Amendments to Chapter 20-12
Hawai'i Administrative Rules
(May 29, 2009)

SUMMARY

1. §20-12-8 is amended.

2. §20-12-9 is amended.
§20-12-8 Parking permits, fees and areas. (a) Fees for regular parking permits and for hourly or daily parking shall be as reflected in Exhibit A, entitled "Regular Parking Fees for UH/Manoa" dated ________, which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) The board may set fees for other periods of time not covered under these rules without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that the chancellor shall announce in advance by appropriate media the intent to set the fees which setting may directly affect either students or employees, so that both the groups or their representatives shall have an opportunity to submit comments or recommendations on the matter prior to the board's decision to set the fees.

(2) The board may establish service fees.

(3) The board may establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc., without the necessity of public hearing. [Eff 6/22/81; am 4/01/93; am 12/18/00; am AUG 21 2003]

§20-12-9 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in Exhibit B, entitled “Violations and Schedule of Penalties for UH/Mānoa” dated ________, which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, removal or immobilization of motor vehicle, or disciplinary action, or revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven days after the issuance of the citation as indicated in “Violations and Schedule of Penalties for UH/Mānoa” dated ________.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the motor vehicle, or both, shall be subject to the applicable penalties described in subsections (a), (b), and (c), except in the case of a moving violation in which case the driver shall be subject to the applicable penalties.

(f) All fines shall be paid at the parking office. [Eff 6/22/81; am 4/01/93; am 12/18/00; am Aug 21, 2009] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1, 308-3)
EXHIBIT A

REGULAR PARKING FEES FOR UH/MANOA
(AUG 21 2009)

<table>
<thead>
<tr>
<th>Semester</th>
<th>Summer</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Parking Permits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Employee (Upper Campus)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010</td>
<td>$175.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>2011 and thereafter</td>
<td>193.00</td>
<td>193.00</td>
</tr>
<tr>
<td>(2) Employee (Lower Campus)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010</td>
<td>$129.00</td>
<td>$129.00</td>
</tr>
<tr>
<td>2011 and thereafter</td>
<td>142.00</td>
<td>142.00</td>
</tr>
<tr>
<td>(3) The president, chancellor, vice presidents, vice chancellors, deans, and directors of major research institutes may, upon approval and payment of an additional fee in the amount of 50% of the established fee, be provided with one reserved parking stall as determined by the Parking Office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Student Permits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010</td>
<td>$129.00</td>
<td>$129.00</td>
</tr>
<tr>
<td>2011 and thereafter</td>
<td>142.00</td>
<td>142.00</td>
</tr>
<tr>
<td>(5) Evening Permits (per month)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2010</td>
<td>$21.00</td>
<td></td>
</tr>
<tr>
<td>2011 and thereafter</td>
<td>24.00</td>
<td></td>
</tr>
<tr>
<td>(6) Moped/Motorcycle Permits (Employees and Students)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semester</td>
<td>Summer</td>
<td>Annual</td>
</tr>
<tr>
<td>FY 2010</td>
<td>$27.00</td>
<td>$27.00</td>
</tr>
<tr>
<td>2011 and thereafter</td>
<td>30.00</td>
<td>30.00</td>
</tr>
</tbody>
</table>
(b) Hourly or Daily Parking

Hourly or daily parking fees will be set by the chancellor at rates not to exceed the following:

(1) $4.00 per hour or any fraction thereof. Persons losing time-stamped tickets or driving vehicles parked before daily kiosk opening must pay for the entire time lapsed between opening of the lot and their departure.

(2) $16.00 per day or any fraction thereof payable on either entrance or exit in certain zones or areas designated by the chancellor.

(3) The chancellor shall establish the time periods at which said fees change from hourly to daily or vice versa.

(4) The chancellor shall set or waive fees for parking for special events or disabled persons.
EXHIBIT B

VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH/MANOA

(a) Violations and Schedule of Penalties:

<table>
<thead>
<tr>
<th>Violation</th>
<th>Original Fine</th>
<th>7-Day Non-Payment Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas including but not limited to the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- lawns, planted areas, and grounds under repair;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- medians, sidewalks, driveways, and crosswalks;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- &quot;No Parking&quot; areas or along curbs painted red;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- (obstructing) fire hydrant or (parking in) fire lane;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- (obstructing) vehicular or pedestrian traffic;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- official bus or shuttle stop</td>
<td>$15.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>(2) Parking in area not designated for that specific type of vehicle</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>(3) Operating or parking a motor vehicle of any type, moped, motorcycle,</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>or bicycle within a University building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Double parking or motor vehicles not placed wholly within the lines or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>boundaries of the parking space</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>(5) Parking in a reserved stall</td>
<td>25.00</td>
<td>35.00</td>
</tr>
<tr>
<td>(6a) Persons using a disabled placard who refuse to present a valid</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 of 5
identification card issued under chapter 291, Hawai‘i Revised Statutes, to an enforcement officer upon their request.................. 150.00 160.00

(6a) Parking in a space reserved for persons with disabilities and:

(i) Failing to properly display a windshield placard or special license plate authorizing use of such parking space in accordance with Part III of Chapter 291, Hawai‘i Revised Statutes;

(ii) Displaying an invalid windshield placard or special license plate; or

(iii) Using a windshield placard or special license plate that was not issued to the driver or to any passengers occupying the vehicle in the parking space...................... 250.00 260.00

(6b) Parking in a space reserved for persons with disabilities by a person who has been issued a valid windshield placard or special license plate that is currently in effect, but failing to properly display the windshield placard or special license plate ........ 25.00 35.00

(6c) With or without a windshield placard or special license plate:

(i) Parking in an access aisle adjacent to a parking space reserved
for a person with a disability; or

(ii) Obstructing the ingress or egress to a parking space reserved for a person with a disability ................. 250.00  260.00

(6d) Parking in a space reserved for persons with disabilities and refusing or failing to present an identification card issued under Chapter 291, Hawai`i Revised Statutes, or the rules adopted thereunder to an enforcement officer upon request ................. 250.00  260.00

(7) Parking in a loading zone longer than 15 minutes ........ 25.00  35.00

(8) Parking in wrong zone ....... 15.00  25.00

(9) Parking without a permit .... 15.00  25.00

(10) Failure to display permit or displaying it at an improper location ................. 15.00  25.00

(11) Failure to pay daily parking rate ................. 15.00  25.00

(12) Falsifying information on an application ................. 20.00  30.00

(13) Displaying or using invalid permit or pass ................. 20.00  30.00

(14) Possessing or using counterfeit, altered, defaced, illegally transferred, or stolen permit ................. 25.00  35.00

(15) Driving on areas other than streets, roads, or parking areas ................. 15.00  25.00

(16) Exceeding the 15 mph or
<table>
<thead>
<tr>
<th>Other Posted Speed Limits on Campus</th>
<th>20.00</th>
<th>30.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>(17) Reckless Driving</td>
<td>20.00</td>
<td>30.00</td>
</tr>
<tr>
<td>(18) Failure to Heed Directions</td>
<td>25.00</td>
<td>35.00</td>
</tr>
<tr>
<td>of a duly authorized officer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(19) Failure to Heed Directions</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>on an official sign and/or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>symbols</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(20) Moving Violations of the</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>City &amp; County of Honolulu Traffic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code not otherwise specified in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>these regulations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(21) Parking or operating a</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>bicycle or moped in violation of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the City &amp; County of Honolulu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traffic Code (not otherwise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>specified herein)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(22) Failure to make a complete</td>
<td>20.00</td>
<td>30.00</td>
</tr>
<tr>
<td>stop at an official “STOP” sign</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(23) Transporting a bicycle,</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>moped, or motorcycle in an</td>
<td></td>
<td></td>
</tr>
<tr>
<td>elevator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(24) Damaging campus signs,</td>
<td>25.00</td>
<td>35.00</td>
</tr>
<tr>
<td>parking gates, or parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>appurtenances</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(25) Repeat or flagrant</td>
<td>25.00</td>
<td>35.00</td>
</tr>
<tr>
<td>violation of parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>regulations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(26) Motor vehicle or its alarm</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>system making excessive noise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and/or causing a disturbance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(27) Moving any barricade or</td>
<td>15.00</td>
<td>25.00</td>
</tr>
<tr>
<td>parking within any barricaded</td>
<td></td>
<td></td>
</tr>
<tr>
<td>area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4 of 5
(b) Violators shall be subject to any of the following:

(1) A citation and fine as outlined in section "(a)";

(2) Vehicle removal or impoundment;

(3) Recommended hold placed on University registration and records;

(4) Revocation or suspension of parking privileges;

(5) Referral to Student Conduct Board.
UNIVERSITY OF HAWAI'I

Amendments to chapter 20-12, Hawai'i Administrative Rules, on the Summary page dated May 29, 2009, were adopted on May 29, 2009 following a public hearing held on May 5, 2009 after public notice was given in the Honolulu Star Bulletin on April 5, 2009.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

Howard H. Karr
Chairperson
Board of Regents
University of Hawai'i

APPROVED AS TO FORM:

Darolyn Lendio, Esq.
General Counsel
University of Hawai'i

APPROVED:

JAMES R. AIONA JR.
Acting Governor
State of Hawai'i

Date: ____________________

Filed

19 AUG 12 10:04
SUMMARY

1. §20-12-18 is amended.
EXHIBIT A
VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH-HILO
May 29, 2008

(a) Violations and Schedule of Penalties for Vehicles

<table>
<thead>
<tr>
<th>Description</th>
<th>Fine</th>
<th>5-Working Day Non-Payment Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas such as, but not limited to, the following: on grassed areas not marked for parking, outside of marked stalls, medial strips, sidewalks, driveways, crosswalks, in loading stalls, in “No Parking” areas, or along so marked curbs</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(2) Parking in area not designated for that specific type of vehicle</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(3) Operating or parking a vehicle of any type, moped, or motorcycle in an unauthorized area within the University</td>
<td>$15</td>
<td>$15</td>
</tr>
<tr>
<td>(4) Double parking or vehicles not placed wholly within the lines or boundaries of the parking space</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(5) Parking in a reserved stall</td>
<td>$25</td>
<td>$35</td>
</tr>
</tbody>
</table>
(6a) Parking in a space reserved for persons with disabilities and:

(i) Failing to properly display a windshield placard or special license plate authorizing use of such parking space in accordance with Part III of Chapter 291, Hawai‘i Revised Statutes;

(ii) Displaying an invalid windshield placard or special license plate; or

(iii) Using a windshield placard or special license plate that was not issued to the driver or to any passengers occupying the vehicle in the parking space.

$250 $260

(6b) Parking in a space reserved for persons with disabilities by a person who has been issued a valid windshield placard or special license plate that is currently in effect, but failing to properly display the windshield placard or special license plate.

$25 $35
(6c) With or without a windshield placard or special license plate:

(i) Parking in an access aisle adjacent to a parking space reserved for a person with a disability; or

(ii) Obstructing the ingress or egress to a parking space reserved for a person with a disability. $250 $260

(6d) Parking in a space reserved for persons with disabilities and refusing or failing to present an identification card issued under Chapter 291, Hawai'i Revised Statutes, or the rules adopted thereunder to an enforcement officer upon request. $250 $260

(7) Parking in loading zone longer than 15 minutes $25 $35

(8) Parking in wrong zone $15 $25

(9) Parking without a permit $15 $25

(10) Failure to display permit or display it at an improper location $15 $25

(11) Failure to pay daily parking fee $15 $25

(12) Falsifying information on an application $20 $30

(13) Displaying or using invalid permit or pass $20 $30
<table>
<thead>
<tr>
<th>Violation</th>
<th>Fine 1</th>
<th>Fine 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>(14) Possessing or using counterfeit, altered, defaced, illegally transferred, or stolen permit</td>
<td>$50</td>
<td>$60</td>
</tr>
<tr>
<td>(15) Driving on areas other than streets, roads, or parking areas</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(16) Exceeding 15 mph or other posted speed limits on campus</td>
<td>$20</td>
<td>$30</td>
</tr>
<tr>
<td>(17) Reckless driving</td>
<td>$20</td>
<td>$30</td>
</tr>
<tr>
<td>(18) Failure to heed directions of a duly authorized officer</td>
<td>$30</td>
<td>$40</td>
</tr>
<tr>
<td>(19) Failure to heed directions on an official sign or symbols</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(20) Moving violations of the County of Hawaii Traffic Code no otherwise specified in these regulations</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(21) Parking or operating a bicycle or moped in violation of the County of Hawaii Traffic Code (not otherwise specified herein)</td>
<td>$15</td>
<td>$25</td>
</tr>
<tr>
<td>(22) Failure to make a complete stop at an official “STOP” sign</td>
<td>$20</td>
<td>$30</td>
</tr>
<tr>
<td>(23) Damaging campus signs, parking gates, or parking appurtenances</td>
<td>$50</td>
<td>$60</td>
</tr>
<tr>
<td></td>
<td>+ cost of repair or replacement</td>
<td></td>
</tr>
</tbody>
</table>
(24) Repeat or flagrant violation of parking regulations       $30 $40

(25) Motor vehicle or its alarm system making excessive noise and/or causing a disturbance $15 $25

(26) Moving any barricade or parking within any barricaded area $15 $25

(b) Violators shall be subject to any of the following:

(1) A citation and fine as outlined in paragraph (a);

(2) Vehicle removal or impoundment;

(3) Recommended hold placed on University registration and records;

(4) Revocation or suspension of parking privileges;

(5) Referral of Student Conduct Board.
§20-12-18 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in Exhibit A entitled “Violations and Schedule of Penalties for UH-Hilo” dated May 29, 2008, which is located at the end of this chapter and made a part of this Chapter.

(b) Violations shall be subject to a fine and removal, immobilization, or confiscation of vehicle, or disciplinary action, revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven calendar days after the issuance of the citation as indicated in “Violations and Schedule of Penalties for UH-Hilo” dated May 29, 2008.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the vehicle, or both, shall be subject to the applicable penalties described in subsections (a), (b), and (c) except in the case of a moving violation in which case the driver shall be subject to applicable penalties.

(f) All fines shall be paid at the auxiliary services office.

(g) Disciplinary action against students shall be as provided under existing Board of Regents’ Bylaws and Policies.” [Eff 6/22/81; am 6/2/83; am 7/2/93; am JUL 18 2008] (Auth: HRS §§3308-1, 304-4, 306-2) (Imp: HRS §§308-1, 308-3, 304-4, 306-9)
UNIVERSITY OF HAWAI‘I

Amendments to chapter 20-12-18, Hawai‘i Administrative Rules, on the Summary page dated May 29, 2008 were adopted on May 29, 2008 following a public hearing held on May 16, 2008 after public notice was given in the Honolulu Advertiser and West Hawaii Today on April 14, 2008, and the Hawaii Tribune Herald on April 16, 2008.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

Allan R. Landon
Chairperson
Board of Regents
University of Hawai‘i

APPROVED AS TO FORM:

Darolyn Lendio, Esq.
General Counsel
University of Hawai‘i

LINDA LINGLE
Governor
State of Hawai‘i
Date: JUL – 8 2008

Filed 08 JUL – 8 2008

FILED IN THE OFFICE OF THE GOVERNOR
OF THE STATE OF HAWAI‘I
UNIVERSITY OF HAWAIʻI

Amendments to Chapter 20-12
Hawaiʻi Administrative Rules
( July 16, 1999  )

SUMMARY

1. §20-12-2 is amended.
2. §20-12-5 is amended.
3. §20-12-7 is amended.
4. §20-12-8 is amended.
5. §20-12-9 is amended.
§20-12-2 Definitions. As used in this subchapter:
"Bicycle" refers to a vehicle with two tandem wheels, a steering handle, a saddle seat, and pedals by which it is propelled.

***

§20-12-5 Application procedure. (a) Application for parking permits. Any employee or student seeking a parking permit shall obtain an application form from the parking office or at a place designated by the chancellor. The information requested in the application form must be completed fully and accurately or it shall be rejected. Employees and students shall follow established parking permit purchasing procedures as designated by the chancellor or a designee and shall be required to show proof of:

1. Valid driver's license;
2. Vehicle registration certificate;
3. Employment verification letter or valid faculty or staff identification card (employee);
4. Student registration verification slip or valid student identification card (student);
5. Student housing receipt (dorm student).

§20-12-7 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles and bicycles on the campus.

(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.

(c) Signs. All officially posted signs regarding traffic and parking control shall be observed.

(d) Access and parking area.

(1) Access. Access to the campus shall be permitted only upon showing or displaying proper permits except in hourly and daily parking zones. Motor vehicles making excessive noise may be denied access to the campus.

(2) Parking. Parking shall be permitted only in areas marked and specified by the parking office.

(e) Removal. Any motor vehicle may be removed or immobilized at the expense of the owner if it is in violation of these rules. The motor vehicles may be held by the university in lieu of payment of any removal and storage charges incurred against the vehicle as a result of its operation or parking on the university campus.

If the motor vehicle so removed is unclaimed for thirty days, the university shall thereafter dispose of the motor vehicle as determined by the parking office. The university shall pay all costs of removal and storage and other costs connected with the disposal out of the university parking revolving fund. If the motor vehicle is sold, the fund shall be reimbursed for the costs, as well as for any unpaid fines from the proceeds for the sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of the sale are not claimed by the owner of the vehicle within sixty days after notice, the proceeds shall be deposited in the university parking revolving fund.

