

Parking Citation Appeals Board Procedures



Information about the appeals process and evaluation criteria for traffic & parking citations at Kansas State University Polytechnic Campus.

Approved November 2016 by the Council on Parking Operations

1. About the Committee

The Parking Citation Appeals Board (PCAB) is established by the Kansas State University Polytechnic Campus bylaws with the mission of reviewing appeals on violations of the Traffic & Parking Regulations. Regulations are recommended by the Council on Parking Operations and approved by the CEO and Dean. PCAB membership must include one student, one University Support Staff member, and one faculty or professional staff member. In the event of a tie or absence of a member, the chair of the Council on Parking Operations will serve as an alternate.

Associated Regulations

Section 6 of the Traffic & Parking Regulations governs enforcement, violations, and appeals. It is included in this document, and complete regulations are available on the parking website or through the Parking Office. As stated in 6.A.1 of the Traffic & Parking Regulations, Campus Security may issue tickets for parking violations. The associated fees, found in 6.B.1, are charged to the responsible party, who is defined in 6.A.2 as the permit owner or, if no permit is held, vehicle owner. The citation may be appealed at the Parking Office within 14 days of its issuance, in accordance to 6.C.2, and the appeal is evaluated by the PCAB.

2. Appeals Process

Appeals are made at the Parking Office or through the K-State Online parking system at www.k-state.edu/parking. The Parking Office emails the appeal and any submitted documentation to the PCAB committee members. The PCAB can also request photos or videos if they were taken at the issuance of the citation.

The PCAB members review the petition and individually email the Parking Office of their vote to uphold the citation, dismiss the citation, or abstain from a decision. The Parking Office tallies the majority vote and notifies the appellant of the determination.

If the citation is dismissed, no fee is due. If the citation is upheld, the appellant must pay it within 14 days following the date of the PCAB's decision. In accordance with 6.B, if the citation is not paid, an additional "failure to pay" fee will be assessed and the vehicle may be subject to impoundment.

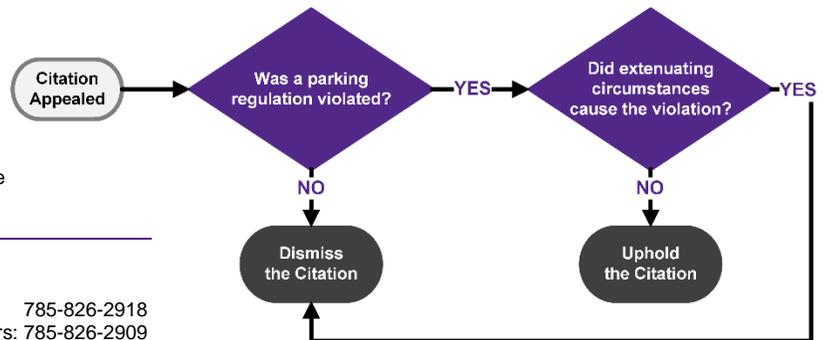
Certain citations, as described in 6.C.4 to 6.C.9, cannot be appealed. These include citations older than 14 days, paid tickets, and tickets for expired meters. Citations may be appealed only once; all PCAB decisions are final.

3. Appeals Evaluation Criteria

The PCAB evaluates appeals using the following two questions (also illustrated at the right):

- Was a Traffic & Parking Regulation violated?
- If so, were there extenuating circumstances causing the violation?

The PCAB judges appeals only on those two questions, **not** on the fairness of the regulation. Feedback regarding the regulations should be directed to the Council on Parking Operations or the Parking Office.



4. Parking Office Contact Information

Parking Office – Office of Fiscal Services

College Center Suite 209 (second floor)

2310 Centennial Road

Salina, KS 67401

Hours: Monday – Friday from 8 AM – 5 PM

785-826-2918

after hours: 785-826-2909

salpark@k-state.edu

polytechnic.k-state.edu/fiscalaffairs/parking

Excerpt from Traffic & Parking Regulations pertaining to appeals

6. Enforcement, Violations, & Appeals

A. Enforcement & Responsible Parties

1. Campus Security and others appointed by the Director of Parking Services have authority to issue tickets for parking violations.
2. The permit owner, or the vehicle owner if no permit is held, is responsible for all parking tickets issued to the vehicle.
3. Organizational units may transfer responsibility for any ticket issued to them by notifying the Parking Office in writing of the employee responsible for the permit at the time of the infraction.

B. Citation Fees, Other Penalties, & Impoundment

1. The following misuse fees may be assessed. Payment is due 14 days from issuance. After this time, an additional "failure to pay" fee will be charged. (See *Traffic & Parking Regulations for misuse fees.*)
2. A parked vehicle having three or more delinquent parking citations or having

five (5) or more unpaid citations is deemed an "Excessive Violator" and is subject to impoundment.

3. Any vehicle in violation of these regulations can be deemed a common nuisance and may be removed and impounded or have a wheel lock applied.
4. Any vehicle, including bicycles, impounded or wheel locked may not be released until all citations and impoundment fees have been paid or payment arrangements have been made to the satisfaction of Parking Services and/or the designated owing service company.
5. Students with unpaid misuse fees may not enroll, register, drop or add classes, or order transcripts.
6. Faculty or staff who have unpaid misuse fees will be submitted quarterly to Fiscal Services Director.
7. Students, faculty and staff may be permitted, at the discretion of the Director of Fiscal Services, to enter into a payment agreement for payment of unpaid misuse fees.

8. Delinquent accounts will be forwarded to a collection agency and/or the Set-Off program created in K.S.A. 75-6201 and 44-718(D).ET SEQ.

C. Appealing a Citation

1. The Kansas State Polytechnic Parking Citation Appeals Board (PCAB) was established by the University to review the validity of violation notices when a review is requested by the violator. PCAB may uphold or dismiss the violation.
2. An Appeals Form must be completed, filed, reviewed, and recorded at the Parking Office by the close of business on the 14th day after the issuance of the violation notice.
3. If an appeal is upheld, all penalties must be paid within fourteen (14) days following the decision date of the PCAB. Failure to do so may result in the impoundment of the vehicle. If dismissed, no fee is due.
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4. Only the permit owner or vehicle owner, if without a permit, may appeal a parking ticket.

5. The results of the PCAB will be conveyed to the violator within 30 days of the date of the appeal.
6. Appeals submitted after 14 days from the violation will not be accepted.
7. Paid tickets may not be appealed.
8. Tickets may be appealed only once. All actions of the PCAB are final.
9. Expired parking meter violations may not be appealed. All meter malfunctions must be reported to the Parking Office within two hours of receiving a citation. The citation may be excused only if a malfunction is verified by the Parking Office.

D. Citation Cancellation for Visitors

1. Visitors who have not yet obtained either a visitor permit and have been issued a parking citation for not having a valid permit may submit the citation to the Parking Office within five business days for cancellation.
2. Only one citation per person/vehicle may be canceled during any 12-month period. Parking violation notices are assessed against a vehicle, not the vehicle driver.