land in the vicinity of the junction of Interstate 10 and Interstate 25, and that are routinely patrolled by the NMSU Police Department. This area is depicted on the campus parking map.
12. Tow-Away Zone: Any area designated by a posted sign which provides notice that vehicles may be towed, as well as any roadway or driving lane on campus when the violating vehicle is parked in the traveled portion of the roadway or driving lane and is obstructing the safe flow of traffic.
13. Parking Stall: A parking space that accommodates a single vehicle and is clearly defined by painted lines on adjacent sides of the vehicle.
14. Vehicle: Vehicle refers to any vehicle or device that is propelled by an internal combustion engine, electric or other power that is used or may be used on the roadway for purpose of transporting persons or property, including connected trailers. A vehicle must fit within a single parking stall.
15. Visitor: Any person not in the other categories defined under definitions.
16. Windshield: The window that is located in front of the driver when facing forward.

Designated Parking Areas. The Board of Regents has authorized the designation of parking areas for the NMSU-Las Cruces campus. Parking areas are designated according to the following classifications, which may be modified by the Parking Department to meet the needs of the university:

1. “All Permits” parking areas
2. Campus Resident
3. Commuter Student
4. Faculty/staff
5. Designated Parking Spaces for Individuals with Disabilities
6. Emergency/Fire Zones

7. Free Parking areas
8. Metered
9. Restricted Service/Delivery Zones
10. Designated/Reserved Parking Spaces
11. Motorcycle

Signage. Areas subject to campus traffic and parking regulations shall be marked with appropriate signage.

Conflict between Regulation, Designation on Map and Signage. In the event of a conflict between these regulations or map designations and on-site signs that specify parking instructions, the on-site sign shall control. Where there are multiple restricted spaces together, these may be depicted by signs at the beginning and end of the restricted area. Drivers should be alert to both temporary and permanent signage displaying parking instructions, including meter bags or covers.

Penalties and Fees. Consistent with state law, these regulations set specific penalties for each type of violation, as well as impose an additional \$5.00 fee per citation for costs associated with the administration of NMSU's traffic program.

Abuse of Permit/Authority to Cancel. Vendor permits, departmental placards and visitor placards, shall only be used for official NMSU business, and shall not be misused to attend a class or for other personal use. The NMSU Parking Department is authorized to cancel a permit or placard that has been misused, regardless of the entity or person issued the permit (*i.e.* use of a permit to park to attend class instead of for authorized purpose). Permits or placards will be cancelled after notice by the Parking Department, and an opportunity to rebut the charge of misuse. Permits or placards cancelled in accordance with this subsection will not be allowed to receive a refund for the unused time period on the permit or placard.

NMSU Authority to Place Barriers. Barriers, fences, signs, posts or other traffic or control devices may be placed by NMSU and/or its authorized agents at any location necessary for the safety of the public and/or work crews. Removal or moving any such safety or warning device is prohibited. Violators will be cited.

NMSU Authority to Block or Restrict Parking Areas and Roadways. The University reserves the right to block or otherwise restrict parking areas and roadways for maintenance, special events, or other functions deemed appropriate. All such closures must be approved by the NMSU Parking Department, Police Department and/or the Assistant Vice President for Auxiliary Services, as deemed appropriate.

No Security Provided. The university assumes no responsibility for the care or protection of vehicles, including their contents, parked on its property.

Amendment to Parking/Traffic Regulations. These regulations may be modified in accordance with the policy adoption protocol outlined in Chapter 1.

2.95.5 NMSU Permit or Placard Issuance Requirements

Proof of Identification Required. In order to obtain an NMSU parking permit, the individual must provide proof of identification, and for permits other than visitor permits, proof of eligibility for the type of permit being sought. Adequate forms of identification include but are not limited to: NMSU identification card, NMSU banner number, a state-issued photo ID card, other official identification containing a photograph and/or verifiable identification.

Purchase of Multiple Permits.

1. An individual may purchase one parking permit at the price indicated in the fee table below, and an additional permit at the price applicable under “multiple permits” in the fee table below.
2. An individual may purchase one regular permit and one motorcycle permit at regular prices without having them count as “additional” permits under this section.
3. Residents of Family Housing may purchase up to two (2) permits at the regular price.

Responsibility for Violations. The person on record for having purchased the permit will be the party held responsible by NMSU for any and all violations by any individual displaying that permit in any vehicle.

Types of Permits Available/Issuance Procedures.