(f) Display of permits. Any motor vehicle parked on university property, other than in pay lots, must display a valid university parking permit or pass. The permit shall designate a specific zone where the vehicle may be parked. It is the permit holder's responsibility to display the permit in plain view on
the dashboard or on the rear-view mirror. For
motorcycles, mopeds, and motor scooters, it shall be
affixed on the left handle bar or on the left front
side in plain view. The location where these stickers
are to be placed may be changed by the chancellor as
deemed necessary. Failure to properly display
identification stickers as indicated in this subsection
is a violation and may subject the violator to a fine,
removal of the vehicle, disciplinary action, or any
combination thereof.

(g) A semester permit shall be valid until the
beginning of the next semester or summer session,
whichever comes first. A summer session permit shall
be valid until the beginning of the next semester. An
evening only permit shall be valid only in the evenings
of that month for which it is issued. Students without
twenty-four hour permits who are enrolled in regular
semester or summer session day-time programs may be
allowed to purchase evening only permits for parking in
zones designated by the chancellor.

***

[Eff 6/22/81; am 4/01/93; am DEC 18 2000]
308-1)
§20-12-8 Parking permits, fees and areas. (a) Fees for regular parking permits and for hourly or daily parking shall be as reflected in "Regular Parking Fees for UH/Manoa (July 16, 1999)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) The board may set fees for other periods of time not covered under these rules without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that the chancellor shall announce in advance by appropriate media the intent to set the fees which setting may directly affect either students or employees, so that both the groups or their representatives shall have an opportunity to submit comments or recommendations on the matter prior to the board’s decision to set the fees.

(2) The board may establish service fees.

(3) The board may establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc., without the necessity of public hearing. [Eff 6/22/81; am 4/01/93; am DEC 18 2000] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-9 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for UH/Manoa ( July 16, 1999 )" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, removal or immobilization of motor vehicle, or disciplinary action, or revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven days after the issuance of the citation as indicated in "Violations and Schedule of Penalties for UH/Manoa ( July 16, 1999 )."

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the motor vehicle, or both, shall be subject to the applicable penalties described in subsections (a), (b), and (c), except in the case of a moving violation in which case the driver shall be subject to the applicable penalties.

REGULAR PARKING FEES FOR UH/MA¯NOA
( July 16, 1999 )

<table>
<thead>
<tr>
<th></th>
<th>Semester</th>
<th>Summer</th>
<th>Annual</th>
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</thead>
<tbody>
<tr>
<td>(a) Parking Permits</td>
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<td></td>
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<tr>
<td>(1) Employee (Upper Campus)</td>
<td></td>
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<tr>
<td></td>
<td>$168.00</td>
<td>$84.00</td>
<td>$420.00</td>
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<tr>
<td>(2) Employee (Lower Campus)</td>
<td></td>
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<tr>
<td></td>
<td>$134.00</td>
<td>$68.00</td>
<td>$336.00</td>
</tr>
<tr>
<td>(3) The chancellor, vice presidents, deans, and directors of major research institutes may, upon approval and payment of an additional fee in the amount of 50% of the established fee, be provided with one reserved parking stall as determined by the Parking Office.</td>
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<td>(4) Student Permits</td>
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<tr>
<td></td>
<td>$134.00</td>
<td>$68.00</td>
<td>$336.00</td>
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<td>(5) Evening Permits (per month)</td>
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<td>$18.00</td>
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<tr>
<td>(6) Moped/Motorcycle Permits (Employees and Students)</td>
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<td></td>
<td>Semester</td>
<td>Summer</td>
<td>Annual</td>
</tr>
<tr>
<td></td>
<td>$28.00</td>
<td>$14.00</td>
<td>$70.00</td>
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</tbody>
</table>

(b) Hourly or Daily Parking

Hourly or daily parking fees will be set by the board at rates not to exceed the following:
Chapter 20-12
Regular Parking Fees

(1) $4.00 per hour or any fraction thereof. Persons losing time-stamped tickets or driving vehicles parked before daily kiosk opening must pay for the entire time lapsed between opening of the lot and their departure.

(2) $16.00 per day or any fraction thereof payable on either entrance or exit in certain zones or areas designated by the board.

(3) The chancellor shall establish the time periods at which said fees change from hourly to daily or vice versa.

(4) The board shall set or waive fees for parking for special events or handicapped persons.
Chapter 20-12
Violations and Schedule of Penalties

VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH/MĀNOA
( July 16, 1999 )

(a) Violations and Schedule of Penalties:

<table>
<thead>
<tr>
<th></th>
<th>Original Fine</th>
<th>7-Day Non-Payment Penalty</th>
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</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas including but not limited to the following:</td>
<td></td>
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<tr>
<td>- lawns, planted areas, and grounds under repair;</td>
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<td>- medial strips, sidewalks, driveways, and crosswalks;</td>
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<tr>
<td>- &quot;No Parking&quot; areas or along curbs painted red;</td>
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<tr>
<td>- (obstructing) fire hydrant or (parking in) fire lane;</td>
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<tr>
<td>- (obstructing) vehicular or pedestrian traffic;</td>
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<tr>
<td>- official bus or shuttle stop..........................</td>
<td>$15.00</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

(2) Parking in area not designated for that specific type of vehicle............... | 15.00          | 25.00                     |

(3) Operating or parking a motor vehicle of any type, moped, motorcycle, or bicycle within a University building. | 15.00          | 25.00                     |

(4) Double parking or motor vehicles not placed wholly within the lines or boundaries of the parking space................. | 15.00          | 25.00                     |

(5) Parking in a reserved stall............................... | 25.00          | 35.00                     |
(6) Parking in space reserved for disabled persons without properly displaying a valid disabled placard or special license plate................. 150.00 160.00

(6a) Persons using a disabled placard who refuse to present a valid identification card issued under chapter 291, Hawaii Revised Statutes, to an enforcement officer upon their request.................. 150.00 160.00

(7) Parking in a loading zone longer than 15 minutes........ 25.00 35.00

(8) Parking in wrong zone..... 15.00 25.00

(9) Parking without a permit.. 15.00 25.00

(10) Failure to display permit or displaying it at an improper location...................... 15.00 25.00

(11) Failure to pay daily parking rate......................... 15.00 25.00

(12) Falsifying information on an application.................. 20.00 30.00

(13) Displaying or using invalid permit or pass........... 20.00 30.00

(14) Possessing or using counterfeit, altered, defaced, illegally transferred, or stolen permit...................... 25.00 35.00

(15) Driving on areas other than streets, roads, or parking areas.................. 15.00 25.00
Chapter 20-12
Violations and Schedule of Penalties

(16) Exceeding the 15 mph or other posted speed limits on campus..........................20.00 30.00

(17) Reckless driving..............20.00 30.00

(18) Failure to heed directions of a duly authorized officer...25.00 35.00

(19) Failure to heed directions on an official sign and/or symbols..........................15.00 25.00

(20) Moving violations of the City & County of Honolulu Traffic code not otherwise specified in these regulations..............15.00 25.00

(21) Parking or operating a bicycle or moped in violation of the City & County of Honolulu Traffic Code (not otherwise specified herein)..............15.00 25.00

(22) Failure to make a complete stop at an official "STOP" sign..............................20.00 30.00

(23) Transporting a bicycle, moped, or motorcycle in an elevator.......................15.00 25.00

(24) Damaging campus signs, parking gates, or parking appurtenances..................25.00 35.00
    + cost of repair or replacement

(25) Repeat or flagrant violation of parking regulations...............................25.00 35.00
Chapter 20-12
Violations and Schedule of Penalties

(26) Motor vehicle or its alarm system making excessive noise and/or causing a disturbance...15.00  25.00

(27) Moving any barricade or parking within any barricaded area.........................15.00  25.00

(b) Violators shall be subject to any of the following:

(1) A citation and fine as outlined in section "(a)";

(2) Vehicle removal or impoundment;

(3) Recommended hold placed on University registration and records;

(4) Revocation or suspension of parking privileges;

(5) Referral to Student Conduct Board.
UNIVERSITY OF HAWAI'I

Amendments to chapter 20-12, Hawai'i Administrative Rules, on the Summary page dated, were adopted on
October 20, 2000 following a public hearing held on
September 19, 2000 after public notice was given in the
RFD Publications Public Notice _______________________,
on August 7, 2000 ___________________.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

LILY K. YAO
Chairperson
Board of Regents
University of Hawai'i

APPROVED AS TO FORM:

Roosevelt A. Sugii
Deputy Attorney General

BENJAMIN J. CAYETANO
Governor
State of Hawai'i

Date: Dec. 7, 2000
DEC 8 2000
Filed
TITLE 20
UNIVERSITY OF HAWAII
CHAPTER 12
PARKING AND OPERATION OF MOTOR VEHICLES

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§20-12-2 Definitions
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§20-12-4 Map of parking areas
§20-12-5 Application procedure
§20-12-6 Chancellor's authority and priorities
§20-12-7 General rules
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SUBCHAPTER 1

UNIVERSITY OF HAWAII AT MANOA

12-2
§20-12-3

Historical Note: This subchapter is based substantially upon "Revised Rules and Regulations Governing Parking and Operation of Motor Vehicles at the University of Hawaii at Manoa" promulgated by the University of Hawaii board of regents. [Eff. 4/2/79; am 8/18/79; R JUN 22 '81]

§20-12-1 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking at the campus. These rules are intended for personal convenience and safety and for the general welfare of the university community. [Eff. JUN 22 '81 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §§308-1, 308-3, 306-9)]

§20-12-2 Definitions. As used in this subchapter:
"Board" refers to the board of regents of the University of Hawaii.
"Campus" refers to all lands owned by the university or occupied by the East West Center at the Manoa campus.
"Chancellor" refers to the chancellor of the University of Hawaii at Manoa and shall include authorized subordinates, including particularly the vice chancellor or other entitled executive officer for the university at Manoa upon the appointment of such officer.
"Employees" refers to and shall include the faculty, staff and line members employed at the university and East West Center and in the central administration of the university system and employees of the University of Hawaii Federal Credit Union and employees of contractors and lessees with the University of Hawaii unless said employees' contracts prohibit on-campus parking.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters and motorcycles.
"Parking board" refers to the parking board of review.
"Student" refers to any full-time or part-time student enrolled at the university.
"University" refers to the University of Hawaii at Manoa and shall include the East West Center. [Eff. JUN 22 '81 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1)]

§20-12-3 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the university to the chancellor. The board may engage a private traffic program or a portion thereof at the campus. [Eff. JUN 22 '81 (Auth: HRS §§308-1, 304-4,
§20-12-4 Map of parking areas. The map of the parking areas of the campus shall be kept at the office of auxiliary services, auxiliary services building, or at such office as the chancellor designates. The chancellor may change the assignment of zones and allowable times for parking in zones allocated to employees, students or others, based on availability and demand, without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that the chancellor shall announce in advance by appropriate media the intent to make any such change which may directly affect either students or employees, so that both said groups or their representatives shall have the opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said change. Such changes shall be recorded on the map. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1)]

§20-12-5 Application procedure. (a) Application for parking permits. Any employee or student seeking a parking permit shall obtain an application form from the traffic desk, auxiliary services building, or at a place designated by the chancellor. The information requested in the application form must be completed fully and accurately or it shall be rejected. Employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate and current valid vehicle safety check. All applicants, except those applying for motorcycle and motor scooter permits, shall be required to show proof that liability insurance is maintained on their vehicle before a permit is issued. Minimum coverage of said insurance shall be as required by chapter 294, HRS.

(b) When and where to get permits. Permits will be sold at times and places designated by the chancellor or a designee, provided that the chancellor shall announce in advance by appropriate media the intent to make a change in such timing or location which may directly affect either students or employees, so that both said groups or their representatives shall have opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said change.

(c) Only one permit shall be sold to each applicant and such permit shall not be transferable except as otherwise provided.

(d) Permit fees may be refunded in accordance with
policy as established by the chancellor. [Eff. JUN 22 1981
(Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1,
294-10)

§20-12-6 Chancellor's authority and priorities. The chancellor shall have authority to:
(1) Provide ample reserved stalls for motor vehicles owned or operated by the university;
(2) Provide loading zone areas;
(3) Provide ample reserved stalls or establish priorities in issuing permits to handicapped employees and students;
(4) Establish priorities in issuing permits to employees and students;
(5) Issue special permits to certain employees whenever the performance of their position depends upon it;
(6) Install traffic and parking control signs; and
(7) Do such other things necessary to control traffic and parking. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1)

§20-12-7 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.
(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.
(c) Signs. All officially posted signs regarding traffic and parking control must be observed.
(d) Access and parking areas.
(1) Access. Access to the campus shall be permitted only upon showing or displaying proper permits except in hourly and daily parking zones. Motor vehicles making excessive noise may be denied access to the campus.
(2) Parking. Parking shall be permitted only in areas marked and specified for parking on the map filed at the office of auxiliary services or at a place designated by the chancellor.
(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the university in lieu of payment of any unpaid fines or removal and storage charges incurred against the vehicle as a result of its operation or parking on the university campus.
If the motor vehicle so removed is unclaimed for thirty days, the university shall thereafter sell the motor vehicle at a public auction. The university shall pay all costs of removal and storage and other costs
connected with such sale out of the university parking revolving fund. The fund shall be reimbursed for such costs, as well as for any unpaid fines from the proceeds for such sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after notice, such proceeds shall be deposited in the university parking revolving fund.

(f) Display of stickers. Upon properly filing an application form and payment of a proper fee pursuant to sections 20-12-5 and 20-12-8, an applicant shall receive identification stickers which shall be affixed on the left front and rear bumpers, on the driver's side of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the chancellor as deemed necessary. Failure to properly display identification stickers as indicated here is a violation and may subject the violator to a fine, removal of the vehicle, disciplinary action, or any combination thereof.

(g) A semester permit shall be valid until the beginning of the next semester or summer session, whichever comes first. A summer session permit shall be valid until the beginning of the next semester. An evening only permit shall be valid only in the evenings of that quarter of the college of continuing education and community services for which it is issued. Students without twenty-four hour permits who are enrolled in regular semester or summer session day-time programs may be allowed to purchase evening only permits for parking in zones designated by the chancellor.

(h) A permit shall be valid only in the zone designated except that after four p.m., daily, permit holders having semester or summer permits may be allowed to park in zones designated by the chancellor.

(i) The university shall not issue excessive parking permits in relation to the number of spaces available. The chancellor may adjust the ratio of permits to the number of spaces available from time to time as the need arises without a public hearing.

(j) Persons servicing the university may be allowed access to the campus without paying fees.

(k) Employees and their families living on the campus shall be provided permits at no cost except that they shall park only in the designated area adjacent to their dwellings.

(l) Persons parking in hourly or daily pay zones as designated by the chancellor shall pay the rate as established in section 20-12-8.

(m) Enforcement. These rules shall be enforced by persons authorized by the board or by the chancellor to
§20-12-9

man gates and issue citations.

(n) The university shall not be responsible or liable for fire, theft, or damages to motor vehicles or any contents therein when parked or operated on the campus. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1)]

§20-12-8 Parking permits, fees and areas. (a) Fees for regular parking permits and for hourly or daily parking shall be as reflected in "Regular Parking Fees for UH/Manoa (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) The chancellor may set fees for other periods of time not covered under these rules without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that said fees do not exceed the maximum established in "Regular Parking Fees for UH/Manoa (5/20/81)" and provided that the chancellor shall announce in advance by appropriate media the intent to set such fees which setting may directly affect either students or employees, so that both said groups or their representatives shall have opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said fees.

(2) For applicants who expect to drive two or more motor vehicles or who participate in a car pool, multi-car or pool permits may be issued for an additional charge of $1 per semester or per summer session per additional vehicle. Such permits will allow only one vehicle at a time to be parked on the campus in a permit zone.

(3) The chancellor may establish service fees not to exceed $2 per semester or per summer session.

(4) The chancellor may establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc., without the necessity of public hearing. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §§306-9, 308-1)]

§20-12-9 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for UH/Manoa (5/20/81)" which is made a part hereof and located at the end of this chapter.
(b) Violators shall be subject to a fine, removal of vehicle, or disciplinary action, or revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven days after the issuance of the citation as indicated in "Violations and Schedule of Penalties for UH/Manoa (5/20/81)". In computing this period of time, the day of the alleged violation shall not be included. The last day of the period so computed is to be included unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. Saturdays, Sundays and holidays shall be counted in computing seven days.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the motor vehicle, or both, shall be subject to the applicable penalties described in (a), (b) and (c) of this section, except in the case of a moving violation in which case the driver shall be subject to said applicable penalties.

(f) All fines shall be paid at the traffic desk, auxiliary services building, or some other office as the chancellor designates. [Eff.JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §§308-1, 308-3)]

§20-12-10 Hearing procedure. (a) Each person receiving a citation is entitled to a formal hearing on the citation. Requests for formal hearings must be submitted in writing within seven days after issuance of the citation on a form to be provided by the university. Such forms shall be made available at the traffic desk, auxiliary services building, or at any other office as the chancellor designates.

(b) The following rules of practice on parking and traffic matters including both formal and informal procedures are adopted:

(1) Informal procedures. Persons who believe that they have received a parking or traffic citation or notice of citation in error or whose vehicle was towed away by the university may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the university's parking and traffic program within seven days of the issuance of the citation or notice or of the removal of a vehicle. Such managers may waive said period for good cause shown. Such managers may void citations, waive towing and storage charges
§20-12-10

and reduce the fine imposed upon review of the facts of each case and upon a finding that the parking or traffic citation was improperly issued or that the person did not know of said citations or notice so as to contest them within seven days of issuance.

