

Policy on Towing

Policy Number	
Effective Date	July 1, 2022; Updated August 7, 2023
Responsible Office/Person	Administrative Operations and Compliance/ Michael LaGrassa
Related Policies	
Additional History	

I. POLICY

The University of Massachusetts Dartmouth's (UMassD) Parking Services department is responsible for the administration and management of parking in collaboration with UMass Dartmouth's Police Department. This includes distribution of parking permits and enforcement. This policy applies to all vehicles that are parked on UMassD property including but not limited to faculty, staff, students, guests, visitor and contractor vehicles.

II. PURPOSE

This policy will allow UMassD to effectively and efficiently manage the parking enforcement mechanism of towing in a manner that is fair, equitable and ensures the safety of the community. As provided by Chapter 75 Section 32A, and Chapter 75 and 90 of the General Laws of the Commonwealth of Massachusetts, UMassD parking violations are legitimate citations similar to cities, towns and municipalities. The purpose of this policy is to outline the criteria and process of towing vehicles.

III. DEFINITIONS

- a. Designated Parking Space: Is a parking space in a lot on campus that the parking permit issued allows a vehicle to be parked in.
- b. Citation: A notice, upon which a parking enforcement officer, a police officer and/or any other authorized representative of the UMassD shall record an occurrence involving one or more parking violations by the vehicle cited, and issued by the authority of chapter 90C of the Massachusetts Motor Vehicle Laws.

Parking Services keeps the official record of all violations issued on citations. Fines are payable to the University of Massachusetts and collected for the Parking Scholarship.

- c. Parking Clerk: The Director of Operations or their designee to be directly responsible for responding to parking questions and procession of parking citation appeals. The Parking Clerk acts as the Hearing Officer.
- d. Parking Permit: A parking privilege issued to a vehicle and driver which allows said vehicle to park in specific parking lot(s) on campus. The permit may be a physical permit or virtual. When it is a virtual permit, the vehicle's registration number is the permit.
- e. Parking Violation: Occurs when a vehicle violates the University's parking regulations or is illegally parked on campus.

- f. **Reserved Parking Space:** Is a specific parking space that is reserved for a specific vehicle and individual to park their vehicle.

IV. PROCEDURE

a. Parking Violations

Parking Services will post on their website in a publicly accessible location parking violations and their corresponding citation fine amount.

Including but not limited to, Parking Services and UMassD Police will issue parking citations for vehicles that are parked illegally as follows:

- Do not have appropriate parking permit
- In parking lot not designated as a lot associated with the permit issued
- Non Electric Vehicle (EV) parked in a Electric Vehicle Charging location
- On lawn or not in a designated parking spot
- Reserved Parking Spot
- ADA Accessible/Handicap parking
- Fire Hydrant proximity violation
- Fire Lane

Failure to pay a citation within 21 day of issuance will result in an additional fine/penalty being added to the violation.

Failure to pay a parking citation within 51 days of issuance will result in the Massachusetts Registry of Motor Vehicle (RMV) being contacted and an additional fine/penalty will be added. The notification to RMV will result in the registration for the vehicle not being able to be renewed until the parking citation is paid in full. This fee cannot be waived under any circumstances.

The owner/operator of the vehicle will be held liable for the cost involved in the removal (tow) and storage, except when legally parked vehicles are removed during an emergency. In such case, the removal will be at no expense to the owner/operator.

Students having more than 5 unpaid citations may result in a student code of conduct matter in which a student violator may be adjudicated through the Office of Community Standards.

b. Tow Circumstances

UMassD has the authority to remove from its property, by towing, any vehicle under the following circumstances:

- Parked in a designated ADA Accessible (Handicap) space without proper permit or authorization;
- Parked in a Reserved Parking spot without proper authorization;
- Impeding access/operation of emergency vehicles or snow removal;
- Parked in fire lane or unauthorized zone;
- Habitual parking violation offender with greater than (5) unpaid citations;

- Parked in such a way as to create a hazard to other traffic, blocking a road, dumpster or gate;
- Parked in a service lane, except while actually engaged in loading and unloading;
- If an unregistered vehicle is in a UMassD parking lot or roadway.

c. Tow Process

A vehicle that meets any of the above criteria will be towed. UMassD will tow vehicles to an off-site location. When a vehicle incurs 5 parking citations there may be an attempt to notify the registered owner of the vehicle that their vehicle will be towed if they do not pay their unpaid citations and they violate the University’s parking regulations again. Any vehicle towed will be assessed an additional tow fee. Towing and additional vehicle storage charges, in addition to any fines imposed, are the responsibility of the owner and/or operator of the vehicle in violation.

Tow fees cannot be appealed.

d. Appeals

Individuals may appeal a violation within 21 days of the issuance of a violation to the designated Parking Clerk at UMassD. Appeals may be submitted online through the Parking Portal. Once a decision is rendered an email will be sent with the Parking Clerk’s decision.

Individuals may re-appeal the decision of the Parking Clerk to the parking committee by submitting an email letter outlining the circumstances of the appeal to parking@umassd.edu. The parking committee may grant an in person or virtual hearing to address the appeal.

During the appeal process no additional late fees or contacting of the RMV will be taken by Parking Services until a decision has been rendered.

V. RESPONSIBILITY

The Parking Services Department under the Division of Administration and Facilities is responsible for overseeing the administration of this policy in collaboration with UMass Police Department. All individuals that park vehicles on UMassD property are responsible for adhering to the policy.

VI. **APPROVED:**  _____ 8/29/2023 _____
Mark Fuller, Chancellor Date