1. Campus Resident Parking Permit. To obtain this type of permit, the person must be NMSU faculty, staff or student and reside on campus during the academic year.
2. Commercial Vendor’s Parking Permit. Faculty, staff, and students are not eligible for commercial vendor permits. A commercial vendor may purchase either a single or an umbrella permit. Umbrella permits are issued to commercial vendors with multiple vehicles making deliveries, and will be good for all company vehicles clearly marked with the company logo, as long as there are no more than two (2) such vehicles on campus at any given time. The umbrella delivery permit does not need to be displayed, but must be available at the vendor’s office for inspection and auditing.
3. Disabled Parking Permit. Based on a valid state-issued placard or license plate, and in accordance with the procedures of the Parking Department, NMSU will issue an NMSU Disabled parking permit to its faculty, staff or students. In the event of a temporarily disabled faculty, staff or student, the NMSU Parking Department will issue a temporary NMSU Disabled parking permit. Temporary disabled parking permits require the individual to produce a doctor’s note.
4. Departmental Placard. The NMSU Parking Department issues loading/unloading departmental placards to the departments needing such access. The placard is only valid when displayed with another valid NMSU parking permit.
5. Special Event/Visitor Parking Placard. NMSU entities hosting an event requiring additional visitor parking for guests are required to obtain visitor permits for each vehicle, and to advise their guests regarding the campus parking regulations. Pre-purchased parking spaces are available from the Parking Department by filling out a “Request Form For Special Event Parking Permits” no later than three (3) business days, but preferably five (5) days, before the date of the event.
6. VIP Parking Permits. These permits are authorized solely by the Assistant Vice President for Auxiliary Services.
7. Special Parking Permits. These permits are authorized solely by the university president and generally are reserved for members of the Board of Regents, the president, the provost, vice presidents, deans, general counsel, assistants to the president, campus executive officers, chairs of faculty senate and ACAP and certain directors who report directly to deans, vice presidents, or the Provost. Upon the approval of the university president, the ASNMSU president and vice president may purchase special permits at the same price as commuter student permits.

8. **Reserved Parking Spaces.** Departments may lease parking spaces each year from the Parking Department at the rate listed in the fee table below by completing and submitting the “Reserved Parking Space Application” to the Parking Department.
9. **Temporary Parking Permit.** A temporary permit may be issued by the Parking Department for up to fourteen (14) business days to students, faculty, staff, and persons with official business on campus.
10. **Visitor Parking Permit.** Visitors may obtain a free daily/weekly parking permit at the NMSU Parking Department or via the internet (limit five daily permits per year), or purchase an annual “outer lot” or “all access” parking permit.

Lost Permits. Lost permits shall be reported to the Parking Department. The individual who purchased the original permit may purchase a replacement permit for current price upon completion of a lost affidavit form and cancellation of the original permit. A refund may be provided if the original lost permit is returned to the Parking Department by the individual who purchased the permit.

Stolen Permits. Stolen permits should be reported to the Parking Department. The individual who purchased the original permit may purchase a replacement permit for a \$5.00 fee upon completion of stolen affidavit form and police report. The permit originally issued shall be cancelled.

Mandatory Replacement of Permit. A replacement parking permit shall be obtained, which shall cause the cancellation of the original permit, from the NMSU Parking Department when:

1. The holder’s status changes (example: resident moves off campus)
2. The holder’s classification changes (example: student becomes staff)
3. The permit expires
4. The owner/driver has a permanent permit and needs to change it to another vehicle.

Cancellation of Permit. A parking permit shall be returned to the Parking Department to be officially cancelled when:

1. Employment with NMSU is terminated (excludes retirees)
2. A student is suspended or expelled from NMSU
3. A refund is obtained for the parking permit

Cancelled Permits. All permits that have been cancelled for any reason shall be placed on the “tow or boot” list and any vehicle found to be parked using a permit that has been cancelled shall be cited and towed or booted.

2.95.6 Parking Fees [Fee Schedule Updated by Board of Regents 03.10.08]

Annual Permit Fee Assessment. Every September 1, parking permit fees will be assessed. For purposes of this policy, the year is from September 1 through August 31.

Parking Fees for Permit Year 2009/2010. Permits purchased after December 1 will be priced at one half of the annual price, plus a \$4 handling fee. Permits purchased after May 1 will be priced at one quarter of the annual price, plus a \$3 handling fee.

| Type of Permit | Annual | Spring | Summer |
|-----------------------|---------------|---------------|---------------|
| Commuter Student | \$44.00 | \$26.00 | \$14.00 |

| Type of Permit | Annual | Spring | Summer |
|---|---|---------|---------|
| Campus Resident | \$44.00 | \$26.00 | \$14.00 |
| Outer-Lot Employee | \$44.00 | \$26.00 | \$14.00 |
| Faculty/Staff | \$82.50 | \$45.25 | \$23.75 |
| Special Permit | \$155.00 | \$81.00 | \$41.50 |
| Motorcycle | \$20.00 | | |
| Annual Outer-Lot Visitor (“all permits”) | \$44.00 | \$26.00 | \$14.00 |
| Annual All Access Visitor (any lot) | \$132.00 | \$70.00 | \$36.00 |
| Commercial Vendors Umbrella Permit | \$192.50 | | |
| Special Event/Conference \$1.00/week | | | |
| Commercial Vendors | \$44.00 | | |
| Departmental Placards (Loading/Unloading) | \$25.00 | | |
| Departmental Visitor Placards | \$25.00 | | |
| Departmental Lease for Specially Designated / Reserved Parking Spaces | \$250.00 | | |
| Multiple Permit | \$132.00 for student, faculty & staff permits | | |
| | \$242.00 for special permits | | |

Free Parking. There is no fee to park in the areas designated for free parking. NMSU personnel retired prior to September 1, 1992, may receive a free faculty/staff parking permit. Persons displaying a valid state issued disabled license plate or placard may park on campus for free in accordance with other provisions of this policy. There is no fee for Visitor and Temporary permits.

Parking Meter Rate. The rate charged to park in a metered parking space is \$.60 per hour.

Refund of Paid Parking Permit Fee. Partial refunds for parking permits are available in some cases.