(2) Formal procedures. A person requesting a hearing on a parking or traffic citation in accordance with (a) of this section shall be afforded an opportunity for hearing after reasonable notice as provided by chapter 91, HRS. Essentially, that chapter provides as follows: The notice shall include a statement of:

(A) The date, time, place and nature of hearing.

(B) The legal authority under which the hearing is to be held.

(C) The particular sections of the statutes and rules involved.

(D) An explicit statement in plain language of the issues involved and the facts alleged by the officer issuing the citation in support thereof.

(E) The fact that any party may retain counsel if so desired.

Opportunity shall be afforded each party to present evidence and argument on all issues involved. Every party shall have the right to conduct such cross-examination as may be required for a full and true disclosure of the facts and shall have the right to submit rebuttal evidence.

The hearing shall be conducted either by a hearing officer appointed by the parking board, or by the parking board itself. If it is the hearing officer who hears and examines all the evidence, the hearing officer shall submit findings of fact and conclusions of law to the parking board and to the party. The party may file written exceptions and present arguments to the parking board which shall personally consider the whole record or such portions thereof as may be cited by the party. If the party does not file written exceptions within thirty days after receipt of the report, the decision of the hearing officer shall be final.

In the event a party does not appear at the date, time and place appointed for the hearing, either before the parking board or the hearing officer, the party may be denied another hearing on the matter.
Every decision and order adverse to a party to the proceeding shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. Parties to the proceedings shall be notified by delivering or mailing a certified copy of the decision and order and accompanying findings and conclusions within a reasonable time to each party. If the citation is upheld, the parking board or the hearing officer may direct payment of all or a portion of the fine or charge.

(c) The parking board shall be composed of a student, a faculty member and a staff member appointed by the chancellor. The decision of the parking board shall be final within the university.

(d) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the chancellor of the University of Hawaii stating the specific question, submittal or request. Communications to the chancellor shall be addressed to the "Office of the Chancellor at Manoa, University of Hawaii, 2500 Campus Road, Honolulu, Hawaii 96822."

(e) Petitions for the adoption, amendment, or repeal of rules shall be in the form of a letter to the chancellor of the University of Hawaii stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The chancellor may confer with appropriate administrative or legal staff, or both. The chancellor shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The chancellor may also initiate action on his own motion to adopt, amend or repeal rules and regulations pursuant to chapter 91, HRS.

(f) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rule under this subchapter shall be in the form of a letter to the chancellor of the University of Hawaii stating the interest of the petitioner in the matter, the reasons for requesting the ruling and specific nature of the ruling being requested. The chancellor may confer with appropriate administrative or legal staff, or both, and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 306-2) (Imp: §308-1)
§20-12-14

UNIVERSITY OF HAWAII AT HILO

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles at the University of Hawaii Hilo Campus" promulgated by the University of Hawaii board of regents. [Eff. 9/8/69; R JUN 22 1981]

§20-12-11 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking at the campus. With rapidly increasing student enrollment, adequate traffic and parking control must be implemented for the safety and welfare of the general public. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 308-3, 306-9)

§20-12-12 Definitions. As used in this subchapter:
"Board" refers to the board or regents.
"Campus" refers to all lands owned by the University of Hawaii at the Hilo Campus.
"Employees" refers to and shall include the faculty, staff, and line members employed at the university.
"Motor vehicle" shall include but not be limited to trucks, automobiles, motor scooters, and motorcycles.
"Provost" refers to the provost of the University of Hawaii Hilo Campus and includes authorized aides.
"Student" refers to any full-time or part-time student enrolled at the university.
"University" refers to the University of Hawaii Hilo Campus and includes all university organizations located thereupon. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imps: HRS §308-1)

§20-12-13 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the university to the provost. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1)

§20-12-14 Map of parking areas. The map of the parking areas of the campus shall be kept at the office of the provost. The provost may change the assignment of zones allocated to employees, students, or others, based on availability and demand. Such changes shall be recorded on the map, and notice given to others. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1)
§20-12-15 Parking permits. The provost shall determine the need for and method of distributing parking permits. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1)

§20-12-16 The provost's authority. The provost shall have authority to:

1. Provide ample reserved stalls for motor vehicles owned or operated by the university;
2. Provide loading zones;
3. Provide ample reserved stalls or establish priorities in issuing permits to handicapped employees and students;
4. Establish priorities in issuing permits to employees and students;
5. Issue special permits to certain employees whenever the performance of their position warrants it;
6. Install traffic control signs; and
7. Do such other things necessary to control traffic and parking.


§20-12-17 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.
(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.
(c) Signs. All official signs regarding parking and traffic must be observed.
(d) Parking. Parking shall be permitted only in areas marked and specified for parking on the map filed at the office of the provost.
(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the university in lieu of payment of any unpaid fines or removal and storage charges against the vehicle incurred as a result of its operation or parking on the campus. If the motor vehicle so removed is unclaimed for thirty days, the university may thereafter sell the vehicle at public auction. The university shall pay all costs of removal and storage and other costs connected with such sale out of the university revolving parking fund. The fund shall be reimbursed for such costs, as well as for any unpaid fines from the proceeds of the sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner within sixty days after notice, such proceeds shall be deposited in the
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university revolving parking fund.

(f) Display of permits. Issued permits must be properly displayed on the vehicle for which issued.

(g) A permit shall be valid only for the zone designated on the permit.

(h) Enforcement. These rules shall be enforced by persons authorized by the board or the provost.

(i) The university shall not be responsible for fire, theft, or damage to motor vehicles or any contents therein when parked or operated on the campus.


§20-12-18 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for UH/Hilo (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine or disciplinary action, or both.

(c) All fines shall be paid at the business office. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 308-3)

§20-12-19 Appeals. (a) The provost shall appoint a traffic review board, composed of one each of the following: student, faculty member and staff member.

(b) Any person cited for violation may appeal to the traffic review board. The appeal must be submitted in writing to the office of the provost, from which the appeal shall be forwarded to the review board. Decisions on citations shall be final.

(c) Any person may appeal implementation of these rules. The appeal must be submitted in writing to the office of the provost, from which the appeal shall be forwarded to the traffic review board. Decisions of the board on implementation shall be advisory to the provost. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1)

SUBCHAPTER 3

HONOLULU COMMUNITY COLLEGE

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles at the Honolulu Community College Campus" promulgated by the University of Hawaii board of regents. [Eff. 7/11/68; R JUN 22 1981]
§ 20-12-20 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking on the campus. With rapidly increasing student enrollment, adequate traffic and parking control must be implemented for the safety and welfare of the public in general. [Eff. ]

§ 20-12-21 Definitions. As used in this subchapter:
"Board" refers to the board of regents.
"Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of the Honolulu Community College.
"College" refers to the Honolulu Community College.
"Employees" refer to and shall include the faculty, staff, and line members employed at the college.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motorcycles.
"Provost" refers to the provost of the Honolulu Community College and shall include authorized subordinates.
"Student" refers to any full-time or part-time student enrolled at the college. [Eff. ]

§ 20-12-22 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the college to the provost. The board may engage a private concessionaire or contractor to operate the parking and traffic program at the campus. [Eff. ]

§ 20-12-23 Map of parking areas. The map of the parking areas of the campus shall be kept at the college administration office, or at such office as the provost designates. The provost may change the assignment of zones allocated to employees, students or others based on availability and demand, without the necessity of notice and public hearing. Such changes shall be recorded on the map. [Eff. ]

§ 20-12-24 Application procedure. (a) Application for parking permits. An employee or student seeking a
parking permit shall obtain an application form from the business office in the administration building, or at a place designated by the provost. The information requested in the application form must be completed fully and accurately or it shall be rejected. Only employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate, and college registration receipt. All applicants except those applying for motorcycle and motor scooter permits shall be required to show proof that liability insurance is maintained on their vehicle before a permit is issued—minimum coverage of said insurance to be in the amount of $25,000 for all damages arising out of accidental harm sustained by any one person as a result of any one accident, and $10,000 for property damage.

(b) When to get permits. Application for permits by employees shall be received no earlier than one week prior to the week of student registration or at a time designated by the provost. Students shall apply for permits during registration week or later. Parking permits shall be issued in the order in which the applications are received. Applicants will not be accommodated unless and until there is space available.

(c) Only one permit shall be issued to each applicant and such permit shall not be transferable, except as otherwise approved by the provost.

(d) Permit fees shall not be refunded unless authorized by the vice president for community colleges. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§308-1, 294-10)

§20-12-25 Provost's authority and priorities. The provost shall have authority to:

(1) Provide ample reserved stalls for motor vehicles owned or operated by the university;
(2) Provide loading zone areas;
(3) Provide ample reserved stalls or establish priorities in issuing permits to handicapped employees and students;
(4) Establish priorities in issuing permits to employees and students;
(5) Issue special permits to certain employees whenever the performance of their position depends upon it;
(6) Install traffic control signs; and
(7) Do such other things necessary or desirable to control traffic and parking.

§20-12-26 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.

(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.

(c) Signs. All official signs regarding traffic control must be observed.

(d) Access and parking areas.

(1) Access. Auto access to the campus shall be authorized only for vehicles showing or displaying proper permits. Motor vehicles making excessive noise may be denied access to the campus.

(2) Parking. Parking shall be permitted only in areas marked and specified for parking on the map filed at the administration office or at a place designated by the provost.

(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the college pending payment of any unpaid fines and removal and storage charges against the vehicle incurred as a result of its operation or parking on the college campus. If the motor vehicle so removed is unclaimed for thirty days, the college shall thereafter sell the motor vehicle at a public auction. The university shall pay all costs of removal and storage and other costs connected with such sale out of the university parking revolving fund. The fund shall be reimbursed for such costs, as well as for any unpaid fines from the proceeds of such sale and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after the date notice thereof is mailed to such owner at his last known address or at the address appearing on the certificate of registration of the vehicle, such proceeds shall belong to the university and shall be deposited in the university parking revolving fund.

(f) Display of stickers. Upon properly filing an application form and payment of a proper fee, pursuant to sections 20-12-24 and 20-12-27 of these rules, an applicant shall receive identification stickers which shall be affixed on the left front and left rear bumpers of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the provost as deemed necessary.

Failure to properly display identification stickers according to the foregoing is a violation and may subject the violator to a fine, disciplinary action, or both.

(g) A semester permit shall be valid until the
beginning of the next semester or summer session
whichever comes first. A summer session permit shall be
valid until the beginning of the next semester. An
evening only permit shall be valid only in the evenings
of that quarter or semester for which it is issued.

(h) A permit shall be valid only in the zone
designated except that after four p.m. daily, employees
having semester permits will be allowed to park in any
zone designated for employees.

(i) The college shall issue parking permits in
reasonable relation to the number of spaces available.
The provost may adjust the ratio of permits to the
number of spaces available from time to time as the need
arises without a public hearing.

(j) Persons servicing the college may be allowed
access to the campus without paying fees.

(k) Enforcement. These rules shall be enforced by
persons authorized by the board or by the provost to man
gates and issue citations.

(l) Persons parking in hourly pay zones shall pay
the rate as established in section 20-12-27.

(m) All owners and operators of motor vehicles
parked or operated on campus shall assume the risk of,
and the college and university shall not be responsible
or liable for, any loss or damage occasioned by fire,
theft, or other casualty to motor vehicles or any
contents therein.

(n) Each such owner and operator of a motor
vehicle parked or operated on campus shall indemnify and
save harmless the college and university from and
against all claims, demands, costs, and expenses
whatevver arising out of or in connection with parking
or operation of such motor vehicle on campus.

[Eff. JUN 22 1986] (Auth: HRS §§308-1, 304-4, 305-1,
305-2, 306-2) (Imp: HRS §308-1)

§20-12-27 Parking fees schedule. (a) Fees for
regular parking permits and hourly parking will be set
from time to time by the board at rates not exceeding
the schedule set out in "Regular Parking Fees for the
Honolulu Community College Campus (5/20/81)" which is
made a part hereof and located at the end of this
chapter.

(b) Other fees.

(1) Multi-car or pool permits may be issued to
applicants who expect to drive two more motor
vehicles or participate in a car pool for an
additional charge of $1 per semester or per
summer session per additional vehicle. Such
permits will allow only one vehicle at a time
to be parked on the campus.

(2) As necessary and from time to time, the
§20-12-27

provisor is authorized to establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc.

(c) Should the board consummate a lease or other agreement with a private concessionaire for the operation of these parking facilities, the fees set forth in this section and in "Regular Parking Fees for the Honolulu Community College Campus (5/20/81)" shall not apply, and the fees established and published by such concessionaire with the board's approval shall apply. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§306-9, 308-1)

§20-12-28 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for the Honolulu Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, or disciplinary action, or revocation or suspension of permit, or any combination of the foregoing.

(c) Fines shall in no event be paid later than fifteen days from date of issuance of the citation. Additional penalties may be imposed if the fine is not paid within seven days after the issuance of the citation as indicated in the schedule of penalties or if paid later than fifteen days after the date of issuance of the citation.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant, or the registered owner, or the driver of the motor vehicle, or any combination of them, shall be liable for any fines for violation of these rules.

(f) All fines shall be paid at the business office, administration building, or any other office as the provost designates. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§308-1, 308-3)

§20-12-29 Appeals. Any person may appeal a citation within thirty calendar days after its issuance. Appeals must be submitted in writing on a form to be provided by the college. Such forms shall be made available at the business office, administration building, or any other office as the provost designates.

To have an appeal reviewed, the appellant must also pay the fine imposed as provided in section 20-12-28.

All appeals shall initially be reviewed by an officer to be designated by the provost. If the

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decision is adverse to the appellant, a further appeal to the board of appeals may be made. The board of appeals shall be composed of a student, a faculty member, and a staff member, all to be appointed by the provost. The decision of the board of appeals shall be final within the college.

If the appeal is upheld, the amount of fine collected shall be refunded. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-30 Administrative procedures. (a) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the provost of Honolulu Community College stating the specific question, submittal or request.

(b) The following rules of practice on parking and traffic matters, including both formal and informal procedures, are adopted:

(1) Informal procedures. Persons who feel that they have received a parking or traffic citation in error or whose vehicle was towed away by the college or who otherwise wish to discuss parking and traffic problems may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the college's parking and traffic program. Such managers may void citations or waive towing and storage charges, or both, upon review of the facts of each case.

(2) Formal procedures. Persons appealing a traffic citation or towing and storage charges shall file said appeal on an appeal form available at the administration or other designated office, if any, where said forms are available. Reasons for the appeal shall be set forth in writing and the fine imposed by the citation(s) must be paid in order to have the appeal considered as provided for in this subchapter. Appellants whose appeals are upheld will be refunded all or any portion of the amount of the fine or fines paid as directed by the reviewing officer. Appellants will be notified of the reviewing officer's action by mailing to the address shown thereon a completed copy of the appeal form or by an attachment as deemed appropriate by the reviewing officer.

Persons whose appeals from parking and traffic citations are denied by the reviewing
officer may further appeal said citations to a board of appeals appointed by the provost and composed as prescribed in this subchapter. The appeal to said board must be filed at the administration or other designated office in writing within thirty days of the date shown on the reviewing officer's denial. The hearing shall be conducted pursuant to the provisions of chapter 91, HRS. A notification of date, time, and place of the hearing by the appeals board will be sent to the appellant on a notification form (available at the administration or other designated office). A decision of the appeals board shall require a majority vote of the entire board. In the event a member of the board is absent, a temporary member may be appointed by the provost or an authorized representative from the class of membership the absent member represents. Subsequent to the hearing, the appellant will be notified of the decision of the appeals board in writing. If the appeal is upheld, all or any portion of the fine paid shall be refunded as directed by the appeals board. In the event the appellant does not appear at the date, time, and place appointed for the review of the case, the board of appeals shall be entitled to deny the appellant a further hearing in the matter.

(c) Petitions for the adoption, amendment or repeal of rules shall be in the form of a letter to the president of the University of Hawaii stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The president may confer with appropriate administrative or legal staff, or both. The president shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The president may also initiate action on his own motion to adopt, amend or repeal rules and regulations pursuant to chapter 91, HRS.

(d) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rule in this subchapter shall be in the form of a letter to the president of the University of Hawaii stating the interest of the petitioner in the matter, the reasons for requesting the ruling and the specific nature of the ruling being requested. The president may confer with appropriate administrative or legal staff and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff. JUN 22 1981]
SUBCHAPTER 4

KAPIOLANI COMMUNITY COLLEGE

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles at the Kapiolani Community College" promulgated by the University of Hawaii board of regents. [Eff. 7/11/68; R JUN 22 198]

§20-12-31 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking on the campus. With rapidly increasing student enrollment, adequate traffic and parking control must be implemented for the safety and welfare of the public in general. [Eff. JUN 22 198]

§20-12-32 Definitions. As used in this subchapter:
"Board" refers to the board of regents.
"Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of the Kapiolani Community College.
"College" refers to the Kapiolani Community College.
"Employees" refer to and shall include the faculty, staff, and line members employed at the college.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motocycles.
"Provost" refers to the provost of the Kapiolani Community College and shall include authorized subordinates.
"Student" refers to any full-time or part-time student enrolled at the college. [Eff. JUN 22 198]

§20-12-33 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the college to the provost. The board may engage a private concessionaire or contractor to operate the parking and traffic program at the campus. [Eff. JUN 22 198]

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§20-12-34 Map of parking areas. The map of the parking areas of the campus shall be kept at the college administration office, or at such office as the provost designates. The provost may change the assignment of zones allocated to employees, students or others based on availability and demand, without the necessity of notice and public hearing. Such changes shall be recorded on the map. [Eff. JUN 2 2 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-35 Application procedure. (a) Application for parking permits. An employee or student seeking a parking permit shall obtain an application form from the business office in the administration building, or at a place designated by the provost. The information requested in the application form must be completed fully and accurately or it shall be rejected. Only employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate, and college registration receipt. All applicants except those applying for motorcycle and motor scooter permits shall be required to show proof that liability insurance is maintained on their vehicle before a permit is issued--minimum coverage of said insurance to be in the amount of $25,000 for all damages arising out of accidental harm sustained by any one person as a result of any one accident, and $10,000 for property damage.

