

**Department of State
Division of Publications**

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For Department of State Use Only

Sequence Number: 07-19-14
Rule ID(s): 5765
File Date: 7/18/14
Effective Date: 10/15/14

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §§ 4-5-202, 4-5-207 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within sixty (60) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.

Agency/Board/Commission:	University of Tennessee
Division:	
Contact Person:	Matthew Scoggins, Assistant General Counsel
Address:	719 Andy Holt Tower, 1331 Circle Park, Knoxville, TN
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1720-04-05	Traffic and Parking Regulations
Rule Number	Rule Title
1720-04-05-.07	Penalties

The University of Tennessee, Knoxville
Chapter 1720-04-05
Traffic and Parking Regulations
Amendments

Rule 1720-04-05-.07 Penalties is amended by adding subparagraph (1)(e) and by deleting subparagraph (1)(d) in its entirety and substituting the following language so that, as amended, new subparagraphs (1)(d) and (1)(e) shall read:

- (d) Impounded/towed vehicle \$60.00 (plus \$5.00 per day storage fee)
- (e) Booted vehicle \$42.00 (plus \$3.00 per day storage fee)

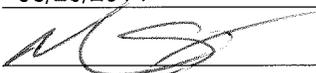
Authority: T.C.A. § 49-9-209(e) and Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5, and Public Acts of Tennessee, 1807, Chapter 64.

* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

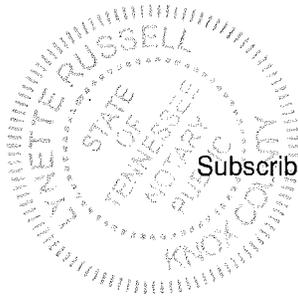
Board Member	Aye	No	Abstain	Absent	Signature (if required)
Governor Bill Haslam				X	
Commissioner Julius Johnson				X	
Commissioner Kevin Huffman				X	
Dr. Joe DiPietro	X				
Dr. Richard D. Rhoda				X	
Charles C. Anderson, Jr.	X				
George E. Cates	X				
Spruell Driver, Jr.	X				
Robert J. Duncan			Non-voting		
J. Brian Ferguson	X				
John N. Foy	X				
Crawford Gallimore	X				
Dr. David Golden			Non-voting		
Vicky B. Gregg	X				
Monice Moore Hagler	X				
Raja J. Jubran	X				
Brad A. Lampley				X	
Bonnie E. Lynch	X				
James L. Murphy, III	X				
Sharon J. Miller Pryse	X				
Karl A. Schledwitz	X				
Don C. Stansberry, Jr.	X				
Betty Ann Tanner	X				
Charles E. Wharton	X				
Tommy G. Whittaker	X				
Dr. Thaddeus A. Wilson	X				

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the University of Tennessee Board of Trustees on 06/19/2014, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of ninety (90) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State.

Date: 06/20/2014

Signature: 

Name of Officer: Matthew Scoggins



Title of Officer: Assistant General Counsel

Subscribed and sworn to before me on: 6-20-14

Notary Public Signature: Lynette Russell

My commission expires on: 1-27-15

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.

Robert E. Cooper, Jr.
Attorney General and Reporter

7-14-14

Date

Department of State Use Only

Filed with the Department of State on: 7/18/14

Effective on: 7/10/15/14

Tre Hargett

Tre Hargett
Secretary of State

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SECRETARY OF STATE

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(If applicable, insert Regulatory Flexibility Addendum here)

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The University of Tennessee anticipates that this rule change will have minimal to no impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule increases the towing fine at the University of Tennessee, Knoxville by \$18 from \$42 to \$60, with a \$5.00 per day storage fee. The increase would match the University's towing cost of \$60. A wheel boot device is used for most parking violations. Towing is typically used only for criminal violations, violations presenting a safety hazard, or to remove unauthorized vehicles prior to football games and other events.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

None.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Students of the University of Tennessee are most directly affected by this rule. The student member of the UT Board of Trustees voted to approve the rule.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None..

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Matthew Scoggins
Assistant General Counsel
University of Tennessee

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

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- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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Assistant General Counsel

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(l) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.