

San Jose State University

# San Jose State University Police Department – Parking Services

## Parking Rules & Regulations

Administration & Finance Division

This document is effective and valid until expressed otherwise by the  
San Jose State University Parking Services

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# Title 1. Introduction

## Article 1. Location & Contact

### § 1. Summary

The San Jose State University Parking Services (Parking Services) is responsible for the management of Campus parking resources, the sale of parking permits and the enforcement of Campus parking rules and policies. San Jose State University (SJSU) enforces parking year round. Parking regulations are in effect 24 hours a day, each and every day of the year. Parking facility construction, operation and maintenance in the California State University system is self-supporting - that is, no general fund tax dollars are spent building, operating, staffing and maintaining parking facilities. It is the responsibility of everyone who drives a vehicle to campus to pay his or her fair share.

The Office of Parking Services is located in the University Police Department at the entrance of the South (7th) Street Garage at S. 7th Street and E. San Salvador Streets.

You may reach us by phone during normal business hours at 408.924.6566 or by e-mailing [parking@sjsu.edu](mailto:parking@sjsu.edu).

### § 2. Purpose

The following manual contains parking rules and regulations that are currently in effect at SJSU. It is the responsibility of each individual operating a motor vehicle on Campus to know, understand, and comply with the rules and regulations expressed in this document. This information supersedes and replaces all previously issued parking and transportation rules and regulation documents. Parking Services may change, delete, suspend, or discontinue this document, or any part of, at any time at its sole and complete discretion.

### § 3. Governance

Parking Services is a unit of the University Police Department which is part of Administration & Finance Division. The Manager of the department reports directly to the Chief of Police.

### § 4. General Liability

SJSU is not responsible for injuries, losses, or damages. Vehicle owners are solely responsible for losses, damages and/or theft to their vehicles and/or their contents while parked on SJSU property. SJSU assumes no responsibility for the damage to and/or theft of any vehicle or its contents while the vehicle is parked or moving on Campus. SJSU is not responsible for damage that may occur when a vehicle is impounded, relocated, or when any other authorized official of the University is assisting in a help-related service or while issuing a citation.

### § 5. Services Standards

Parking Services is committed to providing excellent customer service. Parking Office staff will make every attempt possible to return voicemail and reply to e-mail within the same business day; however, response rates may vary based on the volume of requests and when the inquiry was placed.

## § 6. Government Agencies

Local, state and federal regulations are enforced on SJSU Campus. Failure to comply with these regulations may result in monetary fines, vehicle impoundment or other penalties at the owner's expense.

## § 7. Definitions & Acronyms

Term	Definition
<a href="#"><u>Academic Holiday</u></a>	Holidays during which classes are not scheduled but University offices may remain open. (for more information visit the Office of the Registrar's webpage)
<b>ADA</b>	Americans with Disabilities Act
<b>ADA/Disabled Placard</b>	Placard issued by ADA granting access to parking specifically designed for disabled or handicapped
<b>Affiliate</b>	Individuals or entities that are associated with SJSU but are not categorized as students, faculty or staff. Eg. vendors, contractors, SJSU Extension students, Non-SJSU Rec Center Members, or any regular visitor to Campus
<b>AQMD</b>	Air Quality Management District
<b>CVC</b>	California Vehicle Code
<b>Day Permit/Pass</b>	Refers to daily parking purchased at a Pay Station or through Mobile App (also known as short-term parking)
<b>Driveway</b>	A paved or unpaved portion of a roadway not designated for parking (see definition of parking space) and providing an unobstructed passage to an offstreet area used for driving, servicing, parking, or otherwise accommodating motor vehicles.
<b>EV</b>	Electrical Vehicle
<b>Good Standing</b>	No liens, holds or any suspension of any SJSU benefit or privilege
<b>Impound</b>	Towing a vehicle to an off-Campus agency at the owner's expense
<b>Late Fee</b>	Fee added to delinquent parking fines
<b>Long-Term Permit</b>	Any parking permit valid for 30 days or longer
<b>LPR</b>	License Plate Recognition
<b>Mobile Payment</b>	A mobile payment application that allows drivers to pay for daily parking at various rates or to pay for reservation parking
<b>Opt-Out</b>	The decision to avoid an automatic charge for a parking permit if a student will not have a car on Campus by a semester deadline.
<b>Paid Parking</b>	Also known as "Permit Parking"
<b>Parking Area</b>	An area of parking spaces with like rules
<b>Parking Office</b>	Parking Services Office
<b>Parking Permit</b>	Virtual parking permit or physical parking permit
<b>Parking Space</b>	Valid parking space is between two white lines
<b>Pay-By-Plate</b>	The registration and payment for parking via a vehicle's license plate (the display

	of receipt is not required)
<b>Pay Station</b>	Pay-by-Plate machines that allow for the daily purchase of parking at various rates (valid license plate is required for registration)
<b>PS</b>	Parking Services
<b>Rear of a Parking Space</b>	The portion of the parking space that makes contact with the roadway
<b>Reserved Space</b>	Reserved parking for a specific vehicle or individual
<b>RO</b>	Registered owner or operator
<b>SFSO</b>	Student Financial Services Office
<b>Short-Term Permit</b>	Any parking permit valid for less than 30 days; typically associated with daily or visitor parking permits
<b>SJSU</b>	San Jose State University
<b>SJSU Community Member</b>	Active faculty, staff, students and affiliates of SJSU
<b>SJSU Parking Online Services</b>	Online parking payment and registration portal
<b>SOV</b>	Single occupancy vehicle
<b>Temporary Parking</b>	Loading zones or timed spaces
<b>Tow</b>	Refers to the act of being relocated or impounded
<b>University</b>	San Jose State University
<b><a href="#">University Holiday</a></b>	Days when University business is closed – including the cancellation of academic classes (see the Human Resources benefits page for more information and dates)
<b>UPD</b>	University Police Department
<b>Vehicle</b>	Any motorized device with two or more wheels
<b>Virtual Parking Permit</b>	The use of a vehicle's license plate as a permit rather than the traditional hangtag or sticker permit

# **Title 2. Enforcement Authority**



## Article 1. Disclaimers

### § 1. SJSU is Private Property

SJSU's Campus is private property and Parking Services reserves the right to suspend or revoke parking privileges at any time and at its sole discretion. **Parking regulations are in effect 24 hours a day, each and every day of the year.**

### § 2. Parking Enforcement

San Jose State University enforces its own rules and regulations through the issuance of parking citations and the towing of vehicles. Failure to comply with the rules contained in this document is the responsibility of the vehicle operator. Being unaware, not reading, or any other misunderstanding are not valid reasons for violating any rule or policy of the University.