(b) When to get permits. Application for permits by employees shall be received no earlier than one week prior to the week of student registration or at a time designated by the provost. Students shall apply for permits during registration week or later. Parking permits shall be issued in the order in which the applications are received. Applicants will not be accommodated unless and until there is space available.

(c) Only one permit shall be issued to each applicant and such permit shall not be transferable, except as otherwise approved by the provost.

(d) Permit fees shall not be refunded unless authorized by the vice president for community colleges. [Eff. JUN 2 2 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1, 294-10)

§20-12-36 Provost's authority and priorities. The provost shall have authority to:

(1) Provide ample reserved stalls for motor vehicles owned or operated by the university;

(2) Provide loading zone areas;

(3) Provide ample reserved stalls or establish
priorities in issuing permit to handicapped employees and students;

(4) Establish priorities in issuing permits to employees and students;

(5) Issue special permits to certain employees whenever the performance of their position depends upon it;

(6) Install traffic control signs; and

(7) Do such other things necessary or desirable to control traffic and parking. [Eff. JUN 22 1981]

(Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-37 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.

(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.

(c) Signs. All official signs regarding traffic control must be observed.

(d) Access and parking areas.

(1) Access. Auto access to the campus shall be authorized only for vehicles showing or displaying proper permits. Motor vehicles making excessive noise may be denied access to the campus.

(2) Parking. Parking shall be permitted only in areas marked and specified for parking on the map filed at the administration office or at a place designated by the provost.

(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the college pending payment of any unpaid fines and removal and storage charges against the vehicle incurred as a result of its operation or parking on the college campus. If the motor vehicle so removed is unclaimed for thirty days, the college shall thereafter sell the motor vehicle at a public auction. The university shall pay all costs of removal and storage and other costs connected with such sale out of the university parking revolving fund. The fund shall be reimbursed for such costs, as well as for any unpaid fines from the proceeds of such sale and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after the date notice thereof is mailed to such owner at his last known address or at the address appearing on the certificate of registration of the vehicle, such proceeds shall belong to the university and shall be deposited in the university parking revolving fund.
(f) Display of stickers. Upon properly filing an application form and payment of a proper fee, pursuant to sections 20-12-35 and 20-12-36, an applicant shall receive identification stickers which shall be affixed on the left front and left rear bumpers of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the provost as deemed necessary.

Failure to properly display identification stickers according to the foregoing is a violation and may subject the violator to a fine, disciplinary action, or both.

(g) A semester permit shall be valid until the beginning of the next semester or summer session whichever comes first. A summer session permit shall be valid until the beginning of the next semester. An evening only permit shall be valid only in the evenings of that quarter or semester for which it is issued.

(h) A permit shall be valid only in the zone designated except that after four p.m. daily, employees having semester permits will be allowed to park in any zone designated for employees.

(i) The college shall issue parking permits in reasonable relation to the number of spaces available. The provost may adjust the ratio of permits to the number of spaces available from time to time as the need arises without a public hearing.

(j) Persons servicing the college may be allowed access to the campus without paying fees.

(k) Enforcement. These rules shall be enforced by persons authorized by the board or by the provost to man gates and issue citations.

(l) Persons parking in hourly pay zones shall pay the rate as established in section 20-12-38.

(m) All owners and operators of motor vehicles parked or operated on campus shall assume the risk of, and the college and university shall not be responsible or liable for, any loss or damage occasioned by fire, theft, or other casualty to motor vehicles or any contents therein.

(n) Each such owner and operator of a motor vehicle parked or operated on campus shall indemnify and save harmless the college and university from and against all claims, demands, costs, and expenses whatsoever arising out of or in connection with parking or operation of such motor vehicle on campus.


§20-12-38 Parking fees schedule. (a) Fees for regular parking permits and hourly parking will be set
from time to time by the board at rates not exceeding the schedule set out in "Regular Parking Fees for the Kapiolani Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) Multi-car or pool permits may be issued to applicants who expect to drive two or more motor vehicles or participate in a car pool for an additional charge of $1 per semester or per summer session per additional vehicle. Such permits will allow only one vehicle at a time to be parked on the campus.

(2) As necessary and from time to time, the provost is authorized to establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc.

(c) Should the board consummate a lease or other agreement with a private concessionaire for the operation of these parking facilities, the fees set forth in this section and in "Regular Parking Fees for the Kapiolani Community College Campus (5/20/81)" shall not apply, and the fees established and published by such concessionaire with the board's approval shall apply. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§306-9, 308-1)

§20-12-39 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for the Kapiolani Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, or disciplinary action, or revocation or suspension of permit, or any combination of the foregoing.

(c) Fines shall in no event be paid later than fifteen days from date of issuance of the citation. Additional penalties may be imposed if the fine is not paid within seven days after the issuance of the citation as indicated in the schedule of penalties or if paid later than fifteen days after the date of issuance of the citation.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant, or the registered owner, or the driver of the motor vehicle, or any combination of them shall be liable for any fines for violation of these rules.

(f) All fines shall be paid at the business office, administration building, or any other office as the provost designates. [Eff. JUN 22 198] (Auth: HRS 12-25}
§20-12-40 Appeals. Any person may appeal a citation within thirty calendar days after its issuance. Appeals must be submitted in writing on a form to be provided by the college. Such forms shall be made available at the business office, administration building, or any other office as the provost designates.

To have an appeal reviewed, the appellant must also pay the fine imposed as provided in section 20-12-39.

All appeals shall initially be reviewed by an officer to be designated by the provost. If the decision is adverse to the appellant, a further appeal to the board of appeals may be made. The board of appeals shall be composed of a student, a faculty member, and a staff member, all to be appointed by the provost. The decision of the board of appeals shall be final within the college.

If the appeal is upheld, the amount of fine collected shall be refunded. [Eff: JUN 22 1986] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-41 Administrative procedures. (a) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the provost of Kapiolani Community College stating the specific question, submittal or request.

(b) The following rules of practice on parking and traffic matters, including both formal and informal procedures, are adopted:

(1) Informal procedures. Persons who feel that they have received a parking or traffic citation in error or whose vehicle was towed away by the college or who otherwise wish to discuss parking and traffic problems may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the college's parking and traffic program. Such managers may void citations or waive towing and storage charges, or both, upon review of the facts of each case.

(2) Formal procedures. Persons appealing a traffic citation or towing and storage charges shall file said appeal on an appeal form available at the administration or other designated office, if any, where said forms are available. Reasons for the appeal shall
be set forth in writing and the fine imposed by the citation must be paid in order to have the appeal considered as provided for in this subchapter. Appellants whose appeals are upheld will be refunded all or any portion of the amount of the fine or fines paid as directed by the reviewing officer. Appellants will be notified of the reviewing officer's action by mailing to the address shown thereon a completed copy of the appeal form or by an attachment as deemed appropriate by the reviewing officer.

Persons whose appeals from parking and traffic citations are denied by the reviewing officer may further appeal said citations to a board of appeals appointed by the provost and composed as prescribed in this subchapter. The appeal to said board must be filed at the administration or other designated office in writing within thirty days of the date shown on the reviewing officer's denial. The hearing shall be conducted pursuant to the provisions of chapter 91, HRS. A notification of date, time, and place of the hearing by the appeals board will be sent to the appellant on a notification form (available at the administration or other designated office). A decision of the appeals board shall require a majority vote of the entire board. In the event a member of the board is absent, a temporary member thereof may be appointed by the provost or an authorized representative from the class of membership the absent member represents. Subsequent to the hearing, the appellant will be notified of the decision of the appeals board in writing. If the appeal is upheld, all or any portion of the fine paid shall be refunded as directed by the appeals board. In the event the appellant does not appear at the date, time, and place appointed for the review of the case, the board of appeals shall be entitled to deny the appellant a further hearing in the matter.

(c) Petitions for the adoption, amendment or repeal of rules shall be in the form of a letter to the president of the University of Hawaii stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The president may confer with appropriate administrative or legal staff, or both. The president shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with
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section 91-3, HRS. The president may also initiate action on his own motion to adopt, amend or repeal rules pursuant to chapter 91, HRS.

(d) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rule in this subchapter shall be in the form of a letter to the president of the University of Hawaii stating the interest of the petitioner in the matter, the reasons for requesting the ruling and the specific nature of the ruling being requested. The president may confer with appropriate administrative or legal staff and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)].

SUBCHAPTER 5

LEEWARD COMMUNITY COLLEGE

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles on the Leeward Community College Campus" promulgated by the University of Hawaii board of regents. [Eff. 1/16/76; R JUN 22 1981]

§20-12-42 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking on the campus. With rapidly increasing student enrollment, adequate traffic and parking control must be implemented for the safety and welfare of the public in general. [Eff. JUN 22 1981 (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§306-9, 308-1, 308-3)]

§20-12-43 Definitions. As used in this subchapter:
"Board" refers to the board of regents.
"Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of the Leeward Community College.
"College" refers to the Leeward Community College.
"Employees" refer to and shall include the faculty, staff and line members employed at the college.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motorcycles.
"President" refers to the president of the University of Hawaii and shall include designated representatives.
"Provost" refers to the provost of Leeward
Community College and shall include authorized subordinates. "Student" refers to any full-time or part-time student enrolled at the college. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-44 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the college to the provost. The board may engage a private concessionaire or contractor to operate the parking and traffic program at the campus. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-45 Map of parking areas. The map of the parking areas of the campus shall be kept at the college administration office, or at such office as the provost designates. The provost may change the assignment of zones allocated to employees, students or others based on availability and demand, without the necessity of notice and public hearing. Such changes shall be recorded on the map. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-46 Application procedure. (a) Application for parking permits. An employee or student seeking a parking permit shall obtain an application form from the business office in the administration building, or at a place designated by the provost. The information requested on the application form must be completed fully and accurately or it shall be rejected. Only employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate, and college registration receipt. All applicants except those applying for motorcycle and motor scooter permits shall be required to show proof that liability insurance is maintained in conformance with chapter 294, HRS.

(b) When to get permits. Application for permits by employees shall be received not earlier than one week prior to the week of student registration or at a time designated by the provost. Students shall apply for permits during registration week or later. Parking permits shall be issued in the order in which the applications are received. Applicants will not be accommodated unless and until there is space available.

(c) Only one permit shall be issued to each
applicant and such permit shall not be transferable, except as otherwise approved by the provost.
(d) Permit fees shall not be refunded unless authorized by the provost. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1, 294-10)

§20-12-47 Provost's authority and priorities. The provost shall have authority to:
(1) Provide ample reserved stalls for motor vehicles owned and operated by the university.
(2) Provide loading zone areas;
(3) Provide ample reserved stalls or establish priorities in issuing permit to handicapped employees and students;
(4) Establish priorities in issuing permits to employees and students;
(5) Issue special permits to certain employees whenever the performance of their position depends upon it;
(6) Install traffic control signs; and
(7) Do such other things necessary or desirable to control traffic and parking. [Eff. JUN 22 1981]
(Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-48 General rules. (a) Areas of authority. These rules shall govern parking and operation of motor vehicles on the campus.
(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.
(c) Signs. All official signs regarding traffic control must be observed.
(d) Access and parking areas.
(1) Access. Auto access to the campus shall be authorized only for vehicles showing or displaying proper permits. Motor vehicles making excessive noise may be denied access to the campus.
(2) Parking. Parking shall be permitted only in areas marked and specified for parking on the map filed at the administration office or at a place designated by the provost.
(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the college pending payment of any unpaid fines and removal and storage charges against the vehicle incurred as a result of its operation or parking on the college campus. If the motor vehicle so removed is unclaimed for thirty days, the college shall thereafter sell the motor
vehicle at a public auction. The university shall pay costs of removal and storage and other costs connected with such sale costs, as well as for any unpaid fines from the proceeds of such sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after the date notice thereof is mailed to such owner at his last known address or at the address appearing on the certificate of registration of the vehicle, such proceeds shall belong to the university and shall be deposited in the university parking revolving fund.

(f) Display of stickers. Upon properly filing an application form and payment of a proper fee, pursuant to sections 20-12-46 and 20-12-49, an applicant shall receive identification stickers which shall be affixed on the left front and left rear bumpers of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the provost as deemed necessary.

Failure to properly display identification stickers according to the foregoing is a violation and may subject the violator to a fine, disciplinary action, or both.

(g) A semester permit shall be valid until the beginning of the next semester or summer session, whichever comes first. A summer session permit shall be valid until the beginning of the next semester. An evening only permit shall be valid only in the evening of that quarter or semester for which it is issued.

(h) A permit shall be valid only in the zone designated except that after four p.m. daily, employees having semester permits will be allowed to park in any zone designated for employees.

(i) The college shall issue parking permits in reasonable relation to the number of spaces available. The provost may adjust the ratio of permits to the number of spaces available from time to time as the need arises without a public hearing.

(j) Persons servicing the college may be allowed access to the campus without paying fees.

(k) Enforcement. These rules shall be enforced by persons authorized by the board or by the provost to man gates and issue citations.

(l) Persons parking in hourly pay zones shall pay the rate as established in section 20-12-49.

(m) All owners and operators of motor vehicles parked or operated on campus shall assume the risk of, and the college and university shall not be responsible or liable for, any loss or damage occasioned by fire, theft, or other casualty to motor vehicles or any
§20-12-48

contents therein.

(n) Each such owner and operator of a motor vehicle parked or operated on campus shall indemnify and save harmless the college and university from and against all claims, demands, costs, and expenses whatsoever arising out of or in connection with parking or operation of such motor vehicle on campus. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-49 Parking fees schedule. (a) Fees for regular parking permits will be set from time to time by the board, or if so delegated, by the president, at rates not exceeding the schedule set out in "Regular Parking Fees for the Leeward Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) Multi-car or pool permits may be issued to applicants who expect to drive two or more motor vehicles or participate in a car pool for an additional charge of $1 per semester or per summer session per additional vehicle. Such permits will allow only one vehicle at a time to be parked on the campus.

(2) As necessary and from time to time, the provost is authorized to establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc.

(c) Should the board consummate a lease or other agreement with a private concessionaire for the operation of these parking facilities, the fees set forth in this section and in "Regular Parking Fees for the Leeward Community College Campus (5/20/81)" shall not apply, and the fees established and published by such concessionaire with the board's approval shall apply. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§308-1, 308-1)

§20-12-50 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for the Leeward Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, or disciplinary action, or revocation or suspension of permit, or any combination of the foregoing.

(c) Fines shall in no event be paid later than fifteen days from date of issuance of the citation. Additional penalties may be imposed if the fine is not
paid within seven days after the issuance of the citation as indicated in the schedule of penalties or if paid later than fifteen days after the date of issuance of the citation.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner or the driver of the motor vehicle, or any combination of them, shall be liable for any fines for violation of these rules.

(f) All fines shall be paid at the business office, administration building, or any other office as the provost designates. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§308-1, 308-3)

§20-12-51 Hearing procedure. (a) Each person receiving a citation is entitled to a hearing on the citation. Requests for hearings must be submitted in writing on a form to be provided by the college within thirty days after issuance of the citation or notice of the issuance of citation. Such forms shall be made available at the office of the provost, or at any other office as the provost designates.

(b) The following rules of practice on parking and traffic matters include both formal and informal procedures are adopted:

(1) Informal procedures. Persons who believe that they have received a parking or traffic citation in error or whose vehicle was towed away by the college or who otherwise wish to discuss parking and traffic problems may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the college's parking and traffic problems. Such managers may void citations or waive towing and storage charges upon review of the facts of each case and upon a finding that the parking or traffic citation was improperly issued.

(2) Formal procedures. A person requesting a hearing on a parking or traffic citation in accordance with subsection 20-12-51(a) shall be afforded an opportunity for hearing after reasonable notice as provided by chapter 91, HRS. Essentially, that chapter provides as follows: The notice shall include a statement of the following:

(A) The date, time, place and nature of hearing.

(B) The legal authority under which the hearing is to be held.
(C) The particular sections of the statutes and rules involved.

(D) An explicit statement in plain language of the issues involved and the facts alleged by the officer issuing the citation in support of it.

(E) The fact that any party may retain counsel if so desired. Opportunity shall be afforded each party to present evidence and argument on all issues involved. Every party shall have the right to conduct such cross-examination as may be required for a full and true disclosure of the facts and shall have the right to submit rebuttal evidence.

The hearing shall be conducted by a hearing officer appointed by the parking board of review. The hearing officer shall hear and examine all the evidence and shall submit findings of fact and conclusions of law to the board of review and to the party. The party may file written exceptions and present arguments to the board which shall personally consider the whole record or such portions thereof as may be cited by the party. If the party does not file written exceptions within thirty days after receipt of the report, the decision of the hearing officer shall be final.

In the event a party does not appear at the date, time, and place appointed for the hearing, either before the board or the hearing officer, another hearing on the matter may be denied.

