

	<b>PVAMU PARKING DEPARTMENT</b>	
	<b>Policy 02- University Citation Appeals</b>	
	<b><u>Effective Date:</u></b> May 1 <sup>st</sup> ,2022	<b><u>Replaces:</u></b> NEW
	<hr/> <b>Associate Vice President of Public Safety</b>	
	<b><u>Reference:</u></b>	

## I. Purpose

The purpose of this policy is to establish a process for stakeholders to appeal parking citations as well as to establish objective and uniform procedures to review said citations. A Parking Appeals Board (PAB) shall be the body established to conduct a review of an appeal and to determine if the circumstances surrounding the issuance of the citation meet the criteria for overturning the citation. There must be substantial and valid evidence that the parking violation was not committed or that it occurred due to circumstances beyond the appellant’s control. It is only under these circumstances that the PAB should overturn the citation. The PAB shall generally meet in person every other Thursday of the month but may meet virtually if dictated by specific circumstances.

## II. Parking Appeals Board (PAB) Makeup and Member Responsibilities

1. President of the Board (non-voting), the Board Secretary (non-voting), Regulatory Subject Matter Expert (non-voting), and the Appeals Panel (voting members). The duties and responsibilities are defined as follows:

**Board President (Parking Manager):** A non-voting member that assures the PAB is fulfilling its responsibilities by adhering to the established procedures. Among other things, the Board President is accountable for:

- i) Ensuring the PAB is properly composed and notified
- ii) The conduct of the PAB
- iii) The minutes
- iv) Checks the Secretary of the Board for accuracy
- v) Reports the overall results to the Parking Director

2. **Board Secretary (Parking Administrative Associate):** A non-voting member of the PAB that supports the Board President and PAB in fulfilling its responsibilities. In fulfilling this responsibility, the Secretary shall:

- i) Gather the list of appellants from T2
  - ii) Notify the appellants of their appeals date, time, and location
  - iii) Organize the appellants' files electronically for the PAB.
  - iv) Ensure that the files contain the appellant's original written request and statement, the citation information from T2, all available photographs associated with the event, the complete T2 parking violation history of the appellant, and any other relevant information as provided by the appellant.
  - v) Set up the meeting room on the day of the Appeal
  - vi) Ensure each PAB member has a copy of the citation schedule and definitions for reference (Section V)
  - vii) Record the minutes of the PAB
  - viii) Present the appellant's files to the PAB
  - ix) Prioritize the appearance of Appellants who arrive for their appearance before the PAB
  - x) Record the final decision of the PAB
  - xi) Enter the decision of the PAB into the appellants' T2 files
  - xii) Enter notes of the PAB decision into the appellants' T2 file
  - xiii) Ensures letters (electronically via email from T2) are sent to each appellant notifying them of the PAB's decision
  - xiv) Close out the minutes and present them to the President of the Board for signature and filing.
3. **Regulatory Subject Matter Expert:** A representative of the University Police Department or the University Parking Department who operates in an advisory capacity on citations involving university parking rules and/or the Texas Transportation Code.
4. **Appeals Panel:** This shall consist of a minimum of three voting members. Alternates may be utilized to ensure that a minimum of three voting members are seated. The Board President may release the alternates when the three members of the board are seated, or may rotate the alternates monthly with the three voting members. The seated Panel shall consist of:
- i) Chief Judge (Criminal Justice Department)
  - ii) The President of the Student Government Association or the SGA Parking Senator
  - iii) One voting member (Staff/Faculty)

### III. Procedure

- 1) An appeal must be completed online and must address each infraction to be considered for review. **APPEALS MUST BE SUBMITTED WITHIN 14 CALENDAR DAYS OF THE DATE ON WHICH THE CITATION WAS WRITTEN.**
- 2) The PAB meets every other Thursday throughout the year or as needed during breaks of the academic year.
- 3) Appellants may request to appear in person and provide additional supporting evidence, documentation, and witnesses during the appeal.
- 4) The Board President opens and closes the proceedings.
- 5) The Board Secretary presents each case to the Board.
- 6) The PAB shall review each case presented
  - a) Read the appeal and review the information on the citation
  - b) Review the Parking Regulations that are relevant to the appeal
  - c) Review other information, such as area maps, digital photographs, etc.
  - d) Make a decision on the appeal
- 7) The PAB shall vote as to:
  - a) Approve: The citation is dismissed completely.
  - b) Disapprove: Citation is upheld and payment must be made the day after the PAB meeting.

#### **IV. Invalid Appeal Reasons**

- 1) Lack of knowledge of the regulations
- 2) Other vehicles parked improperly
- 3) Only parked illegally for a short period of time
- 4) Parked with flashers on
- 5) Previously never received a citation for similar violations
- 6) Late to class or appointment
- 7) Inability to pay fine or parking cost
- 8) No other spaces available
- 9) Bad weather