The University cooperates with local, state and federal law enforcement agencies. These agencies have the right to enforce regulations at their discretion and without announcement. It's encouraged that all vehicle operators familiarize themselves with not only the University's rules and regulations but also local, state and federal laws.

Penalties for violations of parking and traffic regulations include but are not limited to fines, towing or impoundment of vehicle, loss of access privileges, loss of parking privileges, suspension of services, ineligibility for issuance of future parking permits and other penalties.

- *Fines are assessed in accordance with the penalty schedule published and enforced at the time of the violation*
- *Fines imposed for a violation of these rules and regulations are the responsibility of the individual who owns the vehicle, has registered the vehicle with SJSU or has been identified as operating the vehicle*
- *Fines left unpaid may result in additional consequences not related to Parking Services*

### § 3. Additional Penalties

In some instances, a violation of parking and traffic regulations or policy may result in disciplinary action for employees, students and visitors through suspension or revocation of parking privileges. Parking Services openly shares problematic accounts with the Department of Human Resources, the Department of Public Safety and the Office of Judicial Affairs.

### § 4. Availability

The purchase of parking rights does not guarantee the availability of parking space. Lack of available parking space, amount of time spent looking for a parking space or the lack of knowledge concerning the University's parking rules and regulations are not valid reasons for violating any parking regulation or as justification of the dismissal of a parking violation.

## § 5. Right to Enforce

Responsibility for establishing rules and regulations regarding the operation and parking of vehicles on university property is given to the University President pursuant to Section 21113 (a) of the California Vehicle Code (CVC). Collection of fees for parking on University property is pursuant to Section 42200, Title V of the California Administrative Code. Administration and daily operations of the University parking program are the responsibility of the Parking Services, which is a unit of the University Police Department. All information contained herein is subject to change without notice.

## § 6. Citation Liability

Persons identified as the vehicle operator shall be considered responsible for any fines, damages or any other event associated with the vehicle that occur on SJSU property. Vehicles found in violation of campus policies will be the responsibility of the last person identified as claiming responsibility or being identified as the responsible party. Registering a vehicle online, appealing a citation, claiming a vehicle from impound, paying a citation, registered owner lookup or any other form of association may be used to establish responsibility. It is the responsible party's obligation to prove otherwise. Vehicles operated by someone other than the registered operator that receive citations and are not registered to the vehicle through Parking Services will be the responsibility of the person on record. If no driver is recorded the vehicle is subject to impound per the University's Towing Policy. For purposes of these regulations, the driver of a vehicle who is not the owner thereof but who uses or operates the vehicle with the express or implied permission of the owner shall be considered the agent of the owner to receive notices of parking violations served in accordance with these regulations and may contest the notice of violation.

## § 7. Revocations

The use of the University's parking facilities is a privilege, not a right. Drivers are responsible for the proper operation of their motor vehicle. Any driver with excessive parking citations, frequent failures to comply or considered a distraction to the Campus community may lose their parking privileges on SJSU Campus at the discretion of the Manager of Parking Services. Individuals who have had their parking privileges revoked may not park their vehicle on SJSU property until written notice from the Manager of Parking Services reinstating said privileges and will have their vehicle impounded in accordance with the University's Towing Policy.

## § 8. Late Fees

Late fee will be assessed if failure to pay citation within 21 calendar days of issuance of citation. Citations under appeal are exempt from the late fee. If the appeal is rejected, 21 days period for payment shall start from the appeal decision date. Late fee will be applied to the citation balance if unpaid after 21 days.

## § 9. Immobilizing, Towing and/or Impoundment of Vehicles

Any vehicle parked upon University property may be immobilized, towed and/or impounded for violation of University Regulations as set forth herein or for other due cause. Neither The California State University (including its Board of Trustees, officers and agents) nor San Jose State University

(including its officers, employees and agents) shall be liable for loss or damage of any kind resulting from such immobilization, towing or impoundment. Persons desiring to have immobilized vehicles released must appear at the University Police Department to obtain a boot release clearance before requesting Parking Services remove the device. Boot removal is subject to availability of staff. Boots will be removed as soon as possible after clearance; however, no representation as to when removal will be completed is either expressed or implied.

### *Conditions Permitting Immobilizing, Towing or Impoundment*

Pursuant to CVC 22658 and CVC 22651, SJSU reserves the right to immobilized, towed or impounded vehicles. During the course of a tow, immobilization, or impound, it may be necessary for an authorized SJSU employee or an outside towing company to access the vehicle. SJSU assumes no responsibility for damage to a vehicle as a result of impoundment, tow, or immobilization. Please contact the Parking Office if you believe your vehicle has been towed. Vehicles may be immobilized, towed or impounded without prior notice under the following circumstances:

- a) For five or more outstanding parking violations.
- b) Parking unattended in a fire lane.
- c) When, in the judgment of a University Police Officer, the vehicle obstructs, or may impede, the flow of traffic.
- d) When, in the judgment of a University Police Officer, the vehicle poses an immediate threat to the public safety.
- e) When a University Police Officer has probable cause to believe that the vehicle contains or constitutes evidence of a crime (e.g. stolen permit), and in the officer's judgment, immobilizing, towing or impoundment is necessary to preserve evidence.
- f) When a driver is arrested and/or deprived of the right to leave with his/her vehicle and the University Police Department is charged with the responsibility for the safekeeping of the vehicle.
- g) Vehicle is found illegally parked and there are no license plates or other evidence of registration displayed. The vehicle may be impounded until the owner or person in control of the vehicle furnishes evidence of his or her identity and an address within this state where he or she can be located.

