

**RULES
OF
THE TENNESSEE BOARD OF REGENTS**

**CHAPTER 0240-01-06
PARKING AND TRAFFIC RULES**

TABLE OF CONTENTS

0240-01-06-.01	Definitions	0240-01-06-.06	Violations
0240-01-06-.02	General Provisions	0240-01-06-.07	Fines
0240-01-06-.03	Registration	0240-01-06-.08	Enforcement
0240-01-06-.04	Parking Zones	0240-01-06-.09	Appeals
0240-01-06-.05	Motor Vehicle Operation		

0240-01-06-.01 DEFINITIONS.

- (1) The term “motor vehicle” means any self-propelled vehicle that is capable of exceeding twenty-five (25) miles per hour.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.02 GENERAL PROVISIONS.

- (1) The purpose of these rules is to facilitate and regulate the safety and orderly operation of motor vehicles on property of institutions under the control of the Tennessee Board of Regents (the TBR) and to provide parking facilities for their operation within the limits of available space.
- (2) Institutions shall identify an administrative unit or administrator responsible for implementation and enforcement of these rules.
- (3) Any person operating a motor vehicle on the property of a TBR institution or controlled by a TBR institution is required to obey these rules as a condition of parking or operating a motor vehicle on institution property or institution-controlled property.
- (4) The issuance of an institution parking permit does not guarantee a parking space. The inability to locate a designated parking space does not diminish the responsibility to park in accordance with these rules.
- (5) The absence of “no parking” signs or painted curbs/lines does not imply that parking is allowed. Parking in designated lots is restricted to designated spaces only. Motor vehicles parked outside of designated spaces are subject to citation and towing, and the owner/operator may be subject to disciplinary and/or administrative action.
- (6) The institution shall have no responsibility for theft or damage to any motor vehicle or its contents operated or parked on institution property or institution-controlled property.
- (7) These rules are enforceable seven (7) days a week, twenty-four (24) hours a day, including holidays and breaks.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.03 REGISTRATION.

- (1) Institutions may require students, employees, and visitors to register motor vehicles and/or obtain parking permits in order to park on institution property or institution-controlled property. Reasonable costs/fees may be assessed in association with the motor vehicle registration or permit process. Any fees or costs associated with registration of motor vehicles, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution.
- (2) Institutions choosing to utilize parking permits shall identify locations where parking permits are available for pickup and purchase by students, visitors, and employees. Lost or stolen parking permits must be reported to the institution.
- (3) If the institution utilizes parking permits, only motor vehicles properly displaying a parking permit, visitor pass, or those motor vehicles legally parked where no permit is required may be parked on institution property or institution-controlled property.
- (4) Parking permit holders are only eligible for one (1) parking permit at a time. Permits may be moved from one (1) motor vehicle to another. Parking permits may not be transferred from one person to another.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.04 PARKING ZONES.

- (1) Institutions shall clearly designate lots for which parking permits are required and the types of permits required for such lots.
- (2) Persons utilizing disabled parking spaces must have a state-issued disability license plate or disability placard. All students, faculty, and staff who have a state-issued placard or license plate should be registered with the institution to ensure access to the appropriate disabled parking spaces on institution property or institution-controlled property.
- (3) Motorcycles, motor bikes, and motor scooters must display a motorcycle permit (if issued by the institution) and are only permitted to park in parking spaces designated as “motorcycle parking” or in other regularly marked parking spaces. Operating these motor vehicles on any surface other than designated streets or parking areas is prohibited.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.05 MOTOR VEHICLE OPERATION.

- (1) Operators of motor vehicles on institution property or institution-controlled property, which includes city streets running through campus, must obey all traffic rules, regulations, postings, and directions of law enforcement, regardless of whether the rule, regulation, posting, or direction is included in these rules, and all applicable traffic rules, regulations, postings, or directions.
- (2) Violating posted speed limits, the reckless operation of a motor vehicle on institution property or institution-controlled property, including but not limited to, squealing tires, or sliding the motor vehicle is prohibited.

(Rule 0240-01-06-.05, continued)

- (3) All persons operating motor vehicles on institution property or institution-controlled property are responsible for maintaining proper control of the motor vehicle, safe operation, and observance of traffic control signs, barriers, and devices.
- (4) Operating a motor vehicle in any area other than a street or a roadway intended for motor vehicles on institution property or institution-controlled property is prohibited.
- (5) Pedestrians have the right of way at established pedestrian crossings on institution property or institution-controlled property, except where regulated by traffic control lights or police officers.
- (6) Individuals riding bicycles on institution property or institution-controlled property must comply with all applicable traffic rules, regulations, postings, or directions.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.06 VIOLATIONS. The following are non-exclusive examples of violations of these rules.