1. Permits purchased during the Fall semester may be returned prior to January 15 for a refund of the difference between the purchase price and the spring semester price.
2. Employees who terminate their employment during the year may return their permits for a partial refund (prorated monthly).
3. Any payroll deduction unpaid balances due to sabbatical leave, LWOP, workman’s comp, etc., will be collected.
4. If employees who terminate employment with NMSU do not return their permit, they will be responsible for any unpaid balance owed.
5. Requests for other types of refunds are handled on a case-by-case basis by the Parking Department.

2.95.7 Requirements for Display of Permit

Location of Moveable Permits. Moveable parking permits are the standard-issued permits. These shall be affixed to the inside, lower corner of the windshield on the driver’s side in such a manner that they do not obstruct the driver’s vision when operating the vehicle.

Location of Permanently Affixed Permits. Permanent adhesive permits are issued for motorcycles and to those individuals requesting them. For motorcycles, these shall be affixed to the inside, lower corner of the windshield on the driver’s side of the vehicle, or to the front bumper or fork. For vehicles, they

shall be affixed to the inside, lower corner of the windshield on the driver's side in such a manner that they do not obstruct the driver's vision when operating the vehicle.

Location of Placards. Departmental, loading and unloading zone placards, visitor placards, temporary placards, temporary disabled placards, and special event placards must be hung on rearview mirror.

Visibility of Permit. Permits shall not be obstructed from view any time the vehicle is parked on the NMSU campus. Permits should not be laminated, taped, or altered in any way. If permit does not adhere to windshield, notify the Parking Department.

One Permit. Only one current permit shall be displayed in a vehicle, unless it is a departmental loading/unloading placard.

Visibility of Permit/Car Covers. Car owners are required to cut a small opening in the car cover so the parking enforcement officer can see the valid parking permit displayed on the driver's side windshield. The license plate number shall also be written on the windshield portion of the car cover using permanent marker.

2.95.8 Parking Requirements

Designated Parking Areas/Parking Permits. All students, faculty, staff, NMSU retirees, commercial vendors and other visitors to campus who park in designated/restricted areas on campus, or who park on campus streets, must display a valid NMSU parking permit, including but not limited to those listed in 2.95.5 above, for that area and/or in the manner prescribed in these regulations. Signs or permits made by others, handwritten notes left on a vehicle, or other such purported permits not issued by the NMSU Parking Department are prohibited and will not be honored. The permits issued by the Parking Department with corresponding designated parking area are listed below:

1. "All Permits" Parking Areas. (Indicated by orange color signage) Vehicles displaying any valid NMSU parking permit may be parked in this parking area.
2. Annual All Access Visitor Permit. Displaying an Annual All Access Visitor permit allows the holder to park in any legal parking space in any lot designation (including faculty/staff, student, and visitor areas), with the exception of emergency/fire zones, restricted service/delivery zones and other designated/reserved parking spaces.
3. Annual Outer Lot Visitor Permit. (Indicated by orange color signage) Displaying an Annual Outer Lot Visitor permit allows the holder to park in the "all permits" parking areas.
4. North Campus Resident Parking. (Indicated by lavender color signage) Vehicles displaying a North Campus Resident permit may be parked in Campus Resident parking areas, which are restricted 24 hours daily, seven days a week, throughout the calendar year. Vehicles displaying this permit may also be parked in any "all permits" lot and in any free lot, as well as along any street where parking is permitted and not otherwise restricted.
5. South Campus Family Parking. (Indicated by purple color signage) Vehicles displaying a South Campus Resident permit may be parked in Family Housing parking areas, which are restricted 24 hours daily, seven days a week, throughout the calendar year. Vehicles displaying this permit may also be parked in any "all permits" lot and in any free lot, as well as along any street where parking is permitted and not otherwise restricted. A campus resident permit is not required to park on the driveway; only one vehicle may be parked on a driveway at any given time. Parking on the lawn (yard area) is strictly prohibited.

6. Commuter Student Parking. (Indicated by green color signage) Vehicles displaying a Commuter Student permit may be parked in lots so indicated, as well as in all-permits, free lots and along any street where parking is permitted and not otherwise restricted.
7. Disabled Parking. (Indicated by blue color signage) NMSU honors any valid state-issued parking license plate or placard issued to a disabled individual. If a parking space designated for the disabled is not available, those displaying the disabled placard/plate may park in any other legal parking space in any lot designation (including faculty/staff, student, and visitor areas AND parking meters without having to pay), with the exception of emergency/fire zones, restricted service/delivery zones and other specially designated/reserved zones. Note: A disabled veteran (DV) license plate does not authorize recipient to park in a disabled parking zone without a valid state-issued disabled placard.
8. Emergency/Fire Zone. (Indicated by red curbs and/or signage) These parking zones are restricted to authorized emergency response vehicles at all times (24 hours a day, seven days a week throughout the calendar year).
9. Faculty/Staff Parking Permit. (Indicated by wineberry color signage) In addition to the parking areas designated for Faculty/Staff, vehicles displaying this permit type may also be parked in any "all permits" lot and in any free lot, as well as along any street where parking is permitted and not otherwise restricted. Faculty/Staff members residing in a Family Housing area shall display their Housing Resident decal in addition to their Faculty/Staff parking permit while parked in the Family Housing streets or parking lots.
10. Free Parking Areas. (Indicated by brown color signage) Any vehicle may be parked in a lot designated as a free lot. No permits are required to park in these areas.
11. Motorcycle Permit. A valid NMSU motorcycle permit is required for motorcycles, motor scooters, and mopeds to park on campus. All individuals operating a motorcycle, motor scooter, or moped must abide by NMSU parking rules and regulations and must park in a motorcycle parking area Monday through Friday from 7:30 a.m. to 4:30 p.m. Motorcycles may not use automobile spaces except at paid meters. Exception: Between 4:30 p.m. and 7:30 a.m. Monday through Friday and weekends (Saturday & Sunday) motorcycles, motor scooters and mopeds may park in any legal parking space in any parking lot.
12. Outer-Lot Employee Permits. (Indicated by orange color signage) This type of permit is offered to faculty and staff at a lower cost than the Faculty/Staff permit and allows parking in the "All Permit Lots", or in any on-street parking area, with the exception of emergency/fire zones, restricted service/delivery zones and other designated/reserved zones.
13. Service/Delivery Zones. These are marked either with signage and/or with green curbing. Restrictions apply 24 hours a day, seven days a week, throughout the entire calendar year. Unless otherwise posted, the maximum time period for parking in this zone is two hours; often the signs indicate a much shorter time maximum i.e. twenty (20) minutes. To be authorized to park in this zone, the vehicle must display any one of the following:
 - University Service Vehicle with university logo seal painted on the vehicle door actively being used for the service or maintenance of university facilities;
 - Departmental loading/unloading placard together with a valid student, faculty/staff or other university parking permit;
 - Commercial vendors permit; or
 - Special or VIP permit.
14. Designated/Reserved Parking Spaces. There are a number of parking spaces reserved for the exclusive use by certain constituencies on campus. Signage in these areas indicates the