Every decision and order adverse to a party to the proceeding shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. Parties to the proceeding shall be notified by delivering or mailing a certified copy of the decision and order and accompanying findings and conclusions within a reasonable time to each party. If the citation is upheld, the board or the hearing officer may direct payment of all or a portion of the fine or charges.

(c) The parking board of review shall be composed of a student, faculty member and a staff member appointed by the provost. The decision of the board of review shall be final within the college.

(d) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the provost of Leeward Community College stating the specific question,
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submittals or request.

(e) Petitions for the adoption, amendment or repeal of rules shall be in the form of a letter to the provost of Leeward Community College stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The provost may confer with appropriate administrative staff or legal staff, or both. The provost shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The provost may also initiate action on his own motion to adopt, amend or repeal rules pursuant to chapter 91, HRS.

(f) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rules in this subchapter shall be in the form of a letter to the provost of Leeward Community College stating the interest of the petitioner in the matter, the reasons for requesting the ruling and specific nature of the ruling being requested. The provost may confer with appropriate administrative or legal staff and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

SUBCHAPTER 6
KAUAI COMMUNITY COLLEGE

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles on the Kauai Community College Campus" promulgated by the University of Hawaii board of regents. [Eff. 3/7/75; R JUN 22 1981]

§20-12-52 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking on the campus. With rapidly increasing student enrollment, adequate traffic and parking control must be implemented for the safety and welfare of the public in general. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§306-9, 308-1, 308-3)

§20-12-53 Definitions. As used in this subchapter: "Board" refers to the Board of regents.
§20-12-53

"Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of the Kauai Community College.
"College" refers to the Kauai Community College.
"Employees" refers to and shall include the faculty, staff and line members employed at the college.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motorcycles.
"President" refers to the president of the University of Hawaii and shall include designated representatives.
"Provost" refers to the provost of Kauai Community College and shall include authorized subordinates.
"Student" refers to any full-time or part-time student enrolled at the college.

§20-12-54 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the college to the provost. The board may engage a private concessionaire or contractor to operate the parking and traffic program at the campus. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-55 Map of parking areas. The map of the parking areas of the campus shall be kept at the college administration office, or at such office as the provost designates. The provost may change the assignment of zones allocated to employees, students or others based on availability and demand, without the necessity of notice and public hearing. Such changes shall be recorded on the map. [Eff. JUN 22 1981] (Auth: HRS §§305-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-56 Application procedure. (a) Application for parking permits. An employee or student seeking a parking permit shall obtain an application form from the business office in the administration building, or at a place designated by the provost. The information requested in the application form must be completed fully and accurately or it shall be rejected. Only employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate, and college registration receipt. All applicants except those applying for motorcycle and motor scooter permits shall
be required to show proof that liability insurance is maintained in conformance with chapter 294, HRS.
(b) When to get permits. Application for permits by employees shall be received not earlier than one week prior to the week of student registration or at a time designated by the provost. Students shall apply for permits during registration week or later. Parking permits shall be issued in the order in which the applications are received. Applicants will not be accommodated unless and until there is space available.
(c) Only one permit shall be issued to each applicant and such permit shall not be transferable, except as otherwise approved by the provost.
(d) Permit fees shall not be refunded unless authorized by the provost. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1, 294-10)

§20-12-57 Provost's authority and priorities. The provost shall have authority to:
(1) Provide ample reserved stalls for motor vehicles owned and operated by the university;
(2) Provide loading zone areas;
(3) Provide ample reserved stalls or establish priorities in issuing permits to handicapped employees and students;
(4) Establish priorities in issuing permits to employees and students;
(5) Issue special permits to certain employees whenever the performance of their position depends upon it;
(6) Install traffic control signs; and
(7) Do such other things necessary or desirable to control traffic and parking.

§20-12-58 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.
(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.
(c) Signs. All official signs regarding traffic control must be observed.
(d) Access and parking areas.
(1) Access. Auto access to the campus shall be authorized only for vehicles showing or displaying proper permits. Motor vehicles making excessive noise may be denied access to the campus.
(2) Parking. Parking shall be permitted only in
areas marked and specified for parking on the map filed at the administration office or at a place designated by the provost.

(e) Removal. Any motor vehicle may be removed at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the college pending payment of any unpaid fines, and removal and storage charges against the vehicle incurred as a result of its operation or parking on the college campus. If the motor vehicle so removed is unclaimed for thirty days, the college shall thereafter sell the motor vehicle at a public auction. The university shall pay costs of removal and storage and other costs connected with such sale costs, as well as for any unpaid fines from the proceeds of such sale and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after the date notice thereof is mailed to such owner at his last known address or at the address appearing on the certificate of registration of the vehicle, such proceeds shall belong to the university and shall be deposited in the university parking revolving fund.

(f) Display of stickers. Upon properly filing an application form and payment of a proper fee, pursuant to sections 20-12-56 and 20-12-59, an applicant shall receive identification stickers which shall be affixed on the left front and left rear bumpers of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the provost as deemed necessary.

Failure to properly display identification stickers according to the foregoing is a violation and may subject the violator to a fine, disciplinary action, or both.

(g) A semester permit shall be valid until the beginning of the next semester or summer session whichever comes first. A summer session permit shall be valid until the beginning of the next semester. An evening only permit shall be valid only in the evening of that quarter or semester for which it is issued.

(h) A permit shall be valid only in the zone designated except that after four p.m. daily, employees having semester permits will be allowed to park in any zone designated for employees.

(i) The college shall issue parking permits in reasonable relation to the number of spaces available. The provost may adjust the ratio of permits to the number of spaces available from time to time as the need arises without a public hearing.

(j) Persons servicing the college may be allowed
access to the campus without paying fees.

(k) Enforcement. These rules shall be enforced by persons authorized by the board or by the provost to man gates and issue citations.

(l) Persons parking in hourly pay zones shall pay the rate as established in section 20-12-59.

(m) All owners and operators of motor vehicles parked or operated on campus shall assume the risk of, and the college and university shall not be responsible or liable for, any loss or damage occasioned by fire, theft, or other casualty to motor vehicles or any contents therein.

(n) Each such owner and operator of a motor vehicle parking or operated on campus shall indemnify and save harmless the college and university from and against all claims, demands, costs, and expenses whatsoever arising out of or in connection with parking or operation of such motor vehicle on campus.


§20-12-59 Parking fees schedule. Maximum fees authorized by the board for regular parking permits shall be as set out in "Regular Parking Fees for the Kauai Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) Multi-car or pool permits may be issued to applicants who expect to drive two or more motor vehicles or participate in a car pool for an additional charge of $1 per semester or per summer session per additional vehicle. Such permits will allow only one vehicle at a time to be parked on the campus.

(2) As necessary and from time to time, the provost is authorized to establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc.

(c) Should the board consummate a lease or other agreement with a private concessionaire for the operation of these parking facilities, the fees set forth in this section and in "Regular Parking Fees for the Kauai Community College Campus (5/20/81)" shall not apply, and the fees established and published by such concessionaire with the board's approval shall apply.


§20-12-60 Violations and penalties. (a) Violations other than corresponding penalties shall be as reflected in "Violations and Schedule of Penalties
for the Kauai Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, or disciplinary action, or revocation or suspension of permit, or any combination of the foregoing.

(c) Fines shall in no event be paid later than fifteen days from date of issuance of the citation. Additional penalties may be imposed if the fine is not paid within seven days after the issuance of the citation as indicated in the schedule of penalties or if paid later than fifteen days after the date of issuance of the citation.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner or the driver of the motor vehicle, or any combination of them, shall be liable for any fines for violation of these rules.

(f) All fines shall be paid at the business office, administration building, or any other office as the provost designates. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§308-1, 308-3)

§20-12-61 Hearing procedure. (a) Each person receiving a citation is entitled to a hearing on the citation. Requests for hearings must be submitted in writing on a form to be provided by the college within thirty days after issuance of the citation or notice of the issuance of citation. Such forms shall be made available at the office of the provost, or at any other office as the provost designates.

(b) The following rules of practice on parking and traffic matters, including both formal and informal procedures are adopted:

(1) Informal procedures. Persons who believe that they have received a parking or traffic citation in error or whose vehicle was towed away by the college or who otherwise wish to discuss parking and traffic problems may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the college’s parking and traffic problems. Such managers may void citations and waive towing and storage charges upon review of the facts of each case and upon a finding that the parking or traffic citation was improperly issued.

(2) Formal procedures. A person requesting a hearing on a parking or traffic citation in accordance with subsection 20-12-61(a) shall
be afforded an opportunity for hearing after reasonable notice as provided by chapter 91, HRS. Essentially, that chapter provides as follows: The notice shall include a statement of the following:
(A) The date, time, place and nature of hearing;
(B) The legal authority under which the hearing is to be held;
(C) The particular sections of the statutes and rules involved;
(D) An explicit statement in plain language of the issues involved and the facts alleged by the officer issuing the citation in support thereof;
(E) The fact that any party may retain counsel if so desired.

Opportunity shall be afforded each party to present evidence and argument on all issues involved. Every party shall have the right to conduct such cross-examination as may be required for a full and true disclosure of the facts and shall have the right to submit rebuttal evidence.

The hearing shall be conducted by a hearing officer appointed by the parking board of review. The hearing officer shall hear and examine all the evidence and shall submit findings of fact and conclusions of law to the board of review and to the party. The party may file written exceptions and present arguments to the board which shall personally consider the whole record or such portions thereof as may be cited by the party. If the party does not file written exceptions within thirty days after receipt of the report, the decision of the hearing officer shall be final.

In the event a party does not appear at the date, time, and place appointed for the hearing, either before the board or the hearing officer, another hearing on the matter may be denied.

Every decision and order adverse to a party to the proceeding shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. Parties to the proceeding shall be notified by delivering or mailing a certified copy of the decision and order and accompanying findings and conclusions within a reasonable time to each party. If the citation is upheld, the board or the hearing officer may direct payment of all or a portion
of the fine or charges.

(c) The parking board of review shall be composed of a student, a faculty member and a staff member appointed by the provost. The decision of the board of review shall be final within the college.

(d) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the provost of Kauai Community College stating the specific question, submittals or request.

(e) Petitions for the adoption, amendment or repeal of rules shall be in the form of a letter to the provost of Kauai Community College stating with particularity the rules or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The provost may confer with appropriate administrative or legal staff, or both. The provost shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The provost may also initiate action on his own motion to adopt, amend or repeal rules pursuant to chapter 91, HRS.

(f) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rule in this subchapter shall be in the form of a letter to the provost of Kauai Community College stating the interest of the petitioner in the matter, the reasons for requesting the ruling and specific nature of the ruling being requested. The provost may confer with appropriate administrative or legal staff and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff. JUN 22 1983] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

SUBCHAPTER 7

MAUI COMMUNITY COLLEGE

Historical Note: This subchapter is based substantially upon "Rules and Regulations Governing Parking and Operation of Motor Vehicles on the Maui Community College Campus" promulgated by the University of Hawaii board of regents. [Eff. 9/8/69; R JUN 22 1983]

§20-12-62 Statement of purpose. The purpose of these rules is to reduce traffic congestion and provide for orderly parking on the campus. With rapidly increasing student enrollment, adequate traffic and
parking control must be implemented for the safety and welfare of the public in general. [Eff. JUN 22 1983]

§20-12-63 Definitions. As used in this subchapter:
"Board" refers to the board of regents, University of Hawaii.
"BOR personnel" refers to and shall include administrators and faculty employed at the college.
"Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of Maui Community College, exclusive of the MCC dormitory.
"Classified employees" refer to all staff and line members (civil service) employed at the college.
"College" refers to Maui Community College.
"Committee" refers to the joint student-faculty affairs committee which is a body of three faculty appointed by the faculty senate and three students appointed by student senate.
"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motorcycles.
"Provost" refers to the provost of Maui Community College and shall include authorized subordinates.
"Students" refer to any full-time or part-time student enrolled at the college. [Eff. JUN 22 1983]
(Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-64 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the college to the provost. The provost in turn delegates authority for setting parking policies and rules to the joint student-faculty affairs committee. [Eff. JUN 22 1983]
(Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-65 Application procedures. (a) Application for parking permits. A BOR personnel, classified employee or student seeking a parking permit shall obtain an application form from the administration building, or at a place designated by the provost. The information requested in the application form must be completed fully and accurately or it shall be rejected. Application for such permits must be made in person, and applicants shall be required to show their driver's license, vehicle registration certificate, and when appropriate, college registration receipt.
(b) When to get permits. Application for permits
§20-12-65

by BOR personnel or classified employees shall be received no earlier than one week prior to the week of student registration or at a time designated by the provost. Students shall apply for permits during registration week or later. Parking permits shall be issued in the order in which the applications are received, except in certain circumstances.

(c) Only one permit shall be issued to each applicant and such permit shall not be transferable, except as otherwise approved by the provost.

(d) Permit fees shall not be refunded unless authorized by the provost. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-66 Provost's authority and priorities. The provost shall have authority to:

(1) Provide ample reserved stalls for motor vehicles owned or operated by the college;

(2) Provide loading zone areas and visitor areas;

(3) Provide ample reserved stalls or establish priorities in issuing permits to the handicapped, BOR personnel, and classified employees;

(4) Establish priorities in issuing permits to BOR personnel, classified employee, and students;

(5) Issue special permits to certain BOR personnel and classified employees whenever the performance of their position depends upon it;

(6) Install traffic control signs;

(7) Relax or modify the rules concerning parking spaces during such hours of the day or night as appears appropriate to the volume of traffic; and

(8) Do such other things necessary or desirable to control traffic and parking.


§20-12-67 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.

(b) These rules shall be in effect twenty-four hours daily throughout the calendar year.

(c) Signs. All official signs regarding traffic control must be observed.

(d) Removal. Any motor vehicle may be removed at the expense of the owner if it is in repeated violation of these rules. Such motor vehicles may be held by the college pending payment of any unpaid fines and removal and storage charges against the vehicle incurred as a

12-44
result of its operation or parking on the college campus. If the motor vehicle so removed is unclaimed for thirty days, the college shall thereafter sell the motor vehicle at a public auction. The college shall pay all costs of removal and storage and other costs connected with such sale out of the college parking revolving fund. The fund shall be reimbursed for such sale and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after the date notice thereof is mailed to such owner at his last known address or at the address appearing on the certificate of registration of the vehicle, such proceeds shall belong to the college and shall be deposited in the college parking revolving fund.

(e) Display of stickers. Upon properly filing an application form and payment of a proper fee, pursuant to sections 20-12-66 and 20-12-69, an applicant shall receive identification stickers which shall be affixed on the left front and left rear bumpers of the automobile or truck. For motorcycles and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the provost as deemed necessary.

Failure to properly display identification stickers according to the foregoing is a violation and may subject the violator to a fine, disciplinary action, or both.

(f) A semester permit shall be valid until the beginning of the next semester.

(g) Persons servicing the college may be allowed access to the campus without paying fees.

(h) Enforcement. These rules shall be enforced by persons authorized by the committee or by the provost to issue citations.

(i) All owners and operators of motor vehicles parked or operated on campus shall assume the risk of, and the college shall not be responsible or liable for any loss or damage occasioned by fire, theft, or other casualty to motor vehicles or any contents therein.

(j) Each such owner and operator of a motor vehicle parked or operated on campus shall indemnify and save harmless the college from and against all claims, demands, costs, and expenses whatsoever arising out of or in connection with parking or operation of such motor vehicle on campus. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)
§20-12-68

out in "Regular Parking Fees for the Maui Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Other fees. Multi-car or pool permits may be issued to applicants who expect to drive two or more motor vehicles or participate in a car pool for an additional charge of fifty cents per semester per additional vehicle. Such permits will allow only one vehicle at a time to be parked on the campus.

(c) Should the committee consummate a lease or other agreement with a private concessionaire for the operation of these parking facilities, the fees set forth in this section and in "Regular Parking Fees for the Maui Community College (5/20/81)" shall not apply, and the fees established and published by such concessionaire with the committee's approval shall apply. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §§306-9, 308-1)

§20-12-69 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties for the Maui Community College Campus (5/20/81)" which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, or disciplinary action, or revocation or suspension of permit, or any combination of the foregoing. Disciplinary action may consist of reprimand, administrative probation and withholding permission to register.

(c) Fines shall be paid before thirty days from date of issuance of citation. After that time, disciplinary action will be taken in addition to the fines.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner or the driver of the motor vehicle or any combination of them, shall be liable for any fines for violation of these rules.

(f) All fines shall be paid at the business office, administration building, or any other office as the provost designates. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-70 Appeals. Any person may appeal a citation within thirty calendar days after its issuance. Appeals must be submitted in writing on a form to be provided by the college. Such forms shall be made available at the business office, administration
building, or any other office as the provost designates.

All appeals shall initially be reviewed by the college administrative officer who will arrange to have it considered by the appeals board. The appeals board shall consist of three students appointed by the student senate, three faculty appointed by the faculty senate, and one administrator appointed by the provost. This appeals board shall elect its own chairman. The decision of the appeals board shall be final within the college. If the appeal is upheld, the amount of the fine collected shall be refunded. [Eff. JUN 22 198] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)

§20-12-71 Administrative procedures. (a) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the provost of Maui Community College stating the specific question, submittal or request.

