RULES AND REGULATIONS
GOVERNING PARKING AND OPERATION OF
MOTOR VEHICLES AT THE KAPIOLANI COMMUNITY COLLEGE CAMPUS

Under and by virtue of the authority conferred upon the Board of Regents, University of Hawaii, by Act 3, Session Laws of Hawaii 1964, the Board does hereby prescribe and promulgate the following rules and regulations.

Section 1. Statement of Purpose

The purpose of these rules and regulations 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.

Section 2. Definitions

The following terms shall have the following meanings:
(a) "Board" refers to the Board of Regents.
(b) "Provost" refers to the Provost of the Kapiolani Community College and shall include his authorized subordinate.
(c) "College" refers to the Kapiolani Community College.
(d) "Employees" refer to and shall include the faculty, staff, and line members employed at the College.
(e) "Student" refers to any full-time or part-time student enrolled at the College.
(f) "Campus" refers to all lands controlled by the University of Hawaii and under the jurisdiction of the Kapiolani Community College.
(g) "Motor vehicle" shall include but not be limited to automobiles, trucks, motor scooters, and motorcycles.

Section 3. Delegation of Authority

The Board hereby 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.
Section 4. 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.

Section 5. 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. Employees only 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 $10,000 for each individual, $20,000 for each accident for personal injuries, and $5,000 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.

Section 6. Provost's Authority and Priorities

The Provost shall have authority to:

(a) Provide ample reserved stalls for motor vehicles owned or operated by the University;

(b) Provide loading zone areas;
(c) Provide ample reserved stalls and/or establish priorities in issuing permit to handicapped employees and students;
(d) Establish priorities in issuing permits to employees and students;
(e) Issue special permits to certain employees whenever the performance of their position depends upon it;
(f) Install traffic control signs; and
(g) Do such other things necessary or desirable to control traffic and parking.

Section 7. General Regulations

(a) Area of authority. These rules and regulations shall govern parking and operation of motor vehicles on the campus.
(b) Time. These rules and regulations 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 and regulations. 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 5 and 8 of these regulations, 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 he deems 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 4:00 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 and regulations shall be enforced by persons authorized by the Board or by the Provost for purposes for manning gates and issuing citations.

(l) Persons parking in hourly pay zones shall pay the rate as established in Section 8.

(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.

Section 8. Parking Fees Schedule

Fees for regular parking permits will be set from time to time by the Board at rates not exceeding the following schedule:

(a) Parking permits.

<table>
<thead>
<tr>
<th>Description</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</td>
<td></td>
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<tr>
<td></td>
<td>9.00 per semester</td>
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</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 35¢ 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 is hereby vested with authority to set or waive fees for parking in the case of special events.

(c) 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 $1.00 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.

(d) 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 shall not apply, and the fees established and published by such concessionaire with the Board's approval shall be applicable.
Section 9. Violations and Penalties

(a) Violations and schedule of penalties.

<table>
<thead>
<tr>
<th>Violation</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 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 rate.</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>

(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 15 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 15 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 and/or the registered owner and/or the driver of the motor vehicle shall be liable for any fines for violation of these rules and regulations.

(f) All fines shall be paid at the Business Office, Administration Building, or any other office as the Provost designates.

Section 10. Appeals

Any person may appeal a citation within 30 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 against him as provided in Section 9.

All appeals shall initially be reviewed by an officer to be designated by the Provost. If the decision is adverse to the appellant, he may further appeal his case to the Board of Appeals which shall be composed of a student, 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.

Section 10.1. 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 and/or waive towing and storage charges 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 in these rules and regulations. 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 appeals form and/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 citation(s) to a Board of Appeals appointed by the Provost and composed as prescribed in these rules and regulations. The appeal to said Board must be filed at the Administration or other designated office in writing within 30 days of the date shown on the reviewing officer's denial. The hearing shall be conducted pursuant to the provisions of Chapter 6C, R.L.H. 1955, as amended. 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 his 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 his 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 therefor. The President may confer with appropriate administrative and/or legal staff. The President shall within 30 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 6C-3, R.L.H. 1955, as amended. The President may also initiate action on his own motion to adopt, amend or repeal rules and regulations pursuant to Chapter 6C, R.L.H. 1955, as amended.

(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 or regulation herein 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.

Section 11. Effective Date

These rules and regulations shall become effective as provided in Section 6C-4, R.L.H. 1955, as amended.