restrictions. Examples include but are not limited to: “Dove Hall Parking Only”, “ROTC Vehicles Only” etc.

15. Special Events/Visitor. (Indicated by hanging green placard) Visitors displaying a Special Events Visitor placard may park in any legal parking space in any lot designation (including faculty/staff, student, and visitor areas), with the exception of emergency/fire zones, service/delivery zones and other designated/reserved parking spaces.
16. Temporary Parking Permit. (Indicated by bright pink color hanging placard) Persons displaying a temporary parking placard may park in any legal parking space in any lot designation (including faculty/staff, student, and visitor areas), with the exception of emergency/fire zones, service/delivery zones and other designated/reserved zones.
17. VIP Permit Parking. (Indicated by white color) Persons displaying a VIP permit may park in any legal parking space in any lot designation, including faculty/staff, student, visitor areas, green curbed service/delivery zones and parking spaces marked “special permit only”, in accordance with time limitations as indicated by the signage. Additionally, VIP permit holders may park in the “Visitors to the President’s Office” area if they are attending a meeting with the executive administration in Hadley Hall. VIP permits are not valid in blue, red or yellow curbed areas. With the exception of university service/delivery spaces (i.e. green curbs), VIP permits are not valid in designated/reserved parking spaces.
18. Special Permit Parking. (Indicated by black color signage) Persons displaying a Special permit may park in any legal parking space in any lot designation, including faculty/staff, student, visitor areas, green curbed service/delivery zones and parking spaces marked “special permit only”, in accordance with time limitations as indicated by the signage. Additionally, Special permit holders may park in the “Visitors to the President’s Office” area if they are attending a meeting with the executive administration in Hadley Hall. Special permits are not valid in blue, red or yellow curbed areas. With the exception of university service/delivery spaces (i.e. green curbs), Special permits are not valid in designated/reserved parking spaces.
19. Visitor Permit/Daily or Weekly. (Indicated by white hanging placard) Daily and weekly visitors may park in any legal parking space, with the exception of emergency/fire zones, service/delivery zones and other designated/reserved parking spaces.

Exceptions to Requirement for Permit. The following are exempt from the requirement for a valid NMSU permit to be able to park in the designated parking areas:

1. Government Vehicles. Vehicles registered to a local, state, or federal government and displaying official license plates not affiliated with NMSU are allowed to park in any legal parking space in any campus parking lot, but are restricted from parking in any special permit, service zone, loading and unloading zone or visitor area. Any time limits indicated on official signs must be followed to avoid receiving a citation.
2. NMSU Vehicles. NMSU vehicles displaying official license plates may park in any legal parking area. NMSU vehicles shall not park in designated reserved spaces designated for disabled persons, unless a valid disabled permit/placard is displayed, in designated visitor parking spaces, in metered parking spaces, or in designated/reserved parking spaces. Under no circumstances shall these vehicles park in an emergency/fire zone, unless they are authorized emergency vehicles being used in the direct support of emergency services. NMSU vehicles may park in service/delivery/loading zones (green curbs) in accordance with these regulations.
3. Vehicles with Disabled Placard/Plate. If a parking space reserved/designated for Disabled Parking is not available, those displaying a valid disabled placard/plate may park in other legal parking

spaces, except where painted curbs or signs restrict or otherwise regulate such parking. This includes permission to park at metered parking spaces, free of charge.

4. Construction Contractors. Contractors and vehicles of their construction workers are exempt from these regulations when parked within a clearly defined construction site that has been approved by Facilities Planning & Construction and the NMSU Parking Department; otherwise such vehicles must park in designated free parking areas.

Effective Hours of Parking Restrictions.

1. All designated parking areas are restricted to holders of the appropriate permits Monday through Friday from 7:30 a.m. to 4:30 p.m. Anyone may park in any faculty/staff, commuter student, "all permits" or visitor parking space, without a permit, after 4:30 p.m. and before 7:30 a.m., as well as on weekends.
2. Campus resident parking is restricted 24-hours a day.
3. Service/delivery and designated/reserved parking areas, including but not limited to disabled zones, emergency/fire zones, Post Office patron parking, "no parking" zones are restricted 24 hours a day unless otherwise posted.
4. Parking meters are in effect from 7:30 a.m. to 4:30 p.m., Monday through Friday.