### *Redemption of towed or impounded vehicles*

Redemption must be made through the University Police Department, 924-2222.

### *Tow/Impoundment Hearings*

A University Police administrator acts as a hearing officer in cases where a tow or impoundment is disputed. Appointments for hearings can be made by contacting the University Police Department at 924-2222.

## § 10. Use of Citation Funds

State law governs use of funds collected as a result of violations of University parking regulations. Neither the University Police Department nor the Parking Services receive any direct benefit from writing or collecting parking violations. State law provides that funds collected by forfeiture of the parking penalty be used principally to underwrite the University's Alternative Transportation Program (ATP). The ATP makes substantial contributions to the student and employee Transportation Access Program, vanpools, support of the student Altrans organization, compliance with Bay Area Air Quality Management District regulations and many other programs and activities.

# Article 2. General Rules

All vehicles parked on SJSU property are required to purchase a permit through pay-station/mobile payment or register with Parking Services and pay for parking via Parking Online Services. Illegally parked vehicles are subject to citation and/or tow at the owner's expense.

## § 1. Parking Stalls

Vehicles must park in designated, marked parking spaces only. Vehicle operators may not create or park in any other area without the prior consultation and approval from the Parking Office. The lack of signage, paint or any other communication device is not a valid reason to park outside of a marked parking stall.

- *Compact Spaces - Vehicles may not occupy a compact space if it obstructs another vehicle from parking or exiting or if it affects the effective and safe flow of traffic*
- *Vehicles in violation are subject to citation and/or tow at the owner's expense*
- *Oversized Vehicles – Vehicles requiring more than one marked parking space must make accommodations in advance with the Department and purchase parking for each space occupied*

Vehicles in violation of this section will be cited for Parking in Non-designated Space (CVC 21113 a).

## § 2. Permit Sharing

Multiple vehicles may be registered to and share the same virtual permit; however, only one vehicle per permit may be on Campus at a single time. Vehicles will need to purchase parking separately when parked on Campus concurrently and sharing a permit. If more than one vehicle found on campus without the purchase of additional permit, both vehicles will be cited for Misuse of Parking Permit.

## § 3. Disabled Parking

Disabled parking is available throughout the SJSU Campus. Only vehicles displaying valid ADA placards and/or license plate in conjunction with the valid SJSU paid parking permit may park in designated disabled parking spaces. Registration and payment for ADA vehicles is required per CVC 22511.5.

- *Vehicles displaying valid ADA placards/plates may not violate any CVC or SJSU rule or regulation as a substitution for the lack of ADA parking*
- *Failure to comply may result in the citation and/or impound at the owner's expense*
- *Disabled drivers must still register and pay for parking at all times*
- ***SJSU does not issue disabled parking placards and may not authorize the use of disabled parking spaces without government issued ADA identification***

- *Drivers needing special parking accommodations should discuss their needs with a licensed physician*
- *Keep all DMV issued paperwork inside the vehicle using ADA parking*
- *Audits may be conducted at random by authorized SJSU personnel or local law enforcement*
- *Failure to provide requested documentation may result in the issuance of a citation and/or the towing of the vehicle at the owner's expense*
- *Disabled visitors visiting campus may be offered a one time courtesy parking permit to be used in conjunction with their disabled placard. Please contact Parking Services Office at 408.924.6556 for permit and parking information*
- *Disabled visitors are required to pay the requisite parking fee when attending special events, provided Parking Services has taken control of the parking garage/lot for event facilitation and services. Title 5 Article 7 42200(a)(1) and Subsection 42201(a) California Code of Regulations. Disabled visitors must display a Disabled Persons placard and/or license plate in conjunction with the valid SJSU paid parking permit*

#### § 4. Display Vehicle Registration

All vehicles without front license plates must park head-in. Vehicles using parallel stalls must park with the flow of traffic so the passenger side is against the curb or wall. If your vehicle does not have a license plate on both the front and back, use the last 8 characters of the VIN. Update your vehicle's registration before parking on Campus once the new plates have been installed. Vehicles in violation of this section can be cited for Failure to Display Vehicle Registration (CVC 21113 a).

#### § 5. Display Physical Parking Permits

**"Proper display"** – Decal parking permits must be **affixed to the lower left-hand corner of the driver's side front windshield** in the vehicle so as to be *clearly visible to the enforcement officer screening the vehicle for a valid permit. Do not put permit in tinted area of the vehicle.* Non-compliance will result in a parking citation. *Hangtag permits issued for automobiles shall be hung from the rear view mirror. Campus Housing 'CV' permits must be affixed to the rear bumper.*

#### § 6. Loading Zones & Times Spaces

Certain spaces around Campus are restricted by time. These stalls are intended for the conducting of brief business or the loading and unloading of materials from a vehicle. Before using loading zones and timed spaces, please review the guidelines below:

- *Loading zones and timed spaces are available for any vehicle*
- *Vehicles parked in a loading zone or timed spaces are exempt from paying and registering for the duration of their stay*
- *Vehicles must be moved from the space within the indicated time period*
- *Vehicles must vacate the space before the time period expires*
- *Vehicles may not park in the same timed space*
- *Timed spaces are indicated by paint or curb markings, signs or a combination of both*
- *Times can vary, so be sure to double-check the curb or sign before leaving your vehicle*
- *Loading zones and timed spaces are enforceable 24/7*

## § 7. Reserved Parking Violations

Certain spaces and areas across Campus are reserved for individuals, special events or prearranged services. Reserved parking is indicated via signage (temporary or permanent), painted curbs, stenciling or a combination. Unauthorized vehicles may be cited and/or towed at the owner's expense. Faculty, staff and students that park in visitor only parking areas will be cited for violation of a reserved parking area.

