

	BRANDEIS UNIVERSITY POLICE DEPARTMENT TRAFFIC PARKING ENFORCEMENT & TOW POLICY	
Policy Number:	1.6.1	PAGE: 1 of 6
Policy Type:	GENERAL ORDER	
Issue Date: 4.4.23 Review Date: 4.4.25 Revised:	Issuing Authority:  Chief Matthew T. Rushton	
Accreditation Standards (6th Edition) <ul style="list-style-type: none"> ● New 61.1.13, 61.4.3 ● Revised ● Amended 		

I. AUTHORITY TO ENFORCE

Permission to operate a motor vehicle on the grounds owned, operated or controlled by Brandeis University is a discretionary privilege bestowed by the Board of Trustees of the university. Such privilege may be denied, revoked, suspended, or modified by the action of the trustees or by officers of the university authorized to take such action.

II. POLICY

In accordance with this authority, it is the duty of the Chief of Police and the designated employees of the Brandeis University Public Safety Department to enforce the provisions of the Brandeis University parking rules and regulations. [\[61.1.13\]](#)

III. DEFINITIONS

- A. *Abandoned Vehicle:*** Any vehicle abandoned by its owner and standing for more than seventy-two hours on a public or private way or on any property without the property owner's or lessee's permission.
- B. *Junk Car:*** Any vehicle which is abandoned by its owner and is worth less than the cost of removal, storage, and expenses incident to disposition.
- C. *Parking:*** The standing of a vehicle, whether occupied or not, while engaged in loading or unloading, in obedience to an officer or traffic signs or signals, or making emergency repairs or, if disabled, while arrangements are being made to move such vehicle.

IV. PROCEDURES

The following procedures support the enforcement of Brandeis Parking Rules and Regulations as described in: <https://www.brandeis.edu/publicsafety/parking/fees-fines.html>

A. Temporary Parking Restrictions

1. The Chief of Police or officer in charge may temporarily prohibit parking on any street, highway, or part thereof, in an impending or existing emergency or for a lawful assemblage demonstration or procession. Vehicles parked in prohibited places may be towed under the direction of an officer.
2. Locations chosen for temporary parking prohibition shall be identified using methods including but not limited to posting temporary signs "NO PARKING" or "LOT CLOSED" or by setting up barricades and/or cones.

B. Enforcement by Patrol Officers [61.1.13]

1. Patrol officers will enforce Brandeis University parking rules and regulations during regular patrol.
2. Particular attention shall be given to offenses specified by a supervisor and those that impact the quality of life in the community, such as
 - a. Handicapped parking violations;
 - b. Parking in a fire lane or obstructing a hydrant
 - c. Obstructing public travel, driveways, and roads;
 - d. Prohibited zones that affect the flow of traffic,
 - e. Parking on sidewalks; and
 - f. Parking at bus stops;
 - g. No decal or restricted lot or area;
3. Time and seasonal-specific parking violations include
 - a. Overnight parking ban;
 - b. Parking is prohibited by duration, time of day, and time of year; and
 - c. Obstructing snow removal.

C. Authority to Enforce

Police and parking enforcement officers have the authority to cite and tow vehicles parked in a prohibited manner for certain violations if authorized by a supervisor. This authority is derived from the Code of Massachusetts Regulations¹ and authority vested by the Board of Trustees to control and manage parking and traffic. [61.1.13]

Offenses prohibited by the Brandeis University parking policy, which occur on Brandeis

¹ 720 CMR 9.00 MA Code of Regs 9.04

University property, may be cited as a local ordinance using the department's ticketing system (AIMS).

D. Parking Violations, Authority to Tow

1. General Prohibition Tow Zone if so marked;
2. Impending snow or ice removal (*should not be towed off-campus, but rather to another location*);
3. Within a crosswalk;
4. Leaving less than twelve (12) feet of an unobstructed lane;
5. Within twenty (20) feet of an intersection way (except alleys);
6. Within ten (10) feet of a fire hydrant;
7. Upon or in front of any private road or driveway without consent of the owner;
8. Double parked;
9. Excessive tickets (*without a parking payment plan, over \$500.00*);
10. For more than twenty-four (24) hours without the permission of the BUPD;
11. At any bus stop; or
12. If flagged by the parking office via AIMS program to be towed.

E. Prohibited Towing, Without Express Permission from the Chief of Police

1. Any government vehicle: and
2. Any vehicle registered to a foreign consular corps or consular officer bearing a distinctive number plate or conspicuously marked.
3. Vehicles that, through observation, are believed to be operated by undercover officers, confidential/concealed plate queries, or other members of public safety departments.
4. Brandeis University-owned vehicles.
5. Vehicles owned or operated by Brandeis university employees.