Metered Parking. No permit is required to park in a metered parking space. Except as provided above for individuals with disabilities displaying a valid disabled placard or plate, any person who parks in a metered parking space shall deposit the required amount in the meter to pay for the right to park there, regardless of the display of valid NMSU permit, government or other visitor status, or other circumstance. All failures to pay at metered parking spaces will be subject to citation. If a meter is malfunctioning, it should be reported immediately to the Parking Department at (575) 646-1839 in order to avoid receiving a citation.

Parking on Street. Vehicles displaying any type of valid NMSU parking permit may be parked on the streets on campus, including "outer-lot employee". On-street parking is restricted or prohibited where colored curbs and/or signage so indicate, or where such parking obstructs the movement or safety of traffic.

Bus Parking. All buses shall park in the parking area east of the Pan Am Center.

Prohibited Parking. Except in compliance with the lawful directions of a traffic control device or officer, or as otherwise provided in these regulations, it is unlawful to park or stop a motor vehicle as follows:

1. On any sidewalk;
2. In front of a public or private driveway;
3. Within 15 feet of a fire hydrant;
4. On a crosswalk;
5. Within an intersection;
6. Double parked (meaning parked behind or beside another legally parked vehicle in such a way as to block the second vehicle or to impede the flow of traffic);

7. Any place where official signs prohibit or restrict parking, stopping, or loading/unloading (including any areas marked by red, yellow, green, or blue curbs);
8. On any grassed area or dirt area not designated as a parking area, including within the NMSU residential housing areas;
9. On the traveled portion of any roadway (including while loading or unloading passengers);
10. In those areas bordered or outlined by curbs, unless outlined as an authorized parking area;
11. Outside a marked stall or outlined parking area;
12. On the driver's left-hand side of the roadway, facing the wrong lane of traffic (except on one-way streets where on-street parking is permitted);
13. Over 18 inches from any curb;
14. In any timed area over the designated time;
15. In front of areas allowing disabled (accessible) vehicle loading and unloading areas and access ramps (blue curbs, blue pavement, and blue ramps);
16. Within 20 feet of a crosswalk at an intersection;
17. Within 30 feet upon the approach to any stop sign or traffic control signal at the side of a roadway;
18. Within 20 feet of the driveway entrance to any fire or police station and within 75 feet on the side of a street opposite the entrance to any fire or police station (when appropriately signed);
19. In any designated bicycle path;
20. In a parking lot driving lane; or
21. Overnight in any vehicle in any location on campus without permission.

Test Parking Programs. Test parking programs may be initiated at the discretion of the Parking Department for the purpose of studying parking alternatives. Thirty days advance notice shall be given to the university community regarding any proposed test program, and the test program shall not be operated for more than one (1) year without the approval of the Board of Regents.

The university may assess special rates for parking in certain areas during special events (including athletic events). Permission for a department, group, or event sponsor to charge for such parking must be obtained from the Parking Department prior to the special event.

2.95.9 Vehicle Operation Requirements

In addition to the parking policies set forth herein and enforced by the NMSU Parking Department, the following rules and regulations apply regarding the operation of vehicles on NMSU premises. The NMSU Police Department shall enforce the vehicle operation policies in this Section, consistent with state traffic laws. On the public rights of way located on campus, the traffic laws of state of New Mexico shall apply and be enforced by the NMSU Police Department in accordance with state law.

Vehicles Abandoned or Unlicensed on Campus. No abandoned or unlicensed motor vehicle(s) including motorcycles, motor scooters or mopeds shall be allowed to remain on NMSU property.

1. A vehicle is considered abandoned if it is left unattended and not moved from its current location for more than two (2) weeks. Any vehicle which is partially dismantled or wrecked and/or that does not display a current license plate and which is left in such condition for more than two (2) weeks shall also be considered abandoned.
2. A vehicle is considered unlicensed if it does not have a current and valid state-issued registration plate and/or sticker.
3. After the vehicle has been reported to or discovered by the NMSU Parking Department, and the vehicle is found to be: (a) not stolen; (b) the legal ownership cannot be established by normal record-checking procedures; and (c) legal or equitable ownership not claimed or asserted by any person; the vehicle shall be towed and impounded.
4. All abandoned or unlicensed vehicles will be towed after 30 days of being reported and/or cited.

2.95.10 Establishment of Controlled Access Areas for Motorized Vehicles *[Adopted by Administrative Council 12.11.07; with an Effective Date of 01.08.08; Ratified by Board of Regents 07.15.08]*

