

**Department of State
Division of Publications**

312 Rosa L. Parks Avenue, 8th Floor Tennessee Tower
Nashville, TN 37243
Phone: 615-741-2650
Fax: 615-741-5133
Email: sos.information@state.tn.us

For Department of State Use Only

Sequence Number: 10-37-09
Rule ID(s): 7518
File Date: 10/29/2009
Effective Date: 03/31/2010

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §4-5-205 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 thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed rules are published. 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.

Agency/Board/Commission: Tennessee Board of Regents
Division: Walters State Community College
Contact Person: Mickey Sheen
Address: 1415 Murfreesboro Rd. Ste. 350 Nashville, Tennessee
Zip: 37217
Phone: 615-366-4437
Email: Mickey.sheen@tbr.edu

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. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0240-03-16	Student Disciplinary Rules
Rule Number	Rule Title
0240-03-16-.06	Traffic and Parking Regulations
0240-03-16-.07	Motor Vehicle Registration

Chapter 0240-03-16
Walters State Community College Student Disciplinary Rules

Amendments

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (1), subparagraph (a), is amended by deleting the present language and replacing it with the following:

- (a) These regulations are established and are applicable to all students, faculty, staff, and visitors on the Walters State Community College campus. Students abide by these regulations as a condition of attendance at the College. Staff and faculty members abide by them as a condition of employment. Visitors abide by these regulations as a condition for continued use of campus facilities.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (1), subparagraph (d), is amended by deleting the present language and replacing it with the following:

- (d) The College shall have no responsibility for loss or damage to any vehicle or its contents operated or parked on the College campus. All students and personnel parking vehicles on the campus are reminded that they should remove the keys from the switch, lock the doors, and not have valuables exposed in the vehicle.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (1), subparagraph (f), is amended by deleting the present language and replacing it with the following:

- (f) The use of bicycles, which require no registration, is encouraged on campus. Appropriate space is defined for parking bicycles on campuses.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (1), is amended by adding new subparagraphs (h), (i), and (j), to read as follows:

- (h) Transporting of individuals riding on the hood, trunk, or in the back of pick up trucks or in other vehicle areas not intended for the purpose of transport of individuals is strictly prohibited. The driver and all occupants in violation will be cited.
- (i) Use of skateboards, roller/in-line skates, go-carts and other motorized recreational vehicles are prohibited on all Walters State properties.
- (j) Requests for reserved parking requesting the use of ten (10) or more parking spaces requires administrative approval and should be directed to the Vice President for Business Affairs.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (2), subparagraph (d), is amended by deleting the present language and replacing it with the following:

- (d) Vehicles are not to be parked at any time in the loading areas, in parking area entrances or so as to block roadways, fire lanes or the movement of any other vehicle, on sidewalks or campus lawns, or in places with signs indicating parking restrictions. (i.e., twenty-four (24) hour reserved). Yellow painted curbs indicate no parking at any time.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (2), is amended by adding new subparagraph (g), to read as follows:

- (g) Motorcycles driven and parked on campus must be registered with the Campus Police Office. It is not currently required that a parking permit be displayed on motorcycles; however, the tag number of the bike must be registered in the Campus Police Office located at the front entrance to the campus. Appropriate designated student or staff parking should be utilized.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (3), subparagraph (h), is amended by deleting the present language and replacing it with the following:

- (h) All accidents must be reported to the Campus Police Department immediately. Written reports will be made by this office. Citations may be issued depending upon circumstances and severity of the accident. Proof of financial responsibility (insurance) is required. See T.C.A. § 55-12-139.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (3), subparagraph (i), is amended by deleting the present language and replacing it with the following:

- (i) Excessive and disturbing noises by vehicle stereos, loudspeakers, faulty mufflers, or muffler cutouts are prohibited on the College campus.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (3), is amended by adding new subparagraph (j), to read as follows:

- (j) Stop bars painted on the pavement at intersections with parking lots and campus streets must be observed in the same fashion as a posted stop sign. Citations will be issued for not stopping at a painted stop bar.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (4), subparagraph (b), is amended by deleting the present language and replacing it with the following:

- (b) Pedestrians are encouraged to use crosswalks and sidewalks and to observe traffic signs.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (6), subparagraph (k), is amended by deleting the present language and replacing it with the following:

- (k) The fine for disabled/handicapped parking violations is established by statute and will be adjusted as necessary to remain in compliance with state law.