(b) The following rules of practice on parking and traffic matters, including both formal and informal procedures, are adopted:

(1) Informal procedures. Persons who feel that they have received a parking or traffic citation in error or whose vehicle was towed away by the college or who otherwise wish to discuss parking and traffic problems may discuss their complaint or problem in person with the college administrative officer or other authorized person designated to manage the college's parking and traffic program.

The administrative officer may void citations or waive towing and storage charges, or both, upon review of the facts of each case.

(2) Formal procedures. Persons appealing a traffic citation or towing and storage charges shall file said appeal on an appeal form available at the administration or other designated office, if any, where said forms are available. Reasons for the appeal shall be set forth in writing in order to have the appeal considered as provided in these rules. Appellants whose appeals are upheld will be refunded all of the amount of the fine or fines paid as directed by the reviewing officer. Appellants will be notified of the reviewing officer's action by mailing to the address shown on the appeal form a completed copy of the appeals form or by an attachment as deemed appropriate by the appeals board.

(c) Petition for the adoption, amendment or repeal
§20-12-71

of rules shall be in the form of a letter to the committee stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. [Eff. JUN 22 1981] (Auth: HRS §§308-1, 304-4, 305-1, 305-2, 306-2) (Imp: HRS §308-1)
**FACULTY HOUSING RENTAL AND PARKING RATES FOR UH/MANOA**  
*(5/20/80)*

<table>
<thead>
<tr>
<th><strong>A. APARTMENTS</strong></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement Studio</td>
<td>$ 150.00</td>
<td></td>
</tr>
<tr>
<td>Studio</td>
<td>210.00</td>
<td></td>
</tr>
<tr>
<td>1-Bedroom</td>
<td>295.00</td>
<td></td>
</tr>
<tr>
<td>2-Bedroom</td>
<td>380.00</td>
<td></td>
</tr>
<tr>
<td>3-Bedroom</td>
<td>450.00</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>B. PARKING</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Per Unit</td>
<td>$ 15.00</td>
</tr>
</tbody>
</table>

*Effective September 1, 1980*

*Rate Per Month*
REGULAR PARKING FEES FOR UH/MANOA
(5/20/81)

<table>
<thead>
<tr>
<th>Semester Fees</th>
<th>Summer Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(a) Parking Permits

(1) Employee 24-hour permits...$55.00 $27.50

(2) The president, the chancellors and members of their immediate staffs, members of the council of deans, directors of major research organizations and their equivalents at East West Center may, upon application and payment of an additional fee in the amount of 50 per cent of the established fee, be provided with one reserved parking stall in a zone of their choice.

(3) Student 24-hour permits--Structure or other areas as designated by the Chancellor...... 50.00 25.00

(4) Student 24-hour permits in quarry......................... 18.00 8.00

(5) Motorcycle-Motor Scooter

a. Student 24-hour permits
   Uncovered................ 5.00 2.50
   Covered.................. 10.00 5.00

b. Employee 24-hour permits
   Uncovered................ 5.50 2.75
   Covered.................. 11.00 5.50

(6) Evening Only Permits

a. Students................. 12.00 per quarter

b. Employees............... 13.25 per quarter

(b) Hourly or Daily Parking

Hourly or daily parking fees will be set by the chancellor at rates not to exceed the following:

(1) 75 cents per hour or any fraction thereof. Persons losing time-stamped tickets or driving vehicles parked
before daily kiosk opening must pay for the entire time lapsed between daily opening of the lot and their departure.

(2) $2 per day or any fraction thereof payable on either entrance or exit in certain zones or areas designated by the chancellor.

(3) The chancellor may establish the time periods at which said fees change from hourly to daily or vice versa.

(4) The chancellor may set or waive fees for parking for special events or for handicapped persons.
VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH/MANOA
(5/20/81)

<table>
<thead>
<tr>
<th>Fine</th>
<th>Fine If Not Paid Or Contested Within 7 Days</th>
</tr>
</thead>
</table>

(1) Parking in prohibited areas such as, but not limited to, the following: on grassed area, medall strips, sidewalks, driveways, crosswalks, in reserved or loading stalls, in "No Parking" areas or along curbs painted red (e.g., too close to intersection, in loading zones and driveway areas

$2.00 $5.00

(2) Double parking, obstructing fire hydrant as indicted by red curb, or obstructing traffic

2.00 5.00

(3) Driving on areas other than streets, roads, or parking areas

5.00 10.00

(4) Speeding over 20 mph

15.00 20.00

(5) Reckless driving

15.00 20.00

(6) Motor vehicles making excessive noise

2.00 5.00

(7) Parking in wrong zone

2.00 5.00

(8) Parking without a permit

5.00 10.00

(9) Failure to display sticker or displaying it at an improper place

2.00 5.00

(10) Failure to pay hourly rate

5.00 10.00

(11) Parking more than one car on a pool or multi-car owner permit in permit zones

20.00 25.00

(12) Giving false information in filing application

10.00 15.00

(13) Use of a counterfeited, altered, defaced or illegally transferred permit

20.00 25.00
(14) Failure to heed directions of a duly authorized officer........ 20.00 25.00

(15) Failure to heed directions given on an official sign.......... 2.00 5.00

(16) Damaging campus signs, parking gates or parking appurtenances................. 20.00 25.00
VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH/HILO  
(5/20/81)

Fine

(1) Parking in prohibited areas such as, but not limited to, the following: on grassed areas not marked for parking, outside of marked stalls, medial strips, sidewalks, driveways, crosswalks, in reserved or loading stalls, in "No Parking" areas, or along so marked curbs..................$ 1.00

(2) Double parking, obstructing fire hydrants, obstructing traffic, or in other way creating a hazardous situation............... 2.00

(3) Moving violations, such as but not limited to the following: driving on areas other than roads, streets, or parking areas, failure to heed directions of a duly authorized officer; failure to heed directions given on an official sign......................................... 5.00

(4) Speeding over 20 mph on roads or 10 mph in parking lots.............................. 10.00

(5) Reckless driving........................................ 10.00

(6) Motor vehicle making excessive noise......... 2.00

(7) All above fines are doubled if not paid within seven days.
REGULAR PARKING FEES FOR THE
HONOLULU COMMUNITY COLLEGE CAMPUS
(5/20/81)

<table>
<thead>
<tr>
<th>Parking permits</th>
<th>Semester Fees</th>
<th>Summer Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Employees 24-hour permits</td>
<td>$25.00</td>
<td>$12.50</td>
</tr>
<tr>
<td>(2) Student 24-hour permits</td>
<td>25.00</td>
<td>12.50</td>
</tr>
<tr>
<td>(3) Motorcycle-Motor scooter 24-hour permits</td>
<td>2.50</td>
<td>1.25</td>
</tr>
<tr>
<td>(4) Evening only permits for employees and students</td>
<td>6.00 per quarter or 9.00 per semester</td>
<td></td>
</tr>
</tbody>
</table>

**Hourly parking.** Hourly parking fees may be set from time to time by the board of regents at rates not to exceed thirty-five cents per hour or fraction thereof. Persons losing time-stamped tickets must pay for the entire time elapsed between daily opening of the lot and their departure.

The provost has the authority to set or waive fees for parking in the case of special events.
# VIOLATIONS AND SCHEDULE OF PENALTIES FOR THE HONOLULU COMMUNITY COLLEGE CAMPUS  
(5/20/81)

<table>
<thead>
<tr>
<th>Violation</th>
<th>Fine</th>
<th>Paid Within</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas such as, but not limited to, the following: on grassed areas, medial strips, sidewalks, in reserved or loading stalls, in &quot;No Parking&quot; areas, or along curbs painted red (e.g., too close to intersection, in loading zones and driveway areas).</td>
<td>$ 2.00</td>
<td>$ 5.00</td>
</tr>
<tr>
<td>(2) Double parking, obstructing fire hydrant as indicated by red curb, or obstructing traffic.</td>
<td>5.00</td>
<td>10.00</td>
</tr>
<tr>
<td>(3) Driving on areas other than streets, roads, or parking areas.</td>
<td>5.00</td>
<td>10.00</td>
</tr>
<tr>
<td>(4) Speeding over 15 miles per hour or other posted limits.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(5) Reckless driving.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(6) Motor vehicles making excessive noise.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(7) Parking in wrong zone.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(8) Parking without a permit.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(9) Failure to display sticker or displaying it at an improper place.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(10) Failure to pay hourly rates.</td>
<td>5.00</td>
<td>10.00</td>
</tr>
<tr>
<td>(11) Parking more than one car on a pool or multi-car owner permit.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(12) Giving false information in filling application.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(13) Use of a counterfeited, altered, defaced or illegally transferred permit.</td>
<td>20.00</td>
<td>25.00</td>
</tr>
<tr>
<td>(14) Failure to heed directions of a duly authorized officer.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(15) Failure to heed directions given on an official sign.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
</tbody>
</table>
REGULAR PARKING FEES FOR THE
KAPIOLANI COMMUNITY COLLEGE CAMPUS
(5/20/81)

<table>
<thead>
<tr>
<th>(a) Parking permits</th>
<th>Semester Fees</th>
<th>Summer Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Employees 24-hour permits</td>
<td>$25.00</td>
<td>$12.50</td>
</tr>
<tr>
<td>(2) Student 24-hour permits</td>
<td>25.00</td>
<td>12.50</td>
</tr>
<tr>
<td>(3) Motorcycle-Motor scooter 24-hour permits</td>
<td>2.50</td>
<td>1.25</td>
</tr>
<tr>
<td>(4) Evening only permits for employees and students</td>
<td>6.00 per quarter or 9.00 per semester</td>
<td></td>
</tr>
</tbody>
</table>

(b) Hourly parking. Hourly parking fees may be set from time to time by the board of regents at rates not to exceed thirty-five cents per hour or fraction thereof. Persons losing time-stamped tickets must pay for entire time elapsed between daily opening of the lot and their departure. The provost has the authority to set or waive fees for parking in the case of special events.
VIOLATIONS AND SCHEDULE OF PENALTIES FOR
THE KAPIOLANI COMMUNITY COLLEGE CAMPUS
(5/20/81)

<table>
<thead>
<tr>
<th></th>
<th>Fine</th>
<th>Fine If Not Paid Within 7 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Parking in prohibited areas such as, but not limited to, the following: on grassed areas, medial strips, in &quot;No Parking&quot; areas, or along curbs painted red (e.g., too close to intersection, in loading zones and driveway areas).</td>
<td>$ 2.00</td>
</tr>
<tr>
<td>2</td>
<td>Double parking, obstructing fire hydrant as indicated by red curb, or obstructing traffic.</td>
<td>5.00</td>
</tr>
<tr>
<td>3</td>
<td>Driving on areas other than streets, roads, or parking areas.</td>
<td>5.00</td>
</tr>
<tr>
<td>4</td>
<td>Speeding over 15 miles per hour or other posted limits.</td>
<td>10.00</td>
</tr>
<tr>
<td>5</td>
<td>Reckless driving.</td>
<td>10.00</td>
</tr>
<tr>
<td>6</td>
<td>Motor vehicles making excessive noise.</td>
<td>2.00</td>
</tr>
<tr>
<td>7</td>
<td>Parking in wrong zone.</td>
<td>2.00</td>
</tr>
<tr>
<td>8</td>
<td>Parking without a permit.</td>
<td>2.00</td>
</tr>
<tr>
<td>9</td>
<td>Failure to display sticker or displaying it at an improper place.</td>
<td>2.00</td>
</tr>
<tr>
<td>10</td>
<td>Failure to pay hourly rate.</td>
<td>5.00</td>
</tr>
<tr>
<td>11</td>
<td>Parking more than one car on a pool or multi-car owner permit.</td>
<td>10.00</td>
</tr>
<tr>
<td>12</td>
<td>Giving false information in filling application.</td>
<td>10.00</td>
</tr>
<tr>
<td>13</td>
<td>Use of a counterfeited, altered, defaced or illegally transferred permit.</td>
<td>20.00</td>
</tr>
<tr>
<td>14</td>
<td>Failure to heed directions of a duly authorized officer.</td>
<td>10.00</td>
</tr>
<tr>
<td>15</td>
<td>Failure to heed directions given on an official sign.</td>
<td>2.00</td>
</tr>
</tbody>
</table>
REGULAR PARKING FEES FOR THE LEEWARD COMMUNITY COLLEGE CAMPUS
(5/20/81)

(a) Parking permits

<table>
<thead>
<tr>
<th></th>
<th>Semester Fees</th>
<th>Summer Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Employees 24-hour permits</td>
<td>$25.00</td>
<td>$12.50</td>
</tr>
<tr>
<td>(2) Student 24-hour permits</td>
<td>25.00</td>
<td>12.50</td>
</tr>
<tr>
<td>(3) Motorcycle-Motor Scooter 24-hour permits</td>
<td>2.50</td>
<td>1.25</td>
</tr>
<tr>
<td>(4) Evening-only permits for employees and students</td>
<td>9.00 per semester</td>
<td></td>
</tr>
</tbody>
</table>

(b) Hourly parking. Hourly parking fees may be set from time to time by the board of regents, or if so delegated, by the president, at rates not to exceed thirty-five cents per hour or fraction thereof. Persons losing time-stamped tickets must pay for the entire time elapsed between daily opening of the lot and their departure.

The provost has the authority to set or waive fees for parking in the case of special events.
<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Fine</th>
<th>Fine if not Paid Within 7 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas such as, but not limited to, the following: on grassed</td>
<td>$ 2.00</td>
<td>$ 5.00</td>
</tr>
<tr>
<td>areas, medall strips, sidewalks, in reserved or loading stalls, in &quot;No Parking&quot; areas,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or along curbs painted red (e.g., too close to intersection, in loading zones, and</td>
<td></td>
<td></td>
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<tr>
<td>driveway areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Double parking, obstructing fire hydrant as indicated by red curb, or obstructing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>traffic.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Driving on areas other than streets, roads, or parking areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Speeding over 15 miles per hour or other posted limits.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(5) Reckless driving.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(6) Motor vehicles making excessive noise.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(7) Parking in wrong zone.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(8) Parking without a permit.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(9) Failure to display sticker or displaying it at an improper place.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
<tr>
<td>(10) Failure to pay hourly rate.</td>
<td>5.00</td>
<td>10.00</td>
</tr>
<tr>
<td>(11) Parking more than one car on a pool or multicar permit.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(12) Giving false information in filling application.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(13) Use of a counterfeited, altered, defaced or illegally transferred permit.</td>
<td>20.00</td>
<td>25.00</td>
</tr>
<tr>
<td>(14) Failure to heed directions of a duly authorized officer.</td>
<td>10.00</td>
<td>15.00</td>
</tr>
<tr>
<td>(15) Failure to heed directions given on an official sign.</td>
<td>2.00</td>
<td>5.00</td>
</tr>
</tbody>
</table>
REGULAR PARKING FEES FOR THE
KAUAI COMMUNITY COLLEGE CAMPUS
(5/20/81)

(a) Parking permits

<table>
<thead>
<tr>
<th></th>
<th>Semester Fees</th>
<th>Summer Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Employees 24-hour permits</td>
<td>$25.00</td>
</tr>
<tr>
<td>(2)</td>
<td>Student 24-hour permits</td>
<td>25.00</td>
</tr>
<tr>
<td>(3)</td>
<td>Motorcycle-Motor Scooter 24-hour permits</td>
<td>2.50</td>
</tr>
<tr>
<td></td>
<td>Evening-only permits for employees and students</td>
<td>9.00 per semester</td>
</tr>
</tbody>
</table>

The president may set fees below the maximum authorized by the board.

(b) Hourly parking. The maximum hourly parking fees authorized by the board shall be twenty-five cents per hour or fraction thereof.

The president may set the hourly parking fees below the maximum authorized by the board.

Persons losing time-stamped tickets must pay for entire time elapsed between daily opening of the lot and their departure.