1. Background. The operation of motorized vehicles (electric or combustion engine) in a university setting is always a challenge between providing adequate access to enable the operational needs of the campus to be met versus the pedestrian nature and desired feel of a campus setting. If the rules established are too restrictive then day to day operations of a campus are harmed. If no restrictions are in place then vehicles are daily operated in a manner that is not in the best overall interest of the institution.
2. Legal Basis. State law establishes the ability for local jurisdictions to place restrictions on the operation of motorized vehicles on controlled access areas. The enforcement of these restrictions, once established, falls to the police department. Violations of these controlled access restrictions will be cited in accordance with state law.
3. Need for Controlled Access. Operation of motorized vehicles on sidewalks is a direct conflict with their primary intended use for pedestrian traffic. Furthermore it damages the sidewalks resulting in increased cost to maintain this infrastructure in a reasonable condition. Operation of motorized vehicles on turf areas damages turf and trees, thereby harming the investment made in the establishment and maintenance of our landscaped areas of the campus.
4. Valid Reasons for Access. There are valid reasons for operating motorized vehicles within controlled access areas:
 - Motorized wheelchairs, personal assistive mobility devices (Segway Human Transporters), or other motorized equipment used to provide disabled access.
 - Response to emergencies. Emergencies include any action to protect human life; well being and to prevent potential damage to property or to respond to utility outages.
 - Deliveries to or transport from specified buildings otherwise inaccessible. It is recognized that several facilities have no delivery access without travel through a controlled access area. These buildings are listed below. Access routes and access parking zones shall be established for these buildings, which shall be available for viewing at http://www.nmsu.edu/~safety/policies/policy_CntrlAccessArea.pdf.
 - Aggie Memorial Stadium
 - Foreman Hall

- Academic Research C
 - Guthrie Hall
 - Branson Library
 - Hadley Hall
 - Chamisa Village
 - Health & Social Services
 - Computer Center
 - Jett Hall
 - Engineering Complex I
5. Defined project specific access. Certain activities such as movement of heavy loads, athletic events, special events, projects involving the remodel or construction of campus facilities and infrastructure require, by their very nature, limited entry to controlled access areas of the campus. This access route will be established by the Project Manager as best possible and signed accordingly during the course of the event/project life.
 6. Use of Turf Vehicles. Maintenance of the campus turf areas requires access by specialized turf vehicles. Nothing in this rule is intended to restrict access to turf areas by these vehicles.
 7. Non-emergency Access by Police, Fire and Shuttle Vehicles. Access rights are given to Police and Fire response vehicles for training activities and patrol activities when access will increase the safety of campus population and its real property assets. Limited access on approved routes is granted to vehicles providing shuttle service to the NMSU campus.

2.95.11 Establishment of Utility Cart Safety Program *[Adopted by Administrative Council 12.11.07 and 01.16.08, with an Effective Date of 03.08.08; Ratified by Board of Regents 07.15.08]*

Utility Carts. Small utility service vehicles, herein referred to as 'Utility Carts', include golf carts, turf vehicles and small rough terrain vehicles that are allowed on controlled access areas and/or streets of the campus.

These small utility carts are used to move people, deliver supplies, and carry tools or small equipment throughout the workplace. Operation of utility carts on sidewalks poses risk to pedestrians and therefore requires special training and responsibility to prevent incidents and potential injury. All individuals operating utility carts must be trained before using the vehicles.

Reading and understanding the Utility Cart Safety Program and responsibilities of cart operation plus additional machine specific use instruction will serve as the required training to be administered by each department or area utilizing utility carts.

Other low speed vehicles capable of exceeding 20 mph must be primarily operated over roadways, not controlled access areas. Individuals operating low speed roadway use vehicles will be required to attend Defensive Driving and be permitted according to the NMSU Vehicle Use Procedures.

Policy. The Utility Cart Safety Program (UCSP) is in accordance with 49 CFR 571.500, Standard 500; Low-speed vehicles, NMSU Vehicle Use Procedures, NMSU Controlled Access Areas policy and Sections 66-3-802, 66-3-804, 66-3-805, 66-3-828, 66-3-840, 66-3-843, 66-3-845, 66-3-852, 66-3-854, 66-3-887, 66-3-1103, 66-7-9, 66-7-305, 66-7-308, 66-7-325, 66-7-326, 66-7-351, 66-7-372, and 66-7-405 (1978, et seq.) of the New Mexico Statutes Annotated.

Authority and Responsibility. Below mentioned attachments can be found at:
http://safety.nmsu.edu/policies/program_UtilityCartSafety2008.pdf

Environmental Health & Safety is responsible for:

1. Developing and administering the UCSP.
2. Performing validation of driver license for cart operators.
3. Providing a cart operators permit to authorized drivers which is valid for 3 years.
4. Reviewing and updating the UCSP and training material when necessary.

NMSU Police Department is responsible for:

1. Enforcing all applicable motor vehicle statutes.
2. Shall impound, if necessary, utility vehicles observed to be carelessly driven.

NMSU Parking Department is responsible for:

1. Enforcing parking restrictions.

Deans, Directors, Department Heads and Supervisors are responsible for:

1. Perform Utility Cart Safety Inspection and submit checklist – Attachment B- to EH&S.
2. Affixing identification decal issued by EH&S.
3. Assuring that UCSP Policy Acknowledgement Form (Attachment C) is completed by each operator and sent to EH&S (MSC 3578) with a copy of operator's driver's license.
4. Assuring that prior to operating a utility cart, each individual:
 - Receives machine specific operational instruction
 - Receives periodic evaluation, counseling and training as may be appropriate to correct non-compliance with the safety program.
5. Assuring that each utility cart owned, leased, or operated by their department receives annual preventative maintenance and repair services.
6. Assuring that utility cart(s) and operators, within their department, comply with the UCSP.
7. Assuring that utility carts are operated in accordance with manufacturer's recommendations. Utility vehicles shall not be modified in any manner that affects the recommended mode of operation, speed or safety of the vehicle. If applicable, utility carts must be tagged with the maximum load capacity recommended by the manufacturer.