## § 8. Parking over the line and Parking in Two or More Spaces

All vehicles must park completely within the lines at all times, regardless of surrounding occupancy. Perpendicular stalls must not have any portion of the space's occupant's vehicle extending beyond the furthest space boundary line. This is true even if no vehicle is parked adjacent at the time of occupancy. Parallel stalls must not have any portion of the space's occupant's vehicle extending beyond the front and back boundary line. Vehicles must be parked within 18 inches of the curb and may not obstruct traffic in any fashion. By campus definition, any vehicles whose tires outside tread crossed the white line is considered to be parked over the line. Also by definition, any vehicle whose tires inside tread crossed the white line is considered to be parked in two or more spaces.

## § 9. Obstructing Traffic

Vehicles may not stop for any time in non-designated parking areas. Blocking or disrupting the regular flow of traffic will result in the issuance of a citation. Unoccupied vehicles may be towed at the owner's expense.

## § 10. Prohibition against Parking on Sidewalks

No person shall park a vehicle on any University sidewalk, crosswalk, driveway or landscaped area without the express authorization of the Parking Services or University Police Department. A permit authorizing exceptions to this regulation must be obtained from the Parking Services before any vehicle is driven onto any non-public walkway or roadway of the University. Under no circumstances does a sidewalk-parking permit authorize any vehicle to block any campus driveway, walkway, stairs or fire lane. Vehicles so doing may be cited or impounded at the registered owner's expense. Vehicles may not stop for any time in non-designated parking areas. Blocking or disrupting the regular flow of traffic will result in the issuance of a citation. Unoccupied vehicles may be towed at the owner's expense.

## § 11. Overnight Parking

No overnight parking is permitted on University property, except as authorized by University regulations or the Parking Services. Generally, vehicles 'H' permits may park overnight in the South (7th Street) Garage only. Persons with disabled vehicles should notify the Parking Services or the University Police Department. Special arrangements for overnight parking (e.g. field trips) can be made by contacting the Parking Services.

## § 12. Parking in Restricted Areas

No vehicle shall park where official signs control or prohibit parking. Vehicles found in violation of this section will be issued a citation for Parked in Restricted Areas.

### § 13. Disruptive Vehicle Alarms

A University Police Officer may issue a citation and order the removal of a vehicle parked on the university when:

- a. An alarm device or horn within the vehicle has been activated and disrupts University functions,
- b. The police officer or agents of the University are unable to locate the owner of the vehicle within 10 minutes from the initial time of arrival at the vehicle's location and the alarm continues to sound.
- c. A citation will be issued for a violation of 21113 (a) CVC for each incident. No more than one citation will be issued in a 24-hour period.
- d. Violation of this policy in and of itself revokes permission for the offending vehicle to be parked on the University campus. If the vehicle alarm continues to sound, the responding officer will follow procedure as stated in Section 22651.5(a) of the California Vehicle Code and tow the vehicle at the owner's expense.

### § 14. Damage to University Property by Parked Vehicles

All vehicles parked on the sidewalks shall not leak oil or other substances onto the sidewalk. Vehicles shall use oil trays if appropriate. Violators will be warned for a first offense and then cited. Repeated violation may result in the towing of the offending vehicle at the owners expense.

### § 15. Campus Speed – Limit

The speed- limit in all parking lots and structures is 5 mph. Prevailing safety conditions may occasionally require a lesser speed. Speed bumps are placed in designated areas to limit the speed of vehicles. SJSU is not responsible for vehicle damage caused by speed control devices. Exceeding the Campus speed-limit or driving recklessly may result in disciplinary action in the form of fine, suspension of driving privileges, or a combination of the two. This does not include additional sanctions from Judicial Affairs.

### § 16. Reckless Driving

Driving a vehicle in willful or wanton disregard for the safety of person or property is guilty of reckless driving (CVC 23103). Driving recklessly is taken very seriously at SJSU and can result in seriously penalties if found at fault. If found at fault, penalties may result in disciplinary action ranging from fines, suspension of driving privileges, or a combination of the two to the permanent loss of driving privileges at SJSU. This does not include sanctions received from Judicial Affairs.

### § 17. Evasion

Drivers identified evading any University official shall be issued a citation. Parking and driving privileges may additionally be suspended. A hearing may be requested by the driver to discuss the reinstatement of Campus driving and parking privileges. Vehicles violating any suspension or disciplinary action may be impounded at the owner's expense.

## § 18. Pedestrian Traffic

Pedestrians have the right-of-way at all times in all parking lots, access roads, crosswalks, and intersections. Drivers failing to yield to any pedestrian may be issued a citation for reckless driving with the possibility of parking and driving privileges being suspended. A hearing may be requested by the driver to request reinstatement of Campus driving and parking privileges.

Vehicles violating any suspension or disciplinary action may be impounded at the owner's expense.

## § 19. Oversized Vehicles

Approval to park campers, trucks, trailers, buses or any other large vehicle or attachment must be obtained from the Department prior to parking on SJSU property. If authorized, vehicle/s and attachments must not obstruct the flow of traffic, access to parking or driveways, fire lanes or ADA spaces. Vehicles found in violation may be cited and/or towed at the owner's expense. Any vehicle and/or its attachment must register and pay for parking. Each stall occupied or made unavailable to another driver is required to pay for the time occupied.

