

BOARD OF REGENTS
EASTERN MICHIGAN UNIVERSITY

SECTION:	29
DATE:	June 21, 2011

RECOMMENDATION

ACTION REQUESTED

Amend Board Policy 9.3.1, Public Safety, Traffic and Parking

STAFF SUMMARY

The proposed amendments reflect changes in state law that indicate maximum fines for violations and also remove dollar amounts so as not to become inconsistent with practice.

FISCAL IMPLICATIONS

None.

ADMINISTRATIVE RECOMMENDATION

The proposed Board action has been reviewed and is recommended for Board approval.

University Executive Officer
Gloria A. Hage
General Counsel

6.03.11

Date



Policies, Rules And Regulations

Effective Date	Date of Revision		
8-3-64	8-20-80		
Chapter Name	Chapter No.	Page	
PUBLIC SAFETY, TRAFFIC, & PARKING	9.3.1	Page 1 of 1	
Issue			
PUBLIC ACT OF 1967			

P.A. 1967, No.291, Imd. Eff. Aug. 4

An Act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected.

The People of the State of Michigan enact:

Enactment of ordinances, governing boards; penalties; enforcement; uniform traffic code, conformance.

Sec. 1. The governing boards of state universities and colleges may enact parking, traffic and pedestrian ordinances for the government and control of their respective campuses and may provide that violation of such ordinance is a misdemeanor punishable by a fine of not to exceed \$25.00 for each violation; Provided, That enforcement of such ordinances shall be by law enforcement officers of the state of Michigan, county, township or city wherein the violation of any such ordinance occurs. Such ordinance shall be in substantial conformity with the uniform traffic code promulgated pursuant to the provisions of Act No.62 of the Public Act of 1956, being sections 257.951 to 257.954 of the Compiled Laws of 1948. P.A. 1967, No. 291 S1, Imd. Eff. Aug. 4.

Enforcement of ordinances; jurisdiction; procedure; appeals; fines, disposition, costs.

Sec. 2. Violation of such ordinances may be enforced in any court having jurisdiction over misdemeanors in the political subdivision where the violation occurs. The procedure in such court shall be governed by its ordinary rules of procedure. Appeals may be taken in the same manner as in misdemeanor cases in such court. Fines collected by the court for ordinance violations shall be paid to the treasurer of the political subdivision in which the offense is tried within 30 days after collection, and costs shall be handled in the same manner as provided for costs imposed for violations of misdemeanors under state statutes. P.A. 1967, No.291, S2, Imd. Eff. Aug. 4.

Authority for Creation or Revision

Minutes of the Board of Regents, August 3, 1964; para. .2.13.106M.
 Minutes of the Board of Regents, August 28, 1967; para. .570M
 Minutes of the Board of Regents, May 18, 1977; para. .1797M
 Minutes of the Board of Regents, December 5, 1979; para. .2166M
 Minutes of the Board of Regents, August 20, 1980; para. .2290M

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Pursuant to Public Act 291 of 1967, the Board of Regents has adopted the Parking and Pedestrian Ordinance of 1979, which remains in effect to this date, and may be amended from time to time.

The Ordinance is available upon request.

Pursuant to their authority, the Regents have established fines for violation of the ordinance designated as civil infractions.

If a civil infraction included in an ordinance enacted by the Regents substantially corresponds to a provision of the Michigan Vehicle Code, 1949 PA 300, MCL 257.923 a civil fine established by the Board of Regents for that infraction shall not exceed the maximum civil fine for the substantially corresponding provision of the Michigan Vehicle Code. .

The Board of Regents delegates the setting of fines, enforcement of parking related violations, and the establishment of parking fees to the President and to the Treasurer of the Board of Regents.