V. ABANDONED MOTOR VEHICLES [61.4.3 (1.A)]

All vehicles towed will be documented according to department procedure. Any inventories shall be done per the departmental *motor vehicle inventories policy*. Steps shall be taken to ensure there is no relationship between the owner/operator and Brandeis University community before towing. [61.4.3 (1.D)]

When a relationship exists, efforts should be made to instruct the parking office to make contact and bring the vehicle within compliance with the parking rules and regulations.

A. Definitions

- **Abandonment:** A vehicle left parked and unattended for 72 hours or more.²
- **Junk Car:** A vehicle with no salvage value.

B. Private Property Abandonment:

² M.G.L. c. 90, s. 22C, Section 4

To remove an abandoned motor vehicle from private property under G.L. c. 266, s. 120D, showing that the vehicle owner has been forbidden to park on the property either directly or by a posted notice (i.e., No Parking No Trespassing sign) is necessary. There is no 72-hour requirement on private property.

C. Property Owners Responsibility

In order to have the abandoned motor vehicle removed, the owner or the person having lawful control must provide the department with the following information:

1. The address from which the motor vehicle is being removed;
2. The address to which the motor vehicle will be moved;
3. The registration number (plate);
4. The name of the owner or person in lawful control of the property; and
5. The name of the person or tow company that will tow the motor vehicle.

The towed vehicle shall be stored in a convenient place, and the owner shall be liable for the tow and storage charges. Abandoning a motor vehicle on private property does not prevent police from charging the owner of the motor vehicle with Abandonment.³

D. Investigations of Abandoned/Junk Vehicles

Officers shall attempt to determine ownership and attempt to notify the owner by checking:

1. Registration plate;
2. Vehicle Identification Number (VIN);
3. Visible stickers, inspection or other types; and
4. Interior of vehicle for notes, letters, papers, materials, or other types of owner identification.

If any of the above results in the determination of the owner, that information shall be given to the tow facility, so that the tow facility may contact the owner also.

E. Vehicle Condition

If the vehicle has physical conditions indicating abandonment, pictures of the vehicle should be taken for evidence.

F. Investigation of an Abandoned Motor Vehicle

A police officer may search an abandoned motor vehicle for evidence to determine the owner and monitor the vehicle during the next three days.

³ M.G.L. c. 90, s. 22C, Section 5

G. If the Owner Contacts the Department

If within three days the owner contacts the department, [s]he will be ordered to remove the vehicle. The department's involvement is ended if the vehicle is removed.

H. If the Owner Cannot be Located

If the owner cannot be located within three days, the person who had last registered the vehicle may be issued a ticket for abandoning a motor vehicle.

VI. PROCEDURE TO TOW A MOTOR VEHICLE [61.4.3 (1.B, 1.C)]

Supervisors or the OIC shall be consulted prior to towing. Due consideration for the totality of the circumstances within the scope of the aforementioned procedures.

- A. Ensure the vehicle is in violation of this policy.
- B. Complete a CJIS (utilize existing internal programs) check for ownership. In cases where it is reasonable, attempt to contact the owner for removal;
- C. If contact cannot be made, next check the AIMS system to ensure they do not have a "DO NOT TOW" attached to their account (located in the comments section);
- D. Seek approval from the supervisor on duty;
- E. Notify a previously approved tow company to initiate the tow;
- F. Complete the motor vehicle tow sheet, noting any damage to the vehicle exterior, and general interior condition, and a detailed inventory if the vehicle is unlocked;
- G. Issue a local citation for a towable violation using the department's ticketing system (AIMS). Tickets may be handwritten or filed electronically.
- H. Initiate a "Case Report" and complete a narrative detailing the reason for the tow;
- I. Officers can email or print the case report and necessary supporting documentation to parking@brandeis.edu so that appropriate notification can be made to the owner on the next business day.

VII. MAINTAINING RECORDS OF ENFORCEMENT [61.4.3 (1.E)]

All vehicles towed will follow this policy.

- A. All vehicle tows shall be entered into the ARMS records management system. A report shall be generated and indicate the reason for the tow, any attempt to contact the owner, etc.

- B.** A copy of the report shall be sent via email or printed form and left for the Assistant Director of Parking and Traffic to follow up with the owner.
- C.** An inventory shall be conducted in accordance with the department's Motor Vehicle Inventories Policy.
- D.** All vehicle tows should also be logged in the "Tow Book" binder, which is located in dispatch.