## § 20. Authority to Place Barriers

Barriers, fences, signs, posts or other traffic or control devices may be placed at any location necessary for the safety of the public and/or work crews.

Removal or moving any such safety or warning device is prohibited. Violators may be cited.

## § 21. Citation List

For a list of the most common citations and descriptions visit the [SJSU Parking webpage](#).

### San Jose State University Schedule of Penalties

Expired Hourly Permit.....	CVC 21113 (a)\$23
Not Parked within Stall Lines.....	CVC 21113 (a) \$23
Wrong Day (Specified Day Permits).....	CVC 21113 (a) \$23
Parked Overnight.....	CVC 21113 (a) \$23
Parked over Time Limit.....	CVC 21113 (a)\$40
Parked in a Bus Loading Zone .....	CVC 22500 (i)\$45
Disruptive Car Alarm/Horn.....	CVC 21113 (a)\$45
Illegal Storage.....	CVC 21113 (a) \$45
Parked in More than One Space .....	CVC 21113 (a)\$45
No Valid Permit.....	CVC 21113 (a) \$45



Other .....	CVC 21113 (a) \$45
Failure to display vehicle License Plate.....	CVC 21113 (a) \$45
Parked in a Special Purpose Zone .....	CVC 21113 (a) \$45
Boot Removal Administrative Fee.....	CVC 22500 (e) \$50
Blocking a Driveway .....	CVC 22500 (e) \$53
Parked in a no Parking Zone .....	CVC 21113 (a) \$53
Parked in a Red Zone.....	CVC 21113 (a) \$53
Parked in non-designated place.....	CVC 21113 (a) \$53
Obstructing Traffic.....	CVC 21113 (a) \$53
Altered Permit .....	CVC 21113 (a) \$90
Misuse of Parking Permit.....	CVC 21113 (a) \$175
Parked in a Disabled Space .....	CVC 22507.8 (a) \$351
Use of Lost/Stolen/ Forged Permit .....	CVC 21113 (a) \$400
Tampering or Removal/Theft of Boot .....	CVC 21113 (a) \$500
Parked in Restricted Area.....	CVC 21113 (a) \$500

## § 22. Citations

Citations left unpaid for 21 days or more shall be considered delinquent. Delinquent citations are assessed late fees. Delinquent citations may result in delays with graduation, transcript holds, registration delays, vehicle towing, revocation of parking privileges and other penalties.

## § 23. Appeals

Appealing a parking citation indicates that you believe you were parked in accordance with the University's Parking Rules and Regulations and were incorrectly issued a parking citation or that the occurrence was due to circumstances beyond your control. Appeals should be direct and address factual information only. The burden of proof falls on the appellant to provide factual evidence stating otherwise.

*The following are examples of seldom granted appeals:*

- *Lack of knowledge of the Rules and Regulations*
- *Forgetfulness*
- *Failure to notice signs*
- *Lack of parking space*
- *Late to class or appointment*
- *Other vehicles were parked improperly*

- *Parked improperly for a short period of time*
- *A note or explanation was left on the windshield*
- *Violation/s not writer for others in same or similar situation*
- *There was a passenger left in the vehicle*
- *Inability to pay the fine amount*
- *Disagreement with the Rules and Regulations or fine amount*

### *Citation Initial Review*

Forms are available at the University Police Dept. or by going to [SJSU Parking Online Services](http://sjsu.t2hosted.com/) (<http://sjsu.t2hosted.com/>). Citations must be paid or a review requested within twenty-one (21) days of its issuance. A citation recipient will be notified in writing 2 to 4 weeks (after receipt of the completed review form) whether the citation is dismissed or if the appeal has been denied. If denied, a citation recipient may pay the penalty and request a 2nd level Administrative Hearing. The University contracts with the City of San Jose to provide this service.

### *Administrative Hearing*

To schedule hearing, citation recipients must post the full amount of the parking penalty with the Parking Services within twenty-one days (21) of mailing of the initial review results. You will be notified by mail of Hearing Date, ten days prior to appointment date. If you cannot make the hearing date, you may reschedule one time only. You must contact Parking Service regarding the rescheduling; failure to do so constitutes failure to appear. Failure to appear for a hearing will result in a finding of "liable" and the forfeiture of the parking penalty. If a citation recipient is found "not liable" for the violation, the full amount of the penalty will be refunded by mail.

### *Superior Court Hearing*

If a citation recipient is found "liable" and still wishes to challenge the citation, the recipient may make a hearing date before a superior court judge. The court imposes a hearing fee that must be paid by the citation recipient directly to the court before a hearing is set. If the court finds the recipient "liable" for the violation, the fee and the violation penalty are forfeited. If the recipient is found "not liable", the court fee and penalty are refunded by mail.

### *Waiver of Deposit*

The manager of Parking Services, or his or her designee, may waive the required deposit of the full amount of the violation penalty upon determination of hardship. A written declaration of financial condition, AFDC or general assistance check stubs, proof of student aid loan and other documents will be considered. The manager also may extend the time before a hearing appointment is set up to 90 days to give an individual the opportunity to raise the full amount of the deposit.

A finding of "liable" by a hearing officer or municipal court judge means that the full amount of the SJSU penalty plus any applicable late fees is due and payable no later than forty-five days from the date of the hearing.

## Article 3. Parking Violation Definitions

### San Jose State University Definition of Penalties

#### § 1. Altered Permit

Altered, forged, counterfeited University parking permits, and parking pay station machine receipts, are prohibited. All violators will be subject to a citation. Violators will be cited for Altered Permit.

#### § 2. Blocking a Driveway

A person shall not stop, park, or leave standing any vehicle whether attended or unattended in front of a public or private driveway. Violators will be subject to citation or towing. Violators will be cited for Blocking a Driveway.

#### § 3. Boot Removal Administrative Fee

Any vehicle that is immobilized or booted at San Jose State University is subject to additional service fees for the placement and removal of the immobilization device. Violators will be cited for Boot Removal Administrative Fee.