Rule 0240-03-16-.06 Traffic and Parking Regulations, paragraph (7), subparagraph (a), part 7, subpart (v), is amended by deleting the present language and replacing it with the following:

- (v) The fine for parking in areas designated for individuals with disabilities without the valid state parking permit or the WSCC three-week (3-week) temporary hang tag is established by statute and will be adjusted as necessary to remain in compliance with state law. This policy will be strictly enforced.

Authority: T.C.A. §49-8-203. Administrative History: New rule filed August 28, 1984; effective November 13, 1984. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed August 29, 2000; effective December 29, 2000. Amendment filed October 8, 2003; effective February 27, 2004. Amendment filed August 11, 2004; effective December 29, 2004. Amendments filed June 28, 2005; effective October 28, 2005. Amendment filed January 16, 2007; effective May 31, 2007. Amendments filed September 20, 2007; effective January 28, 2008. Amendment filed November 12, 2008; effective March 30, 2009.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (3), is amended by deleting the present language and replacing it with the following:

- (3) A parking permit is issued to students, employees, and visitors. The permit must be displayed from the rearview mirror of the vehicle driven with the printed side facing outward and readable through the windshield of the vehicle. Vehicles having a dark tint strip or no rearview mirror may display the permit from the front dash of the vehicle with the printed side visible from outside the vehicle. Citations will be issued for improperly displayed permits (i.e., permits on floor or in glove box, in or under the seat, or contained in a book, bag, or purse).

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (4), is amended by deleting the present language and replacing it with the following:

- (4) Temporary parking permits are available for use on vehicles used on a temporary basis on campus. Temporary permits are also available in the event the issued permit is not on the vehicle that is being driven or if the permit is lost. These temporary permits may be obtained through the Campus Police Department.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (10), is amended by deleting the present language and replacing it with the following:

- (10) Any student taking non-credit courses, or attending seminars, must obtain a temporary parking permit through the office of Community and Economic Development. Students attending Community and Economic Development courses or seminars that are being held for longer than three (3) consecutive days must utilize student parking.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (12), is amended by deleting the present language and replacing it with the following:

- (12) Disability Parking Procedures. All students, faculty, and staff with disabilities who intend to park a motor vehicle in an area designated for individuals with disabilities must have a valid state disability parking permit (e.g., plates, hang tags or placards).

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (12), subparagraph (a), is amended by deleting the present language and replacing it with the following:

- (a) To assist in ensuring that disabled spaces are available to those in need of disability parking, students and employees, who utilize a permanent or temporary state disability permit, are encouraged to register the permit with the Department of Services for Individuals with Disabilities.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (12), subparagraph (b), is amended by deleting the present language and replacing it with the following:

- (b) Any student or employee who becomes temporarily disabled may apply for a temporary disabled permit at the college's Department of Services for Individuals with Disabilities. Temporary WSCC disabled permits are available for three (3) weeks duration. After three (3) weeks, an individual may apply for a three (3) week extension of the temporary permit, however, after six (6) weeks of prolonged disability, individuals will be required to apply with their local county Court Clerk for a temporary or permanent State placard, hang tag or license plate.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (12), subparagraph (c), is amended by deleting the present language and replacing it with the following:

- (c) The fine for parking in areas designated for individuals with disabilities without the valid state parking permit or the WSCC three-week temporary hang tag is established by statute, and will be adjusted as necessary to remain in compliance with state law. Enforcement of disability parking violations will be in accordance with T.C.A §§55-21-101 thru 55-21-110.

Rule 0240-03-16-.07 Motor Vehicle Registration, paragraph (12), is amended by deleting subparagraphs (d), (e), (f), and (g) in their entirety.

Authority: T.C.A. §49-8-203. Administrative History: New rule filed August 28, 1984; effective November 13, 1984. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed August 29, 2000; effective December 29, 2000. Amendment filed October 8, 2003; effective February 27, 2004. Amendment filed August 11, 2004; effective December 29, 2004. Amendment filed January 16, 2007; effective May 31, 2007. Amendments filed September 20, 2007; effective January 28, 2008.