The provost has the authority to set or waive fees for parking in the case of special events.
(1) Parking in prohibited areas such as, but not limited to, the following: on grassed areas, medial strips, sidewalks, in reserved or loading stalls, in "No Parking" areas, or along curbs painted red (e.g., too close to intersection, in loading zones and driveway areas).  
2.00 5.00

(2) Double parking, obstructing fire hydrant as indicated by red curb, or obstructing traffic.  
5.00 10.00

(3) Driving on areas other than streets, roads, or parking areas.  
5.00 10.00

(4) Speeding over 15 miles per hour or other posted limits.  
10.00 15.00

(5) Reckless driving.  
10.00 15.00

(6) Motor vehicles making excessive noise.  
2.00 5.00

(7) Parking in wrong zone.  
2.00 5.00

(8) Parking without a permit.  
2.00 5.00

(9) Failure to display sticker or displaying it at an improper place.  
2.00 5.00

(10) Failure to pay hourly rate.  
5.00 10.00

(11) Parking more than one car on a pool or multi-car permit.  
10.00 15.00

(12) Giving false information in filling application  
10.00 15.00

(13) Use of a counterfeited, altered, defaced or illegally transferred permit.  
20.00 25.00

(14) Failure to heed directions of a duly authorized officer.  
10.00 15.00

(15) Failure to heed directions given on an official sign.  
2.00 5.00
REGULAR PARKING FEES FOR
MAUI COMMUNITY COLLEGE CAMPUS
(5/20/81)

(a) Parking permits

<table>
<thead>
<tr>
<th></th>
<th>Semester Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) BOR personnel 24-hour permits</td>
<td>$3.00</td>
</tr>
<tr>
<td>(2) Classified employee 24-hour permits</td>
<td>3.00</td>
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<tr>
<td>(3) Students 24-hour permits</td>
<td>1.00</td>
</tr>
<tr>
<td>(4) Motorcycle-motor scooter 24-hour permits</td>
<td>0.50</td>
</tr>
</tbody>
</table>

The provost has the authority to set or waive fees for parking in the case of special events.
VIOLATIONS AND SCHEDULE OF PENALTIES
FOR THE MAUI COMMUNITY COLLEGE CAMPUS
(5/20/81)

(1) Parking in prohibited areas such as, but not limited to, the following: on grassed areas, medial strips, sidewalks, in reserved or loading stalls, in "No Parking" areas, or along curbs painted red (e.g., too close to intersection, in loading zones and driveway areas) ....$ 2.00

(2) Double parking, obstructing fire hydrant as indicated by red curb, or obstructing traffic ........................................... 5.00

(3) Driving on areas other than streets, roads, or parking areas ............................ 5.00

(4) Speeding over 15 miles per hour or other posted limits ........................................ 10.00

(5) Reckless driving ........................................ 10.00

(6) Motor vehicles making excessive noise ........................................ 2.00

(7) Parking without a permit ........................................ 2.00

(8) Failure to display sticker or displaying it at an improper place ........................................ 2.00

(9) Parking more than one car on a pool or multi-car owner permit .................. 5.00

(10) Giving false information in filling application ........................................ 10.00

(11) Use of a counterfeited, altered, defaced of illegally transferred permit .......... 20.00

(12) Failure to heed directions of a duly authorized officer ........................... 10.00

(13) Failure to heed directions given on an official sign ........................................ 2.00

Fines
(After seven days $2 will be added)
SUMMARY

1. §§20-12-1 to 20-12-10 are amended.
UNIVERSITY OF HAWAII

Amendments to Chapter 20-12, Hawaii Administrative Rules, on the Summary page dated 1/16/92, were adopted on 2/19/93, following a public hearing held on 1/21/93, after public notice was given in the Honolulu Advertiser on 9/8/92.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

H. HOWARD STEPHENSON
Chairperson,
Board of Regents
University of Hawaii

APPROVED AS TO FORM:

H. YOSHIDA
Deputy Attorney General

JOHN WAIHEE
Governor
State of Hawaii

Date: MAR 2 2 1993

MAR 22 1993
Filed
§20-12-1 Statement of purpose. The purpose of these rules is to properly administer parking and traffic operations. These rules are intended for the safety and general welfare of the university community. [Eff 6/22/81; am APR 01 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1, 308-3)
§20-12-2 Definitions. As used in this subchapter:

"Board" refers to the board of regents of the University of Hawaii.

"Campus" refers to all lands occupied by the university and by the East West Center at the Manoa campus.

"Chancellor" refers to the chancellor of the University of Hawaii at Manoa and shall include his/her authorized designee.

"Employees" refers to and shall include the faculty, staff and graduate students employed at the university. These employees shall include the university system offices and employees of contractors and lessees conducting business on campus unless said employees' contracts prohibit on-campus parking.

"Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, mopeds, and motorcycles.

"Parking board" refers to the parking board of review.

"Special events" refers to events on the University of Hawaii campus that would necessitate a temporary change in the normal parking and traffic operations.

"Student" refers to any full-time or part-time student enrolled at the university.

"University" refers to the University of Hawaii at Manoa and shall include the East West Center. [Eff 6/22/81; am APR 01, 1993] (AUTH: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-3 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the university to the chancellor. The board may engage a private concessionaire or contractor to operate the parking and traffic operation or a portion thereof at the campus. [Eff 6/22/81; am APR 01 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-4 Map of parking areas. The map of the parking areas of the campus shall be kept at the parking office. The chancellor may change the assignment of zones and allowable times for parking in zones allocated to employees, students or others, based on availability and demand, without the necessity of following the provisions of sections 91-3, 91-4, and 91-5, HRS, provided that the chancellor shall announce in advance by appropriate media the intent to make any such change which may directly affect either students or employees, so that both said groups or their representatives shall have the opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said change. Such changes shall be recorded on the map. [Eff 6/22/81; am APR 01 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-5 Application procedure. (a) Application for parking permits. Any employee or student seeking a parking permit shall obtain an application form from the parking office or at a place designated by the chancellor. The information requested in the application form must be completed fully and accurately or it shall be rejected. Employees may apply for permits by mail if they so desire. Students shall apply for such permits in person and shall be required to show their driver's license, vehicle registration certificate and current valid vehicle safety check. All applicants, except those applying for moped permits, shall be required to show proof that liability insurance is maintained on their vehicle before a permit is issued. Minimum coverage of said insurance shall be as required by chapter 294, HRS.

(b) When and where to get permits. Permits will be sold at times and places designated by the chancellor or a designee, provided that the chancellor shall announce in advance by appropriate media the intent to make a change in such timing or location which may directly affect either students or employees, so that both said groups or their representatives shall have opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said change.

(c) Only one permit shall be sold to each applicant and such permit shall not be transferable except as otherwise provided.

(d) Permit fees may be refunded in accordance with policy as established by the chancellor. [Eff 6/22/81; am APR 01 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§294-10, 304-4, 306-9, 308-1)
§20-12-6  Chancellor's authority and priorities.

The chancellor shall have authority to:

1. Establish, implement, and administer policies and procedures to regulate traffic and parking;
2. Establish, implement, and administer policies and procedures for issuance of permits to employees and students;
3. Designate reserved parking for university vehicles, handicapped employees and students, and special events at the university;
4. Engage a private concessionaire or contractor to operate the parking and traffic program or a portion thereof on campus.
5. Do such other things as necessary to control traffic and parking.  [Eff 6/22/81; am APR 01 1993] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-7 General rules. (a) Area of authority. These rules shall govern parking and operation of motor vehicles on the campus.

(b) Time. These rules shall be in effect twenty-four hours daily throughout the entire year.

(c) Signs. All officially posted signs regarding traffic and parking control must be observed.

(d) Access and parking area.

(1) Access. Access to the campus shall be permitted only upon showing or displaying proper permits except in hourly and daily parking zones. Motor vehicles making excessive noise may be denied access to the campus.

(2) Parking. Parking shall be permitted only in areas marked and specified by the parking office.

(e) Removal. Any motor vehicle may be removed or immobilized at the expense of the owner if it is in violation of these rules. Such motor vehicles may be held by the university in lieu of payment of any unpaid fines or removal and storage charges incurred against the vehicle as a result of its operation or parking on the university campus.

If the motor vehicle so removed is unclaimed for thirty days, the university shall thereafter dispose of the motor vehicle as determined by the parking office. The university shall pay all costs of removal and storage and other costs connected with such disposal out of the university parking revolving fund. If the motor vehicle is sold, the fund shall be reimbursed for such costs, as well as for any unpaid fines from the proceeds for such sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after notice, such proceeds shall be deposited in the university parking revolving fund.

(f) Display of permits. Any motor vehicle parked on university property, other than in pay lots, must display a valid university parking permit or pass. The permit shall designate a specific zone where the vehicle may be parked. It is the permit holder's responsibility to display the permit in plain view on the dashboard or on the rear-view mirror. For motorcycles, mopeds, and motor scooters, it shall be affixed on the left handle bar. The location where these stickers are to be placed may be changed by the chancellor as deemed necessary.
Failure to properly display identification stickers as indicated here is a violation and may subject the violator to a fine, removal of the vehicle, disciplinary action, or any combination thereof.

(g) A semester permit shall be valid until the beginning of the next semester or summer session, whichever comes first. A summer session permit shall be valid until the beginning of the next semester. An evening only permit shall be valid only in the evenings of that quarter of the college of continuing education and community services for which it is issued. Students without twenty-four hour permits who are enrolled in regular semester or summer session day-time programs may be allowed to purchase evening only permits for parking in zones designated by the chancellor.

(h) A permit shall be valid only in the zone designated except that after four p.m., daily, permit holders having semester or summer permits may be allowed to park in zones designated by the chancellor.

(i) The university shall not issue excessive parking permits in relation to the number of spaces available. The chancellor may adjust the ratio of permits to the number of spaces available from time to time as the need arises without a public hearing.

(j) Employees and their families living on the campus shall be provided permits at no cost except that they shall park only in the designated area adjacent to their dwellings.

(k) Persons parking in hourly or daily pay zones as designated by the chancellor shall pay the rate as established in section 20-12-8.

(l) Enforcement. These rules shall be enforced by persons authorized by the board or by the chancellor to man gates and issue citations.

(m) The university shall not be responsible or liable for fire, theft, or damages to motor vehicles or any contents therein when parked or operated on the campus. [Eff 6/22/81; am APR 01 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-8 Parking permits, fees and areas. (a) Fees for regular parking permits and for hourly or daily parking shall be as reflected in "Regular Parking Fees for UH/Manoa (1/17/92)" which is made a part hereof and located at the end of this chapter.

(b) Other fees.

(1) The chancellor may set fees for other periods of time not covered under these rules without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that said fees do not exceed the maximum established in "Regular Parking Fees for UH/Manoa (5/20/81)" and provided that the chancellor shall announce in advance by appropriate media the intent to set such fees which setting may directly affect either students or employees, so that both said groups or their representatives shall have opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to promulgate said fees.

(2) The chancellor may establish service fees not to exceed $10 per transaction.

(3) The chancellor may establish equitable refundable deposit requirements for returnable items such as gate cards, keys, etc., without the necessity of public hearing. [Eff 6/22/81; am APR 07 1993 ] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
§20-12-9 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in "Violations and Schedule of Penalties" for UH/Manoa (1/17/92) which is made a part hereof and located at the end of this chapter.

(b) Violators shall be subject to a fine, removal or immobilization of motor vehicle, or disciplinary action, or revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven days after the issuance of the citation as indicated in "Violations and Schedule of Penalties for UH/Manoa (1/17/92)".

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the motor vehicle, or both, shall be subject to the applicable penalties described in (a), (b) and (c) of this section, except in the case of a moving violation in which case the driver shall be subject to said applicable penalties.

§20-12-10 Appeals process. (a) Each person receiving a citation is entitled to a formal hearing on the citation. Requests for formal hearings must be submitted in writing within seven days after issuance of the citation on a form to be provided by the university. Such forms shall be made available at the parking office.

(b) The following rules of practice on parking and traffic matters including both formal and informal procedures are adopted:

(1) Informal procedures. Persons who believe that they have received a parking or traffic citation or notice of citation in error or whose vehicle was towed away by the university may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the university's parking and traffic program within seven days of the issuance of the citation or notice or of the removal of a vehicle. Such managers may waive said period for good cause shown. Such managers may void citations, waive towing and storage charges and reduce the fine imposed upon review of the facts of each case and upon a finding that the parking or traffic citation was improperly issued or that the person did not know of said citations or notice so as to contest them within seven days of issuance.

(2) Formal procedures. A person requesting a hearing on a parking or traffic citation in accordance with (a) of this section shall be afforded an opportunity for hearing after reasonable notice as provided by chapter 91, HRS. Essentially, that chapter provides as follows: The notice shall include a statement of:

(A) The date, time, place and nature of hearing.
(B) The legal authority under which the hearing is to be held.
(C) The particular sections of the statutes and rules involved.
(D) An explicit statement in plain language of the issues involved and the facts alleged by the officer issuing the citation in support thereof.
(E) The fact that any party may retain counsel if so desired. Opportunity shall be afforded each party to present evidence and argument on all issues involved. Every party shall have the right to conduct such cross-examination as may be required for a full and true disclosure of the facts and shall have the right to submit rebuttal evidence.

The hearing shall be conducted either by a hearing officer appointed by the parking board, or by the parking board itself. If it is the hearing officer who hears and examines all the evidence, the hearing officer shall submit findings of fact and conclusions of law to the parking board and to the party. The party may file written exceptions and present arguments to the parking board which shall personally consider the whole record or such portions thereof as may be cited by the party. If the party does not file written exceptions within thirty days after receipt of the report, the decision of the hearing officer shall be final.

In the event a party does not appear at the date, time and place appointed for the hearing, either before the parking board or the hearing officer, the party may be denied another hearing on the matter.

Every decision and order adverse to a party to the proceeding shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. Parties to the proceedings shall be notified by delivering or mailing a certified copy of the decision and order and accompanying findings and conclusions within a reasonable time to each party. If the citation is upheld, the parking board or the hearing officer may direct payment of all or a portion of the fine or charge.

(c) The parking board shall be composed of a student, a faculty member and a staff member appointed by the chancellor. The decision of the parking board shall be final within the university.

(d) The public may obtain information or make submittals or requests relative to parking and traffic
matters by addressing a letter to the parking office.

(e) Petitions for the adoption, amendment, or repeal of rules shall be in the form of a letter to the chancellor of the University of Hawaii stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The chancellor may confer with appropriate administrative or legal staff, or both. The chancellor shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The chancellor may also initiate action on his own motion to adopt, amend or repeal rules and regulations pursuant to chapter 91, HRS.

(f) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of motor vehicles on the campus or any rule under this subchapter shall be in the form of a letter to the chancellor of the University of Hawaii stating the interest of the petitioner in the matter, the reasons for requesting the ruling and specific nature of the ruling being requested. The chancellor may confer with appropriate administrative or legal staff, or both, and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff 6/22/81; am APR 01 1993] (Auth: HRS §§304-4, 306-2, 308-1) (Imp: §§304-4, 306-9, 308-1)
REGULAR PARKING FEES FOR UH/MANOA
(1/17/92)

<table>
<thead>
<tr>
<th></th>
<th>Semester</th>
<th>Summer</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Parking Permits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Employee (Upper Campus)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>$ 96.00</td>
<td>$ 48.00</td>
<td>$240.00</td>
</tr>
<tr>
<td>1994</td>
<td>110.00</td>
<td>56.00</td>
<td>276.00</td>
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<tr>
<td>1995</td>
<td>127.00</td>
<td>64.00</td>
<td>318.00</td>
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<td>1996</td>
<td>146.00</td>
<td>73.00</td>
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<tr>
<td>1997</td>
<td>168.00</td>
<td>84.00</td>
<td>420.00</td>
</tr>
<tr>
<td>(2) Employee (Lower Campus)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>$ 77.00</td>
<td>$ 38.00</td>
<td>$192.00</td>
</tr>
<tr>
<td>1994</td>
<td>89.00</td>
<td>42.00</td>
<td>220.00</td>
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<tr>
<td>1995</td>
<td>102.00</td>
<td>49.00</td>
<td>253.00</td>
</tr>
<tr>
<td>1996</td>
<td>117.00</td>
<td>56.00</td>
<td>290.00</td>
</tr>
<tr>
<td>1997</td>
<td>134.00</td>
<td>68.00</td>
<td>336.00</td>
</tr>
<tr>
<td>(3) The chancellor, vice presidents, deans, and directors may, upon approval and payment of an additional fee in the amount of 50% of the established fee, be provided with one reserved parking stall as determined by the Parking Office.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Student Permits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>$ 77.00</td>
<td>$ 38.00</td>
<td>$192.00</td>
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<tr>
<td>1994</td>
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<tr>
<td>1997</td>
<td>134.00</td>
<td>68.00</td>
<td>336.00</td>
</tr>
<tr>
<td>(5) Evening Permits (per month)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>$ 10.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td></td>
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<td>1995</td>
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<td>16.00</td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td></td>
<td>18.00</td>
<td></td>
</tr>
</tbody>
</table>
(6) Moped/Motorcycle Permits (Employees and Students)

<table>
<thead>
<tr>
<th>Year</th>
<th>Semester</th>
<th>Summer</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$20.00</td>
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</tr>
<tr>
<td>1996</td>
<td>26.00</td>
<td>13.00</td>
<td>65.00</td>
</tr>
<tr>
<td>1997</td>
<td>28.00</td>
<td>14.00</td>
<td>70.00</td>
</tr>
</tbody>
</table>

(b) Hourly or Daily Parking

Hourly or daily parking fees will be set by the chancellor at rates not to exceed the following:

(1) $4.00 per hour or any fraction thereof. Persons losing time-stamped tickets or driving vehicles parked before daily kiosk opening must pay for the entire time lapsed between opening of the lot and their departure.

(2) $16.00 per day or any fraction thereof payable on either entrance or exit in certain zones or areas designated by the chancellor.

(3) The chancellor shall establish the time periods at which said fees change from hourly to daily or vice versa.