#### § 4. Disruptive Car Alarm/Horn

No vehicles while parked shall activate an alarm device or horn of such intensity, duration, frequency or character which annoy, disturb, or cause adverse psychological and physiological effects on persons. Violators will be cited for Disruptive Car Alarm/Horn. The vehicle may also be subjected to tow at the owner's expense per Section 22651.5(a) of the California Vehicle Code.

#### § 5. Expired Hourly Permit

No vehicle may be left parked upon expiration of a time limited pass. Violators will be cited for expired hourly permit.

#### § 6. Failure to display vehicle license plate

When two license plates are issued by the Department of Motor Vehicles for use upon a vehicle, they shall be attached to the vehicle for which they were issued, one in the front and the other in the rear (CVC 5200 (a)). When only one license plate is issued for use upon a vehicle, it shall be attached to the rear (CVC 5200 (b)). Any vehicle parking on San Jose State University campus must comply with CVC 5200 and have the license plate visible from the rear of the parking space. Violators will be cited for failure to display vehicle license plate.

#### § 7. Illegal Storage

No person shall abandon, or leave standing, any vehicle or motorized cycle on the campus overnight, or for 24 or more consecutive hours without permission of Parking Services. Persons with disabled vehicles should notify the Parking Services or the University Police Department. Vehicles in violation are subject to a fine, removal, and storage at owner's expense.

Although not required by law, the Police Department may post a warning notice upon a parked vehicle prior to having it removed. This notice advises the owner or person in control of the vehicle that if the vehicle is found to be unlawfully stored or abandoned the vehicle will be cited and/or towed.

#### § 8. Misuse of Parking Permit

Permit is not transferable from person to person. Using someone else's parking privilege or letting another person use your parking privilege is prohibited. Violators will be cited for Misuse of Parking Permit. A person can register up to three vehicles on their permit. However, only one vehicle is allowed on campus at a time. When two or more vehicles registered to a single Virtual Permit are parked on San Jose University campus at the same time, each vehicle must have a separate valid parking permit. If each vehicle does not have a separate valid parking permit, all found vehicles will be cited for Misuse of Parking Permit.

#### § 9. No Valid Permit

Any vehicle parked on campus must have a valid paid parking session (virtual permit) or must clearly display a valid SJSU physical parking permit. License plate information must be entered accurately; be aware of the letter O vs. number 0. If your vehicle does not have permanent or temporary (paper) plates, please enter in the last 8 of the VIN.

The physical parking permit must be positioned as indicated on the permit. Do not cover the VIN. Please ensure the permit is fully visible from the outside of the vehicle. Violators will be cited for No Valid Permit.

#### § 10. Not Parked within Stall Lines

All vehicles must park completely within the stall lines at all times, regardless of surrounding occupancy. Perpendicular stalls must not have any portion of the space's occupant's vehicle extending beyond the farthest space boundary line. This is true even if no vehicle is parked adjacent at the time of occupancy. Parallel stalls must not have any portion of the space's occupant's vehicle extending beyond the front and back boundary line. Vehicles must be parked within 18 inches of the curb and may not obstruct traffic in any fashion. By campus definition, any vehicles whose tires outside tread crossed the white line is considered to be parked over the line. Violators will be cited for Not Parked within Stall Lines.

#### § 11. Obstructing Traffic

No vehicle shall be stopped, parked or left standing so as to interfere with or impede the normal flow of vehicle or pedestrian traffic. Violators will be cited for Obstructing Traffic.

#### § 12. Other

Vehicles parked in violation of CVC 21113(a).

#### § 13. Parked in a bus loading zone

No vehicle shall park in an area designated as a bus zone or bus stop. Violators will be cited for Parked in a Bus Loading Zone.

#### § 14. Parked in a disabled space

It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for disabled persons and disabled veterans per Section 22507.8 (a) of the California Vehicle Code. Violators will be cited for Parked in a Disabled Space.

#### § 15. Parked in a non-designated place

No vehicle shall be stopped, parked or left standing in or upon a landscaped or unpaved area that is not marked for parking. Violators will be cited for Parked in non-designated place.

#### § 16. Parked in a no parking zone

No vehicle shall be parked in any area, campus lot, campus garage, upon any street, campus roadway or portion thereof when authorize signs or markings are in place prohibiting parking. Signage bearing the legend "No Parking Anytime" or "No Parking" will be enforced twenty four (24) hours a day, seven (7) days a week. Violators may be towed or cited for Parked in a no Parking Zone.

#### § 17. Parked in a red zone

No stopping, parking or standing in a red zone. All violators are subject to citation or towing. Red zone areas are enforced twenty four (24) hours a day, seven (7) days a week. Violators will be cited for Parked in red zone.

#### § 18. Parked in a special purpose zone

No vehicle shall park in any area that is signed designating for special purpose zone. Special purpose zones on campus include but are not limited to: carpool, employee, R, RP, vendor, special 'O', clinic, CDC, GV, freight loading/unloading, loading/unloading, zip car, state vehicle, campus village, electric vehicle, Spartan shop, and sidewalk.

#### § 19. Parked in more than one pace

All vehicles must park completely within the lines at all times, regardless of surrounding occupancy. Perpendicular stalls must not have any portion of the space's occupant's vehicle extending beyond the farthest space boundary line. This is true even if no vehicle is parked adjacent at the time of occupancy. Parallel stalls must not have any portion of the space's occupant's vehicle extending beyond the front and back boundary line. Vehicles must be parked within 18 inches of the curb and may not obstruct traffic in any fashion. By campus definition, any vehicle whose tires inside tread crossed the white line is considered to be parked in two or more spaces. Violators will be cited for Parked in More than One space.