*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)
Jacques G. Carr	X				
Agenia W. Clark	X				
Gregory M. Duckett				X	
Pamela Fansler	X				
John M. Farris	X				
Ken Givens				X	
Judy Gooch	X				
Jonas Kisber	X				
Fran F. Marcum				X	
Paul Montgomery	X				
Millard Oakley			X		
Howard W. Roddy	X				
J. Stanley Rogers				X	
Stanley E. Stevens, Jr.			X		
Robert P. Thomas	X				
Tim Webb				X	

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 03/26/2009, and is in compliance with the provisions of TCA 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 thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

Date: 8-3-09

Signature: Christine Modishe

Name of Officer: Christine Modishe

Title of Officer: GENERAL COUNSEL



Subscribed and sworn to before me on: 8-3-09

Notary Public Signature: [Signature]

My commission expires on: 2-26-13

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.

[Signature]
 Robert E. Cooper, Jr.
 Attorney General and Reporter
10-7-09
 Date

Department of State Use Only

Filed with the Department of State on: _____

10/29/09

Effective on: _____

3/31/10

Tre Hargett

Tre Hargett
Secretary of State

RECEIVED

2009 OCT 29 PM 2:49

SECRETARY OF STATE
PUBLICATIONS

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 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)

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to TCA 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;

Rule 0240-3-16-.06(1)(a) provides that traffic and parking regulations are applicable to visitors as well as to faculty, staff and students.

Rule 0240-3-16-.06(1)(d) includes students in provision advising to not leave keys in ignition or leave valuables in plain view.

Rule 0240-3-16-.06(1)(f) provides notice that bicycle parking is provided on campus.

Rule 0240-3-16-.06(1)(h) new provision provides that riding on hood, trunk, or bed of vehicles or trucks is prohibited on campus property. Passengers as well as driver subject to citation.

Rule 0240-3-16-.06(1)(i) new provision provides that use of skateboards, in-line skates, and go-carts is prohibited on campus property.

Rule 0240-3-16-.06(1)(j) new provision provides that requests for block parking reservations greater than ten (10) in number must be submitted to and approved by Vice President for Business Affairs.

Rule 0240-3-16-.06(2)(d) provides that yellow painted curbs are included in specified areas where parking is prohibited.

Rule 0240-3-16-.06(2)(g) new provision provides that motorcycles, like automobiles must be registered to properly park on campus. No hang tag requirement. Parking rules and designated areas same for motorcycles as for automobiles.

Rule 0240-3-16-.06(3)(h) provides that traffic citations may be issued as indicated in connection with traffic accidents on campus and that proof of financial responsibility required when motor vehicle accidents occur on campus consistent with T.C.A. §55-12-139 regarding financial responsibility.

Rule 0240-3-16-.06(3)(j) new provision provides that painted "Stop bars" on pavement have same effect as "Stop signs". Citations issued for violations.

Rule 0240-3-16-.06(6)(k) indicates that fines for disabled parking violations are established by statute and will be adjusted as necessary to comply with state law.

Rule 0240-3-16-.06(7)(a)(v) amended with same language as (6)(k) above to reflect same in Student Traffic Court Procedures.

Rule 0240-3-16-.07(3) describes parking permit display requirements. Permits displayed from rearview mirror with writing facing out windshield. Where not possible, permit to be displayed on front dashboard. Citations will be issued where not displayed properly.

Rule 0240-3-16-.07(4) provides that temporary permits are available from the Campus Police Department in certain circumstances. (short term use or lost permit).

Rule 0240-3-16-.07(10) provides that temporary parking permits are required for those attending non-credit or seminar courses is parking on campus. Those attending such events that are longer than three (3) days must utilize student parking areas.

Rule 0240-3-16-.07(12)(a)-(c) new subsections encourages, but does not require, persons with valid disabled parking permits to register them with the disability services office to facilitate enforcement of disabled parking laws and maximum availability of spaces for those with valid permits. Describes a temporary disabled parking permit issued by College for a maximum of six (6) weeks, thereafter requiring a State issued permit. Reiterates that Disabled parking violation fines are established by statute and they will be adjusted as required to comply

with state law. It deletes subsections d-h.

All other amendments are non-substantive grammatical, spelling, or structural, or reflect changes to titles of administrative offices responsible for administering student disciplinary rules at the College.

- (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;

T.C.A. §§49-8-203, 55-21-108

- (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;

College administration, faculty, students, and visitors

- (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;

Minimal

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

Donald R. Ungurait
Assistant General Counsel
Tennessee Board of Regents

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

Donald R. Ungurait
Assistant General Counsel
Tennessee Board of Regents

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

Tennessee Board of Regents
1415 Murfreesboro Rd., Ste. 350
Nashville, TN 37217
615-366-4438

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

None