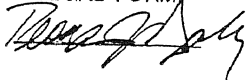


TRAFFIC AND PARKING APPEALS BOARD

The Traffic and Parking Appeals Board was created under Section 7-105 of the Bicycle and Vehicle Regulations, 1976-77, with the authority to deny or affirm the charge imposed under these regulations. Any person objecting to the decision of the Traffic and Parking Appeals Board may appeal the decision to the Chancellor or his/her designee.

The Traffic and Parking Appeals Board shall be appointed by the Chancellor, or his/her designee, for a two-year term and shall consist of a minimum of five persons. The Board shall be comprised of an undergraduate student, a graduate student, a faculty member, a professional administrative staff member, and a civil service employee. The Board will elect a chair at the first meeting of the fall semester to serve a twelve-month term. Anyone serving on this Board will not be able to appeal any tickets to this Board, but can appeal directly to the Chancellor's delegate. The Appeals Board shall establish its own procedures for due process which must be approved by the University's Office of the General Counsel.

The Board has authority as stated in the Traffic and Parking Regulations (Division VII – Appeal Process, Motor Vehicle, Bicycle, In-Line Skates, Roller Skates, and Skateboard Regulations).

APPROVED
AS TO
LEGAL FORM


July 1, 2012

TRAFFIC AND PARKING APPEALS PROCEDURES:

1. If the first level of appeals is denied and a second level of appeal is requested the Parking Division will provide a DATED Traffic Violation Appeal form and a copy of the Appeals Board Procedures will be made available upon request.
2. The person MUST complete the appeals form in writing, including a substantial reason justifying the reappeal, within 14 days of the date of the decision of the first level of appeal. Justification includes, but is not limited to, proof the violation did not take place, significant reason the violation took place and appellant should not be fined, and/or the violation was not foreseeable. The dollar amount of the fine or the "unfair" enforcement of the Parking Regulations is not grounds for further appeal.

The second level appeal may be requested as an "In Person" appeal, wherein the appellant will present his/her argument before the Board. Such appellants shall indicate this request on the Traffic Violation Appeals Form, giving the nature of the information or needs, to present in person.

3. Upon receipt of a request for an "In Person" appeal, a member of the Parking Division shall prepare notification for the appellant, indicating the time and place of the meeting at which the appellant will be heard. Such notification shall be sent no later than ten (10) business days prior to the indicated meeting date. Should the appellant not be able to attend the meeting, he/she must notify Parking Division within 24 hours (by calling Monday through Friday) prior to the hearing to request one of the following: 1) for his/her appeal to be rescheduled until the next hearing date (this request can only be used one time per appeal), or 2) for the appeal to be heard in abstention.
4. The Appeals Board shall meet to consider appeals periodically throughout the semester. There should be at least three (3) meetings each in the Fall semester and in the Spring semester for a minimum of six (6) meetings during the Fall and Spring semesters. There should be at least one (1) meeting held during the Summer semester. In order to convene, the board requires a quorum of three of the five active members. It is permissible for an active member to have a proxy to represent him/her as long as the proxy is from the same constituency group. Granting an appeal requires an affirmative vote of three of the five active members. Should only three members be present at a meeting, one member can request tabling of the appeal until the next meeting. If a quorum is not achieved (less than three) at 15 minutes after the appeals meeting is to begin, appeals scheduled to be heard will be granted due to lack of a quorum.
5. "In Person" appeals shall be considered first on the meeting agenda. Appellants will be individually invited into the board meeting room, in an order corresponding to their arrival time and rank order of name on the sign up sheet. Each will receive a period of time to be determined by the board chairperson, in any case, not less than five minutes. Should an appellant not be present for his/her hearing, with no prior notification of such absence given, his/her appeal will be denied.

6. Deliberations and decision on a Personal appeal shall not take place within the appellant's presence.
7. Appeals that are requested to be heard in abstention shall be considered next on the meeting agenda. Such appeals shall be read aloud to all Board members present. Deliberation and decision on each written appeal shall take place immediately following the reading. The Board may hold an appeal in order to obtain more information.
8. The decision of the Traffic and Parking Appeals Board shall take place in accordance with the currently published Motor Vehicle, Bicycle, In-Line Skates, Roller Skates and Skateboard Regulations available at the Parking Division Office, 701 South Washington Street, Mailcode 6723, Carbondale, IL 62901 or online at www.dps.siu.edu/parking. The decision of the Appeals Board shall be final subject to review only by the Chancellor or his/her designee. The Appeals Board shall provide a written statement directly on the appeals form justifying why the appeal was granted or denied. A tally of the number of appeals Granted, Denied, Reduced, Held Over, and No Shows, shall be submitted to the Chancellor or his/her designee.
9. Notification of the Board's decision shall take place through the mail or email within ten (10) business days of the hearing. Should all or part of an appeal be granted, those charges that apply shall be voided and the parking record will be revised to "granted". The Appeals Board has the authority to grant some or all of the violations on appeal.
10. The Appeals Board will only consider appeals presented by the person who received the citation.
11. The decision of the Appeals Board shall be final, subject to review only by the Chancellor or his/her designee. The Appeals Board's decision shall be final unless a timely application for appeal is filed within fourteen (14) business days from the date of the Appeals Board decision. Said appeals shall be filed in writing with the Parking Division Office, or with the Chancellor or his/her designee.

Revised: 2/2006