#### § 20. Parked in restricted area

Any vehicle, motorcycle, motor-driven cycle, motorized bicycle, and motorized quadricycle is prohibited upon any campus roadway that has restricted vehicle access postings. All violators are subject to citation or towing. Violators will be cited for Parked in Restricted Area.

#### § 21. Parked Overnight

No person shall abandon, or leave standing, any vehicle or motorized cycle on the campus overnight without permission of Parking Services. Special arrangements for overnight parking (e.g. field trips) can be made by contacting the Parking Services. Violators will be cited for Parked Overnight.

### § 22. Parked over time limit

No vehicle may be left parked over the time limit in a timed zone. Vehicles may only park once per day per timed zone. The intention of timed zones is to provide short-term parking. Violators will be cited for expired hourly permit.

### § 23. Tampering or Removal/Theft of Boot

No unauthorized person shall remove, damage, and attempt to drive away, or otherwise interfere with the placement of a boot or any vehicle immobilization device. Violators will be cited for Tampering or Removal/Theft of Boot.

### § 24. Possession of Lost/Stolen/Forged Permit

The duplication or alteration of any University parking decal/permit and the display of such decal/permit is prohibited. Vehicles found displaying a lost/stolen/forged permit will be cited for Possession of Lost/Stolen/ Forged Permit.

### § 25. Wrong Day (Specific Day Permits)

Vehicles shall park only on days their active permit or parking session allows. Vehicles parked on the wrong day will be cited for Wrong Day.

# **Title 3. Parking Registration & Assignments**

## Article 1. Registration

### § 1. Virtual parking

SJSU utilizes license plate recognition technology to assist in the management of Campus parking. All vehicles parked on SJSU property are required to purchase a permit through pay-station/mobile payment or register with Parking Services and pay for parking via Parking Online Services. As each vehicle's license plate is used for identification purposes, license plates must be registered precisely to avoid being issued a citation. Errors in registration are the responsibility of the registrant and will cause the issuance of a violation.

#### Personalized Plates

- *When you register your vehicle you must omit non0alphanumeric and special characters*
- *For example, if your plate read "A B C – 123". Enter " ABC123 "*
- Examples of characters to omit include spaces, dots, dashes, hearts, stars, handprints, and snoop

#### Vehicles without License Plates

Vehicles without a license plate must register their **temporary license plate**. If the vehicle does not have a temporary license plate, register the vehicle by the **LAST** eight characters of the vehicle's VIN number. Any other sequence of the vehicle's VIN number will be invalid and result in a citation. Once you receive your vehicle's permanent license plate you must contact Parking Services and re-register your plate before parking on Campus.

#### Finding the VIN

The VIN can be found by looking at the dashboard on the driver's side of the vehicle. The easiest way to view the VIN is to stand outside the vehicle on the driver's side and look at the corner of the dashboard where it meets the windshield. If the VIN cannot be found there, open the driver's side door and look at the door post (where the door latches when it is closed). It is likely the VIN will also be displayed at this location. The VIN can also be found on new vehicle registration usually taped to the bottom corner of the windshield on the passenger side or on the vehicle's permanent registration from the DMV.

It is recommended that you take a photo of your VIN or write the number down as this number is difficult to remember.

### § 2. SJSU Parking Online Services

SJSU Parking Online Services is the University's central parking portal for the majority of your parking needs. Faculty, staff and students should login through the SJSU Parking Online Services link on our [Parking webpage](#), or click [HERE](#).

At SJSU Parking Online Services you can also appeal citations, pay tickets, register or modify vehicles and purchase parking permits.

### § 3. Multiple Vehicles

You may register multiple vehicles under a single parking account in SJSU Park. Only one vehicle may be on Campus at a time. Multiple vehicles registered under the same permit found on the SJSU Campus will receive a parking citation. If you need to have more than one vehicle on Campus at a time, the second



vehicle must be registered and paid under a separate permit or day pass. If more than one vehicle found on campus without the purchase of additional permit, both vehicles will be cited for Misuse of Parking Permit.

#### § 4. Transfer of Registration

If a vehicle is sold or transferred to a new owner, it is the responsibility of parties involved to notify SJSU Parking and Transportation of the change in ownership. It is the operator's responsibility to ensure the vehicle is correctly registered and that the vehicle has no outstanding citations. Citations will default to the last registered individual. The burden of proof falls on the driver to provide factual evidence stating otherwise.

## Article 2. Parking Permits

SJSU charges for parking 7 days per week. Vehicles must be paid and registered through SJSU Parking Online Services, a Pay Station or mobile payment, to avoid receiving a parking citation.

#### § 1. Permit Refunds

Permit Refunds - Semester, academic, and annual permit prices begin prorating approximately 10 days after the first day of classes. The prorated amount ranges from \$5 to \$18 per week, depending on the type of permit. All semester, academic, and annual permits are refundable any time prior to the last month of the permit's expiration date. The refund amount is calculated based on the prorated price of the permit, on the date the refund request is submitted, less a \$10 processing fee.

**Please note:**

- Daily, weekly, monthly, and event permits are not eligible for a refund.
- Winter session and summer 5-week permits can only be refunded before the permits become effective or if class is cancelled.
- Processing fee is waived if refund request is made before the permits become effective or if requestor's classes are cancelled.
- Once you submit a permit refund request form, you are responsible for having a valid parking permit when parked on campus or you will be issued a parking citation.

Pay Station Refunds - Change is not dispensed at Campus Pay Stations. Customers paying with cash must use exact change only. No refund for overpayment or unused parking time will be given.

#### § 2. Visitor & Affiliate Parking

SJSU welcomes guests and vendors to use its parking facilities. A valid parking permit is required for all vehicles at all times.