Operators of utility carts are responsible for:

1. Following the Utility Cart Safe Operating Procedures outlined in Attachment 'A'.
2. Acknowledging responsibility and accountability for compliance by completing the UCSP Policy Acknowledgment Form as shown in Attachment 'C'
3. Having a valid driver's license.
4. Having obtained a utility cart operators permit (from EH&S).
5. Having received cart specific operational instruction prior to operating the cart.

6. Understanding their responsibilities and requirements under the UCSP.
7. Providing timely notification of safety and maintenance concerns regarding utility cart to the supervisor of the department to which the vehicle is registered.

Utility Cart Required Equipment. The following equipment must be present and operational on all utility carts:

1. Unique identifying number prominently displayed on vehicle in 3 inch minimum letters.
2. Brakes.
3. Ignition or power shutoff or security systems.
4. Vehicle seat belt, if offered by manufacturer.
5. Horn or audible warning device.
6. Rear view mirrors.
7. Slow moving vehicle safety triangle on rear of vehicle OR warning lights on front and rear of vehicle or top mounted strobe light if vehicle is unable to travel at the same speed as normal traffic.
8. Equipment tie downs for service vehicles.
9. Lights (head, tail, brake) for all night use vehicles.
10. Any utility cart capable of being operated in excess of 15 miles per hour shall be equipped with seat belts and lights regardless of time of day or night use.

Vehicle Fueling and Storage. All operators must receive department specific fueling instructions when applicable and all vehicles must be charged and stored in approved sites. Each of these sites will take into account machine specific hazards (e.g. flammability of fuel, off gassing of hydrogen from battery charging). Chargers for low speed electric vehicles must be plugged directly into a ground fault interrupter receptacle. Extension cords shall not be utilized unless the vehicle is specifically approved for such and this use is noted during the Inspection and Registration process.

2.95.12 Fraudulent Practices Prohibited

It is unlawful and a violation of these regulations to intentionally falsify information in order to obtain a NMSU parking permit, to use a NMSU parking permit issued to another person without their knowledge and authority, or to alter, forge, reproduce, counterfeit, or steal any NMSU parking permit.

Anyone found to have engaged in fraudulent practices shall have their parking privileges at NMSU permanently revoked, and may be subject to other administrative (*i.e.* employee discipline up to and including termination), civil and/or criminal sanctions.

Vehicles found to be displaying NMSU parking permits that have been reported as stolen may be seized as evidence for the purposes of criminal prosecution.

2.95.13 Methods for Enforcement of Parking and Vehicle Operation Regulations

To enforce these regulations, the Parking Department may:

1. Issue citations, collect fines and administrative fees;
2. Place vehicle on the “Tow or Boot” list;
3. Immobilize a vehicle by “booting” the vehicle’s wheel;
4. Have the vehicle towed and impounded;
5. Cancel parking permits and revoke parking privileges for excessive violation of these regulations or the failure to pay outstanding fines and fees;
6. Prohibit (or cancel at any time during the year) the pre-registration or registration for classes;
7. Refer the faculty, staff or student to the Student Discipline Office or NMSU Human Resources Office, as appropriate for administrative action;
8. Withhold NMSU records, including academic credits, transcripts, and diplomas until all fines and other fees are paid; or
9. Employ private collection agencies to collect outstanding unpaid fines and fees.

2.95.14 Booting and/or Towing of Vehicles

The following policies apply when the Parking Department has determined that the appropriate remedy for a violation of a parking or traffic regulation is to immobilize or tow and impound a vehicle:

Definition of “Boot”. A device which mounts on/around a vehicle’s tire or wheel to prevent or discourage vehicular movement. These may be legally attached and released only by the NMSU Parking Department.

Placement on “Tow or Boot” List. A vehicle may be placed on the tow or boot list for:

1. Two or more outstanding citations;
2. Non-payment of fines or fees imposed under this policy;
3. Returned checks written to NMSU Parking Department;
4. Breach of citation payment agreement;
5. Display of a cancelled permit;
6. Display of a stolen permit; or
7. Violation of previous revocation of parking privileges.

Reasons for Tow or Boot. A vehicle may be towed or booted when:

1. It is parked in a tow-away zone;
2. It is parked in such a manner as to obstruct traffic or present a hazard;
3. It is on the “tow or boot” list. Vehicles on the “tow or boot” list are subject to enforcement action when otherwise legally parked on campus (including in free lots);

4. Otherwise interfering with the safe movement of pedestrian or motor vehicle traffic; or
5. As otherwise provided by law.

Removal of Boot/Release from Tow. To have the boot removed requires payment of a \$30 fee, in addition to full payment of accrued fines.

1. Immobilized vehicles will remain “wheel-locked” until the outstanding fines and fees are paid in full. The vehicle’s registered owner or operator must pay for the boot removal and applicable fines at the Parking Department located at 725 College Drive, Las Cruces, NM from 8:00 a.m. to 4:30 p.m. and at Pete’s Place Game Room/Computer Lab located in Corbett Center Student Union from 4:30 p.m. to 9:00 p.m., Monday through Friday. Note: There are no boot releases on holidays or weekends.
2. Vehicles immobilized for longer than 96 hours shall be towed from NMSU property to a designated storage facility of the towing company. The vehicle registered owner or operator will be responsible for all applicable towing and storage charges.
3. Charges in addition to the boot removal, and/or towing and/or storage fees may be assessed against the vehicle owner or operator, depending upon the circumstances (*i.e.* rental car or dealership agencies). If a permit was displayed in the vehicle that was booted or towed, the permit holder may also be held responsible.

