

## CUVR 700: APPEALS

Sections 700 - 707

### 700: TICKET APPEALS

Any person who receives a ticket and believes that they were in fact in compliance with the CU Vehicle Regulations may appeal the citation. Appeals are submitted on-line at <https://www.cedarville.edu/offices/campus-security/vehicle> (click on the link entitled "Ticket Appeal Form") and **must be completely filled out and submitted within ten (10) days of the issue of the citation.**

**Appeals dated later than 10 days WILL NOT be accepted/considered.** (Email correspondence is NOT considered an appeal). Only those tickets issued to a vehicle registered with the Department of Campus Security will be considered for appeal.

**Verbal appeals**, whether in person or over the phone, will not be accepted.

### 700A APPEALS COMMITTEE

The Appeals Committee is composed of members of the faculty, staff, and student body with no direct involvement with Campus Security. Normally there are 2 faculty members, 3 staff members and 2 students on the committee. A minimum of 5 is required for decisions.

### 701: DISPOSITION OF APPEALS

Once an appeal has been submitted it will be forwarded to the Appeals Group who will review the appeal and determine disposition. Appeals are considered on a weekly basis but may take up to 10 business days to complete. Once a decision is reached, said decision will be e-mailed to the appellant. Decisions of the Appeals Group are considered final and binding.

The disposition of appeals may have one of the following outcomes:

- |                          |  |
|--------------------------|--|
| • The appeal is denied   | The fine will be upheld.   |
| • The appeal is denied   | The fine is reduced.   |
| • The appeal is commuted | The ticket is changed to a warning and no fine is incurred but the ticket remains on file. |
| • The appeal is granted  | The fine is waived, and the ticket nullified.  |

### 702: ACCEPTABLE APPEALS

There are three types of appeals that will be considered by the Appeals Group:

- Conflicting regulations.
- Unclear markings, lines, or signs.
- Emergency or medical situations which made the violation necessary and/or unavoidable (proof may be required).

### 703: UNACCEPTABLE APPEALS

Appeals that will NOT be considered include, but may not be limited to:

- Ignorance or lack of knowledge of the regulations (“... *this is the first time I have had a car.* ...”)
- Inability to find a legal parking space.
- Failure to see, read or follow posted signs or markings.
- Appointments, class, or work schedules or “being too busy.”
- Cold, flu, illness or “*not feeling well.*”
- Running late or a conflict in scheduling
- Forgetting to (including but not limited to):
  - Appeal the ticket.
  - Display the permit.

- Move the vehicle.
- Where I parked the car
- That I drove.
- Someone else was driving (“*I loaned my car to a friend. . .*”)
- Financial difficulty
- I did not receive a copy of the ticket.
- Other people were parked there (“*The car parked next to me didn’t get a ticket. . .*”)
- I have parked here before and didn’t get a ticket.
- Passage of time
  - “*I parked there when it was legal and forgot to move my car. . .*”
  - “*I was only parked there for x minutes. . .*”
- The vehicle had a mechanical problem.
- “*I locked my keys in the car.*”
- “*It’s finals week. . .*”

#### **704: LOSS of RIGHT TO APPEAL**

Under certain circumstances, the individual’s right to appeal may be forfeited. The decision to enact the loss of right to appeal is made by the appeals committee. Contributing factors may include but are not limited to:

- Habitual Offender status (**Refer to CUVR 602A**).
- The severity of the offense or situation.

#### **705: LIMITATION of APPEALS**

Appeals are limited to the semester within which the original ticket was issued. The exception to this section is any ticket issued within the last 10 days of a semester. Appeals will NOT be re-opened after the start of the new semester. In the case of spring semester, appeals will not be re-opened after the second week of May term.

#### **706: PAYMENT of FINES**

All fines are charged directly to the student’s account. Fines will be charged within 5-7 business days of issue and usually before the completion of the appeals process (**Refer to CUVR 501**). Payments for all fines are made at the cashier’s office in the lower level of the Stevens Student Center. In the event that a citation is overturned, the student’s account will be credited the amount incurred by the citation.

#### **707: CREDITS**

In the event that a ticket is commuted to a warning or completely overturned, a credit will be requested. Credits are processed through the cashier’s office and may take 10-14 days after the request is made.