- Visitors are expected to comply with all University parking regulations and park in valid parking space in accordance with approved visiting locations

- SJSU requires all vehicles to be registered and pay for parking at all times
- SJSU is a virtual parking Campus – your complete license plate information is required to register and pay for parking
- SJSU does not issue refunds for the incorrect purchase of parking or registration errors

## Visitors

### Daily Parking

Daily visitor parking may be purchased at a campus Pay Station or via mobile payment. For a list of the most current rates visit Parking Services webpage. Rates are subject to change without notice. Please contact the Parking Office at 408.924.6556 or review the most current rates online before parking on campus.

### Pay Station Locations

Machines accept Visa, MasterCard, and cash. Purchase carefully; machines do not dispense change. Map of visitor parking and Pay Station locations is available [online](#).

### Mobile Payment

Mobile Payment is available via mobile pay-by-phone service app available through your Android's Google Play Store or Apple's App Store. It is also available as an online payment system via web browser. Visitor rates apply.

## § 3. Faculty & Staff Parking

Permit rates and date ranges depend on your classification with the University as determined by Human Resources. All permits are available for purchase in-person at the Parking Office during regular business hours.

### Faculty & Staff Permits

The Parking Office does not determine your employee classification. Change requests or inquiries must be conducted through Human Resources.

Below are the available permit options for faculty and staff. Current rates can be found on the Parking website or by contacting the Parking Office.

#### Full-Time Faculty & Staff Payroll Deduction

- *Effective immediately from time of purchase until cancelled (see [Payroll Cancellations](#))*
- *Available at the Parking Office Window*

#### Fall Part-Time Faculty & Part-Time Staff Semester

- *Effective August 1 through December 31*
- *Available online through SJSU Parking Online Services*

#### Spring Part-Time Faculty & Part-Time Staff Semester

- *Effective January 1 through May 31*

- Available online through SJSU Parking Online Services

#### Summer Part-Time Faculty & Part-Time Staff Semester

- Effective May 1 through August 15
- Available online through SJSU Parking Online Services or at the Parking Office window

#### Faculty & Staff Monthly Part-Time

- Effective 30 days from the purchase date
- Available at Parking Office window

### Concurrent Employee & Student Status

The primary role of the account owner determines the permit/s available for purchase.

### Payroll Cancellations

Permits paid through payroll deduction must be cancelled in advance of the pay period's change deadline for deductions to be stopped. Requests for stoppage of parking deductions must be made in advance and in writing. Only one parking payroll change per academic semester is permitted.

- Cancellations must be done in writing and submitted to [parking@sjsu.edu](mailto:parking@sjsu.edu) or in person at the Parking Office in advance
- Cancellations must be requested in writing before Payroll's deadline to make changes
- Payroll deductions received prior to a request for cancellation will not be refunded without evidence of extenuating circumstances
- Requests made same day of the payroll change deadline or without advanced notice may not be stopped until the subsequent pay period and are not eligible for refund

### Faculty & Staff Parking Areas

Vehicles registered to a faculty/staff type permit may park in employee parking space or general parking space. Faculty and staff paying as they go with Daily Visitor Passes are not eligible to park in employee parking space. Observe all signs and markings for additional restrictions.

### Individual Reserved Parking Spaces

Campus leadership and first responders have assigned parking reserved 24/7. Unregistered vehicles parked in individual reserved parking stalls will be cited and towed at the owner's expense.

## § 4. Student Parking

All class years are eligible to bring a vehicle to Campus. Vehicles registered to a student type permit may park in general parking space. Parking outside of an assigned sector during enforcement hours will result in a parking citation. It is each student's responsibility to understand and park in compliance with these regulations. All vehicles must be registered by the driver through SJSU Parking Online Services.

Additional restrictions may apply within an area. Pay careful attention to all temporary and permanent signage and markings on the ground before leaving your vehicle. Individual reserved

Campus leadership and first responders have assigned parking reserved 24/7. Unregistered vehicles parked in individual reserved parking stalls will be cited and towed at the owner's expense.

### § 5. Motorcycle Permits and Parking

Motorcycles are prohibited from creating their own parking space and must register and pay for parking on SJSU Campus. Motorcycle registration is only accepted at the Parking Office, in-person, during normal business hours. Proof of registration is required. Motorcycles are required to park in specific areas. Parking outside of these designated areas will result in a parking citation. Motorcycles registered under a regular automobile permit may utilize regular parking spaces specific to that individual's sector assignment. Only one registered vehicle per permit may be on Campus at a single time.

Current rates can be found online at the Parking webpage or by contacting the Parking Office.

### § 6. Electric Vehicle Charging

Vehicles that require an electric charge to operate are considered Electric. SJSU offers Electric Vehicle Charging (EVC) stations in University Hall on level P2 and the Life Sciences Building throughout the parking garage. EVC stalls are reserved at all times for vehicles that are actively charging and that possess a valid SJSU parking permit. All permit types are eligible to occupy any electric vehicle station as long as they are actively charging.

Charging sessions are limited to 4 hours per stay. Select stations require a membership and fee to receive a charge. All vehicles must vacate their charging stall by or before the 5th hour of occupancy and must relocate to their normally assigned parking area.

# **Title 4. Programs and Services**

## Article 1. Non-Transportation Programs

### § 1. Long-Term parking and Storage

Parking and Transportation understands students, faculty and staff may need to leave their vehicle on campus while they are away on a school or business trip. While storing a vehicle on Campus is allowed, certain steps must be followed in order to avoid issues that may result in the citing and towing of your vehicle. Permission to store vehicle on campus must be approved by Parking Office. Please contact Parking Office at 408.924.6556. Vehicles left longer than 72 hours without notifying the Parking Office are considered abandoned and may be removed from campus at the owner's expense (CVC 22658).

Below are basic criteria for storing a vehicle on campus:

- Registered Driver/owner of stored vehicle has received permission for Parking Services
- Vehicle is parked in an authorized area by Parking and Transportation
- Vehicle is paid and registered for the duration of storage