(4) The chancellor shall set or waive fees for parking for special events or handicapped persons.
VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH/MANOA
(1/17/92)

(a) Violations and Schedule of Penalties:

<table>
<thead>
<tr>
<th>Violation</th>
<th>Original Fine</th>
<th>7-Day Non-Payment Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas including but not limited to the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- lawns, planted areas, and grounds under repair;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- medial strips, sidewalks, driveways, and crosswalks;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- &quot;No Parking&quot; areas or along curbs painted red;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- (obstructing) fire hydrant or (parking in) fire lane;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- (obstructing) vehicular or pedestrian traffic;</td>
<td>$15.00</td>
<td>$25.00</td>
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<tr>
<td>- official bus stop</td>
<td></td>
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<tr>
<td>(2) Parking in area not designated for that specific type of vehicle</td>
<td>15.00</td>
<td>25.00</td>
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<td>(3) Operating or parking a motor vehicle of any type, moped, or motorcycle</td>
<td>15.00</td>
<td>25.00</td>
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<tr>
<td>within a University building</td>
<td></td>
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<td>(4) Double parking or vehicles not placed wholly within the lines or</td>
<td>15.00</td>
<td>25.00</td>
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<td>boundaries of the parking space</td>
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<td>(8) Parking in wrong zone</td>
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</tr>
<tr>
<td>(21) Parking or operating a bicycle or moped in violation of the City &amp; County of Honolulu Traffic Code (not otherwise specified herein)</td>
<td>15.00</td>
<td>25.00</td>
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</tbody>
</table>
(22) Failure to make a complete stop at an official "STOP" sign................. 20.00  30.00

(23) Transporting a bicycle, moped, or motorcycle in an elevator.................. 15.00  25.00

(24) Damaging campus signs, parking gates, or parking appurtenances.............. 25.00  35.00
    + cost of repair or replacement

(25) Repeat or flagrant violation of parking regulations...................... 25.00  35.00

(26) Motor vehicle or its alarm system making excessive noise and/or causing a disturbance.... 15.00  25.00

(27) Moving any barricade or parking within any barricaded area..................... 15.00  25.00

(b) Violators shall be subject to any of the following:

(1) A citation and fine as outlined in section "(a)";

(2) Vehicle removal or impoundment;

(3) Recommended hold placed on University registration and records;

(4) Revocation or suspension of parking privileges;

(5) Referral to Student Conduct Board.
Rules Amending Title 20, Administrative Rules
(December 18, 1992)

SUMMARY

1. §§20-12-11, 20-12-12, 20-12-13, 20-12-14, 20-12-15, 20-12-16, 20-12-17, 20-12-18, and 20-12-19 are amended.
UNIVERSITY OF HAWAII

Amendments to Chapter 20-12, Hawaii Administrative Rules, on the Summary Page dated December 18, 1992, were adopted on May 21, 1993, following a public hearing on May 10, 1993, after public notice was given in the Hawaii Tribune Herald and the Honolulu Advertiser on April 1 & 5, 1993 respectively.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

[Signature]
H. HOWARD STEPHENSON
Chairperson
Board of Regents
University of Hawaii

APPROVED AS TO FORM:

[Signature]
Deputy Attorney General

[Signature]
JOHN WAIHEE
Governor
State of Hawaii

Date: JUN 22 1993

Filed
§20-12-11 Statement of purpose. The purpose of this subchapter is to properly administer parking and traffic operations at the University of Hawaii at Hilo campus. This subchapter is intended to provide for the safety and general welfare of the university community. [Eff 6/22/81; am 6/2/83; am JUL 02 1993 ] (Auth: HRS §§308-1, 304-4, 306-2) (Imp. HRS §§308-1, 308-3, 306-9, 304-4)
§20-12-12 Definitions. As used in this subchapter:

"Board" means the board of regents of the University of Hawaii.

"Campus" means all lands occupied by the University of Hawaii at Hilo.

"Chancellor" means the senior vice president and chancellor of the University of Hawaii at Hilo and shall include the chancellor's authorized designee.

"Employee" includes the faculty, staff, and line members employed at the university.

"Parking board" means the campus parking board of review.

"Special events" means events on the University of Hawaii at Hilo campus that would necessitate a temporary change in the normal parking and traffic operations.

"Student" means any full-time or part-time student enrolled at the university.

"University" means the University of Hawaii at Hilo and includes all university organizations located thereupon.

"Vehicle" includes but is not limited to trucks, automobiles, motor scooters, motorcycles, mopeds, bicycles, and skateboards.

"Visitor" means any person who is not a university faculty, staff, student, or authorized user.  [Eff 6/22/81; am 6/2/83; am July 02, 1993] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 304-4, 306-9)
§20-12-13 Delegation of authority. The board delegates its authority to properly administer and manage the parking and traffic operations at the university to the chancellor. The board may engage a private concessionaire or contractor to operate the parking and traffic operation or a portion thereof at the campus. [Eff 6/22/81; am 6/2/83; am JUL 02 1993] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 304-4, 306-9)
§20-12-14 Map of parking areas. A current map of the parking areas of the campus displaying the assignments of zones shall be kept at the auxiliary services office. The chancellor may change the assignment of zones and allowable times for parking in zones allocated to employees, students, or others, based on availability and demand, without the necessity of following the provisions of sections 91-3, 91-4, and 91-5, HRS, provided that the chancellor shall announce thirty days in advance by appropriate media the intent to make any such change which may directly affect either students or employees, so that both of these groups or their representatives shall have the opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to make any such change. Such changes shall be recorded on the map. [Eff 6/22/81; am 6/2/83; am JUL 02 1993 ] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1, 304-4, 306-9)
§20-12-15 Parking permits and fees. (a) The chancellor shall determine the need for and method of distributing parking permits. All university employees and students shall register and obtain appropriate parking permits for their vehicles. Visitors may park in designated stalls without a parking permit. Parking permit fees and fees for hourly or daily parking shall be as reflected in the exhibit entitled "Parking Permit Fee Schedule" dated October 1, 1992, which is located at the end of this chapter and made a part of this section.

(b) Other fees.

(1) The chancellor may set fees for other periods of time not covered under this subchapter without the necessity of following the provisions of sections 91-3, 91-4 and 91-5, HRS, provided that such fees do not exceed the maximum established in the exhibit entitled "Parking Permit Fee Schedule", dated October 1, 1992, and provided that the chancellor shall announce thirty days in advance by appropriate media the intent to set such fees which may directly affect either students or employees, so that both of these groups or their representatives shall have the opportunity to submit comments or recommendations on the matter prior to the chancellor's decision to set such fees.

(2) The chancellor may establish service fees not to exceed $10 per transaction.

(3) The chancellor may establish equitable refundable deposit requirements for returnable items such as gate cards and keys. [Eff 6/22/81; am 6/2/83; am JUL 02 1993 ] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1, 304-4, 306-9)
PARKING PERMIT FEE SCHEDULE FOR UH-HILO
(October 1, 1992)

(1) Dormitory resident parking. Dormitory residents may purchase permits to park in designated areas reserved for such residents. The charge for a dormitory resident permit is $35 per semester or $60 per year.

(2) Preferred parking. Reserved lots on campus shall be divided into zones. Faculty and staff may purchase permits to park in "preferred" campus lots. Students may purchase permit to park in preferred lots on a space available basis. Preferred parking permits will be distributed by a lottery system. The charge for a preferred parking permit is $35 per semester or $60 per year.

(3) General parking. Faculty, staff, and students may purchase permits to park in "general" campus lots. The charge for a general parking permit is $15 per semester or $25 per year.

(4) Visitor parking. Visitors to campus shall park in designated lots or stalls only. Fee is based on an hourly or daily rate as set by the chancellor.

(5) Hourly or daily parking fees will be set by the chancellor or the chancellor's designee at rates not to exceed the following:

(A) $4 per hour or any fraction thereof. Persons losing time-stamped tickets or driving vehicles parked before daily kiosk opening must pay for the entire time lapsed between opening of the lot and their departure.

(B) $16 per day or any fraction thereof payable on either entrance or exit in certain zones or areas designed by the chancellor or the chancellor's designee.

(C) The chancellor or the chancellor's designee shall establish the time periods at which said fees change from hourly to daily or vice versa.

(D) The chancellor or the chancellor's designee shall set or waive fees for parking for special events or disabled persons.
§20-12-16

The chancellor's authority. The chancellor may:

(1) Establish, implement, and administer policies and procedures to regulate traffic and parking;

(2) Establish, implement, and administer policies and procedures for issuance of permits to employees and students;

(3) Designate reserved parking for university vehicles, disabled employees and students, and special events at the university;

(4) Engage a private concessionaire or contractor to operate the parking and traffic program or a portion thereof on campus;

(5) Appoint members of the parking board to be comprised of a student, a faculty member, and a staff member; and

(6) Do other things necessary to control traffic and parking. [Eff 6/22/81; am 6/2/83; am 02/02/93] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §308-1, 304-4, 306-9)
§20-12-17 General rules. (a) This section shall govern parking and operation of vehicles on the campus.

(b) Time. The requirements of this subchapter shall be in effect twenty-four hours daily throughout the entire year. Parking on campus shall be limited to the hours between 6:00 a.m. to 12:00 midnight with the exception of dormitory resident parking which shall be in effect twenty-four hours daily.

(c) Signs. All official signs regarding parking and traffic must be observed.

(d) Access and parking areas.

(1) Access to the campus shall be permitted only upon showing or displaying proper permits except in hourly and daily parking zones. Vehicles making excessive noise may be denied access to the campus.

(2) Parking shall be permitted only in areas marked and specified for parking on the map filed at the auxiliary services office.

(e) Removal of vehicles. Any vehicle may be removed, immobilized, or confiscated at the expense of the owner if it is in violation of this subchapter. Such vehicles may be held by the university in lieu of payment of any unpaid fines or removal and storage charges incurred against the vehicle as a result of its operation or parking on the university campus. If the vehicle so removed is not claimed by the owner of the vehicle within thirty days after written notice, the university shall thereafter dispose of the vehicle as determined by the auxiliary service office. The university shall pay all costs of removal and storage and other costs connected with such disposal out of the university revolving parking fund. If the vehicle is sold, the fund shall be reimbursed for all costs, including unpaid fines, relative to the vehicle's disposal and sale, and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of the vehicle within sixty days after notice, such proceeds shall be deposited in the university revolving parking fund.

(f) Display of permits. Any vehicle parked on university property, other than in pay lots, must display a valid university parking permit or pass. The permit shall designate a specific zone where the vehicle may be parked. It is the permit holder's responsibility to display the permit in plain view on the dashboard or on the rear-view mirror.

(g) A permit shall be valid for times specified, and only for the areas designated on the permit.
(h) A permit shall be valid only in the zone designated except that after 4 p.m., daily, permit holders having semester or summer permits may be allowed to park in zones designated by the chancellor.

(i) The chancellor may adjust the ratio of permits to the number of spaces available from time to time as the need arises.

(j) Employees and their families living on the campus shall be provided permits at no cost except that they shall park only in the designated area adjacent to their dwellings.

(k) Persons parking in hourly or daily pay zones as designated by the chancellor shall pay the rate as established in section 20-12-15.

(l) Enforcement. This subchapter shall be enforced by persons authorized by the board or the chancellor.

(m) The university shall not be responsible for fire, theft, or damage to vehicles or any contents therein when parked or operated on the campus. [Eff 6/22/81; am 6/2/85; am JUL 02 1993 ] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 304-4, 306-9)
§20-12-18 Violations and penalties. (a) Violations and their corresponding penalties shall be as reflected in the exhibit entitled "Violations and Schedule of Penalties for UH-Hilo" dated October 1, 1992, which is located at the end of this chapter and made a part of this section.

(b) Violators shall be subject to a fine and removal, immobilization, or confiscation of vehicle, or disciplinary action, revocation or suspension of permit, or all of the foregoing.

(c) Additional penalties may be imposed if the fine is not paid or contested within seven calendar days after the issuance of the citation as indicated in "Violations and Schedule of Penalties for UH-Hilo" dated October 1, 1992.

(d) Fines imposed shall be over and beyond removal and storage charges, if any.

(e) The applicant or the registered owner of the vehicle, or both, shall be subject to the applicable penalties described in subsections (a), (b), and (c) except in the case of a moving violation in which case the driver shall be subject to applicable penalties.

(f) All fines shall be paid at the auxiliary services office.

(g) Disciplinary action against students shall be as provided under existing Board of Regents' Bylaws and Policies. [Eff 6/22/81; am 6/2/83; am JUL 02 1993] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 308-3, 304-4, 306-9)
VIOLATIONS AND SCHEDULE OF PENALTIES FOR UH-HILO  
(October 1, 1992)

(a) Violations and Schedule of Penalties for Vehicles

<table>
<thead>
<tr>
<th>Description</th>
<th>Fine</th>
<th>5-Working Day Non-Payment Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Parking in prohibited areas such as, but not limited to, the following:</td>
<td></td>
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<tr>
<td>on grassed areas not marked for parking, outside of marked stalls, medial</td>
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<tr>
<td>strips, sidewalks, driveways, crosswalks, in loading stalls, in &quot;No Parking&quot;</td>
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<tr>
<td>areas, or along so marked curbs</td>
<td>$15</td>
<td>$25</td>
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<td>(2) Parking in area not designated for that specific type of vehicle</td>
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<td>(3) Operating or parking a vehicle of any type, moped, or motorcycle in an</td>
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<tr>
<td>unauthorized area within the University</td>
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(10) Failure to display permit or displaying it at an improper location $15 $25

(11) Failure to pay daily parking fee $15 $25

(12) Falsifying information on an application $20 $30

(13) Displaying or using invalid permit or pass $20 $30

(14) Possessing or using counterfeit, altered, defaced, illegally transferred, or stolen permit $50 $60

(15) Driving on areas other than streets, roads, or parking areas $15 $25

(16) Exceeding 15 mph or other posted speed limits on campus $20 $30

(17) Reckless driving $20 $30

(18) Failure to heed directions of a duly authorized officer $30 $40

(19) Failure to heed directions on an official sign or symbols $15 $25

(20) Moving violations of the county of Hawaii Traffic Code not otherwise specified in these regulations $15 $25

(21) Parking or operating a bicycle or moped in violation of the county of Hawaii Traffic Code (not otherwise specified herein) $15 $25

(22) Failure to make a complete stop at an official "STOP" sign $20 $30
(23) Damaging campus signs, parking gates, or parking appurtenances $50 $60 + cost of repair or replacement

(24) Repeat or flagrant violation of parking regulations $30 $40

(25) Motor vehicle or its alarm system making excessive noise and/or causing a disturbance $15 $25

(26) Moving any barricade or parking within any barricaded area $15 $25

(b) Violators shall be subject to any of the following:

(1) A citation and fine as outlined in paragraph (a);

(2) Vehicle removal or impoundment;

(3) Recommended hold placed on University registration and records;

(4) Revocation or suspension of parking privileges,

(5) Referral of Student Conduct Board.
Appeals process. (a) Any person receiving a citation is entitled to a formal hearing on the citation. Requests for a formal hearing must be submitted in writing within seven days after issuance of the citation on a form to be provided by the university. Such form shall be made available at the auxiliary services office.

(b) The following are rules of practice on parking and traffic matters including both formal and informal procedures:

(1) Informal procedures. Persons who believe that they have received a parking or traffic citation or notice of citation in error or whose vehicle was towed away by the university may discuss their complaint or problem in person with the parking manager or other authorized person designated to manage the university's parking and traffic program within seven days of the issuance of the citation or notice or of the removal of a vehicle. Such manager may waive said period for good cause shown. Such manager may void citations, waive towing and storage charges, and reduce the fine imposed upon review of the facts of each case and upon a finding that the parking or traffic citation was improperly issued or that the person did not know of said citation or notice so as to contest them within seven days of issuance.

(2) Formal procedures. A person requesting a hearing on a parking or traffic citation in accordance with subsection (a) shall be afforded an opportunity for hearing after reasonable notice as provided by chapter 91, HRS. Essentially, that chapter provides as follows: The notice shall include a statement of:

(A) The date, time, place, and nature of hearing.
(B) The legal authority under which the hearing is to be held.
(C) The particular sections of the statutes and rules involved.
(D) An explicit statement in plain language of the issues involved and the facts alleged by the officer issuing the citation in support thereof.
(E) The fact that any party may retain counsel if so desired. Opportunity shall be afforded each party to present evidence and argument on all issues involved. Every party shall have the right to conduct cross-examination as may be required for a full and true disclosure of the facts and shall have the right to submit rebuttal evidence.

The hearing shall be conducted either by a hearing officer appointed by the parking board, or by the parking board itself. If a hearing officer hears and examines all the evidence, the hearing officer shall submit findings of fact and conclusions of law to the parking board and to the party. The party may file written exceptions and present arguments to the parking board which shall personally consider the whole record or such portions thereof as may be cited by the party. If the party does not file written exceptions within thirty days after receipt of the hearing officer's report, the decision of the hearing officer shall be final.

In the event a party does not appear at the date, time, and place appointed for the hearing, either before the parking board or the hearing officer, the party may be denied another hearing on the matter.

Every decision and order adverse to a party to the proceeding shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. Parties to the proceedings shall be notified by delivering or mailing a certified copy of the decision and order and accompanying findings and conclusions within a reasonable time to each party. If the citation is upheld, the parking board or the hearing officer may direct payment of all or a portion of the fine or charge.

(c) The decision of the parking board shall be final within the university.

(d) The public may obtain information or make submittals or requests relative to parking and traffic matters by addressing a letter to the auxiliary service office.
(e) Petitions for the adoption, amendment, or repeal of rules shall be in the form of a letter to the chancellor of the university stating with particularity the rule or rules proposed to be adopted, amended or repealed and also stating the reasons for such action. The chancellor may confer with appropriate administrative or legal staff, or both. The chancellor shall within thirty days of the receipt of the petition either deny the petition in writing, stating reasons for such denial or initiate proceedings in accordance with section 91-3, HRS. The chancellor may also initiate action on the chancellor's own motion to adopt, amend, or repeal rules pursuant to chapter 91, HRS.

(f) Petitions for declaratory rulings as to the applicability of any statutory provision concerning parking or operation of vehicles on the campus or any rule under this subchapter shall be in the form of a letter to the chancellor of the university stating the interest of the petitioner in the matter, the reasons for requesting the ruling and specific nature of the ruling being requested. The chancellor may confer with appropriate administrative or legal staff, or both, and shall render in writing a declaratory ruling or other order disposing of the matter. [Eff 6/22/81; am 6/2/83; amd JUL 1 1993] (Auth: HRS §§308-1, 304-4, 306-2) (Imp: HRS §§308-1, 304-4, 306-9)