2.95.15 Citations: Fines and Fees; Citation Appeal Process

Issuance. The NMSU Parking Department is hereby granted the authority to issue parking citations on any lands under the control of the NMSU Board of Regents. All such citations shall be issued in accordance with policies and procedures set forth by the NMSU Parking Department.

Fines and Fees. Pursuant to Section 29-5-1.1, NMSA 1978, *et seq.*, a parking citation must be paid or contested within five (5) business days from the date it was issued. Effective July 1, 2005, the following fines and fees apply:

| Violation Type | Fine | Admin Fee |
|---|-------------------|-----------|
| No permit displayed or wrong zone | \$ 30.00 | \$ 5.00 |
| Parked in “No Parking” zone | \$ 35.00 | \$ 5.00 |
| Parked in restricted “Service/Delivery” zone | \$ 35.00 | \$ 5.00 |
| Parked in “Emergency/Fire” zone | \$ 70.00 | \$ 5.00 |
| Parked in Disabled parking space or blocking ramp | \$ 250.00 | \$ 5.00 |
| Fraudulent use of stolen permit | \$ 75.00 | \$ 5.00 |
| Permit improperly Displayed in/on vehicle | \$ 15.00 | \$ 5.00 |
| Tampering with enforcement device | \$ 50.00 + repair | |
| All other parking violations not stipulated | \$ 30.00 | \$ 5.00 |
| Returned/bounced check fee | \$ 35.00 | |

Payment of Citation Fines and Fees. Instructions on how to pay the fines and fees are included with each citation issued. Payment may be made at the Parking Department during posted hours, via mail (when paying by check or money order), via telephone (when paying using a Visa, Master Card, or Discover credit card), or at a drop box located at the lobby (open 24 hours a day) of the main NMSU Police Department building. The Parking Department may be contacted at: NMSU Parking Department P.O. Box 30001 / MSC 3PAR Las Cruces, NM 88003-8001 (575) 646-1839.

Fees Related to Towing and Impound. The following are the authorized fees charged for vehicles that are towed to a designated storage facility of the towing company and/or booted by the NMSU Parking

Department:

1. Initial Towing Charge: to be determined by towing company.
2. Boot Release Fee \$30.00.
3. Impound Storage Charges (per day): to be determined by towing company.
4. Weekend vehicle release from impound lot (additional): to be determined by towing company.
5. Emergency After-hours (9 p.m. to 8 a.m. weekdays) boot release (additional) \$15.00.
6. Vehicle release from impound lot on a holiday or weekend (additional): to be determined by towing company.

Dismissal of Citations. Once every five (5) year period, recipients of a parking citation may have the citation dismissed by contacting the Parking Department, unless the citation was for illegally parking in a parking space designated for the disabled, in an emergency/fire zone, in a service/delivery zone, in another designated/reserved parking space, or for parking over designated time limits.

Citation Appeals Hearing. A fair and impartial appeal hearing is provided for each individual's case.

1. Citations must be contested by submitting a Citation Appeal Form within five (5) business days of issuance. Forms may be submitted online at www.nmsuparking.com or at the NMSU Parking Department located at 725 College Drive, Las Cruces, New Mexico on the NMSU campus. The elapse of five (5) business days results in the violator's forfeiture of their right to appeal the citation.
2. Appeals shall be designated as follows:
 - 1st level of appeal: Parking Specialist. If appellant is not satisfied with Parking Specialist decision, they can appeal to the next level.
 - 2nd level of appeal: Parking Manager. If appellant is not satisfied with Parking Manager decision, they can appeal to the next level.
 - 3rd level of appeal: Citation Appeal Hearing Officer.
3. The NMSU Parking Department shall schedule the hearing dates and times on behalf of the NMSU Parking Citation Appeal Hearing Officer. Notice of the date, time and place of the hearing shall be provided to the appellant seven (7) business days in advance of the hearing date. If the appellant fails to appear at the hearing or seek a continuance, the hearing officer may uphold the citation, and add the administrative fee to the amount of the fine.
4. The NMSU Parking Department will maintain on file the hearing docket and decisions of each session at which the Citation Hearing Appeal Officer hears cases under its jurisdiction.
5. Arguments by appellants before the Citation Appeal Hearing Officer shall be limited to those issues raised in the written appeal. Mitigating circumstances are limited to a determination that there was a failure on the part of the University to clearly mark or otherwise designate parking areas.
6. The Citation Appeal Hearing Officers are empowered to take the following action on a citation brought before them:
 - Uphold the citation
 - Dismiss the citation

- Reduce the citation fine by one-half if mitigating circumstances are found
7. The decision of the Citation Appeal Hearing Officer is final.
 8. An administrative fee, as authorized by law, shall be added to all citations upheld by the Citation Appeal Hearing Officer. Said amount shall be paid to the NMSU Parking Department, along with the citation amount at the time of judgment. If appellant does not pay/fulfill any judgment, fines, and/or hearing costs assessed within five business days, the cited vehicle will be added to the “tow or boot” list, and subject to other sanctions under this policy. Citations upheld due to appellant failing to appear at the appeal hearing will have five (5) business days to pay the citation and administrative fee; failure to pay fees within the five business days will automatically put vehicle on the “tow or boot” list.