- (1) Registration
 - (a) Unauthorized possession of a parking permit;
 - (b) Falsification of registration information; and
 - (c) Illegal use, unauthorized use, reproduction or alteration of a parking permit or temporary parking permit.
- (2) Parking
 - (a) In a no parking zone;
 - (b) No permit or visitor pass where required;
 - (c) Improper display of permit or visitor pass;
 - (d) Parked outside of lines or appropriately marked parking space;
 - (e) In such a manner as to block or obstruct traffic, street, sidewalk, driveway, fire hydrant, building entrance or exit, or another motor vehicle;
 - (f) In a fire lane;
 - (g) Overtime in a metered space;
 - (h) Illegal entry/exit in an access-controlled or gated parking facility, which includes, but is not limited to, tailgating another motor vehicle;
 - (i) Non-operative vehicle parked on institution property or institution-controlled property for longer than seven (7) days without permission from the institution;
 - (j) Breaking the gate in an access-controlled gated parking facility; and
 - (k) Disability parking violation, as defined by State law (including, but not limited to, unauthorized use of a disabled parking space, ramp, plate, or placard; parking a motor vehicle so that a portion of the motor vehicle encroaches into a disabled space in a manner that restricts, or reasonably could restrict, a person confined to a wheelchair from

(Rule 0240-01-06-.06, continued)

exiting or entering a motor vehicle properly parked within a disabled parking space). Fines for violating the disabled parking laws cannot be suspended or waived where prohibited by T.C.A. § 55-21-108.

- (3) Institution police officers may issue citations for violations of these rules, city county ordinances, and/or state laws. Individuals who receive a citation for violations of city or county ordinances and/or state laws must appear in court on the court date listed on the citation or pay the citation fine if appearance in court is not required.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.07 FINES.

- (1) Fines may be set for each institution but shall not exceed the greater of fifty dollars (\$50.00) or the amount set by any state law, or any county or municipal ordinance in the institution's jurisdiction for the same offense. Provided, however, if a state statute requires that a fine be set at more than fifty dollars (\$50.00), the institution shall set the fine in compliance with the statute. Any such citation written as violation of a city or county ordinance and/or state law will be resolved by a court; any such violation issued as an institutional citation shall not exceed fifty dollars (\$50.00). Proposed fines shall be submitted to the Chancellor together with information sufficient to justify the fine. The setting of fine amounts information shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique parking and traffic considerations at each institution. Following approval by the Chancellor, the public will receive notice and be allowed to comment on the proposed fines, after which all fines shall be approved by the Board of Regents. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution through its website.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.08 ENFORCEMENT.

- (1) Any student, employee, or visitor who has received an institution-issued citation may appeal the citation within fifteen (15) business days of the date of issuance. Citations issued by the institution and not appealed must be paid within fifteen (15) business days of the issuance date of the citation.
- (2) An institution, without advance notice, may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that is parked in a fire lane, designated disabled parking space, spaces reserved for designated motor vehicles, or motor vehicles parked in such a manner as to impede the flow of traffic or disrupt the orderly affairs of the institution.
- (3) An institution may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that has unpaid parking citations as long as advance notice and an opportunity to contest has been given. Windshield notices and/or other methods of notification will be used to provide the operator of the motor vehicle with advance notice of the intent to tow and the operator's right to contest the institution's action.
- (4) An institution may revoke an operator's parking privileges for repeated and/or deliberate parking or moving violations.

(Rule 0240-01-06-.08, continued)

- (5) Any student who receives \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester may be subject to disciplinary action in accordance with applicable rules.
- (6) Parking permits, if utilized, are issued to persons, not motor vehicles, and are required to be affixed to a motor vehicle. Permit holders are responsible for citations incurred with their permit. Persons will also be held liable for a violation incurred by a motor vehicle without a permit when that motor vehicle is reasonably shown to be associated with the person.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.

0240-01-06-.09 APPEALS.

- (1) Any student who has received an institution-issued citation may appeal the citation to the institution's administrator or committee responsible for hearing student appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the administrator or committee responsible for student appeals are final.
- (2) Any employee who has received an institution-issued citation may appeal the citation to the committee responsible for hearing employee appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the committee responsible for employee appeals are final.
- (3) Any person not affiliated with the institution who has received an institution-issued citation may appeal the citation within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions on its website for appeals and the name of the administrator responsible for resolving appeals. Appeals may be filed in person or online. All decisions by the administrator responsible for appeals by unaffiliated individuals are final.

Authority: T.C.A. § 49-8-203(a)(1)(D). **Administrative History:** New rules filed July 13, 2021; effective October 11, 2021.