

**VEHICLE AND TRAFFIC CONTROL REGULATIONS  
FOR  
THE UNIVERSITY OF MONTANA WESTERN**

**Revised December 1, 2016**



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THESE REGULATIONS WILL BE ENFORCED IN THEIR ENTIRETY; ACQUAINT YOURSELF WITH THEIR CONTENTS AS IGNORANCE OF THE REGULATIONS WILL NOT BE CONSIDERED IN APPEALS.

VEHICLE REGULATIONS  
FOR  
THE UNIVERSITY OF MONTANA WESTERN

I. PARKING ON COLLEGE PROPERTY

A. Vehicle Registration

Any motorized vehicle, including two-wheeled, such as motorcycles or scooters, to be parked by any faculty, staff, or student on University property or properties under University jurisdiction are to be registered with the Montana Western Business Services Office and have a current parking decal appropriately affixed to the vehicle except as noted below. The registered owner of the vehicle shall be responsible for all the violations recorded against that vehicle.

B. Decal Designations

1. "COMMUTER" parking permits are issued to faculty, staff and students of UMW that do not live in residence halls. Holders of these permits may park in any designated daily commuter parking area. Commuter permit holders are not allowed to park in Special Permit Only zones, Reserved Parking or Resident Parking areas. No 24 hour parking will be allowed in commuter, special permit or restricted areas or in any Commuter permit parking areas, unless authorized by the proper Business Services or Campus Services personnel.
2. "COMMUTER, RESIDENT OR RESERVED" permits can also be issued to two-wheeled vehicles, such as motorcycles or scooters. The same parking restrictions apply to two wheeled vehicles as those for other vehicles.
3. "RESIDENT" parking permits are issued to students, staff, or faculty living or working in Residence Halls. These persons must use Residence Hall lots and not commuter parking areas or special permit areas, (Reserved, MYC, Disabled, etc.), unless otherwise designated. Montana Youth Challenge permitted vehicles must park in MYC designated spaces only.
4. "RESERVED" permits are issued to faculty, staff and students for reserved parking on a first come, first served basis. These permits are issued to individuals for a specific parking space on campus. Although an individual may register more than one vehicle (see c.3), each reserve parking space will require payment of the full fee. No one else may park in these specific reserved parking spaces for any purpose between the hours of 7:00 am and 6:00 pm, Monday thru Friday, unless otherwise designated. Reserved Parking permit holders must park in their designated space and NOT in a general parking space.

5. "SPECIAL PERMITS"

- a. DISABLED permits are issued to any Western parking permit holders with a documented disability or a Montana handicap license plate. Faculty, staff or students requiring a temporary UMW disabled parking permit must be verified and approved by the Business Services. A doctor's certificate may be required. Holders of Montana Western Disabled permits may park in any University lot or the signed Handicap areas for a specified time period, dependent on need. Temporary disabled permits are issued to holders of existing decals without cost. Disabled permits may not park in commuter areas on a 24 hour basis.
- b. DISABLED permits issued by the State of Montana entitle any faculty, staff or students to park in University signed handicap areas only. Montana Western requests all faculty, staff or students register their vehicles with Business Services.
- c. TEMPORARY permits are issued to service, contract, maintenance and construction personnel. In addition, Temporary permits limited to specific areas may be issued to faculty and staff holding Commuter or Resident permits who have job-related parking needs. Misuse of the special permits may result in fines and cancellation. Unless a special case exists, Temporary permits are issued without cost.

6. SHORT-TERM PARKING: parking for short-term pick-up and delivery is provided in various, convenient locations around campus. The maximum length of stay is indicated at each location. This applies 24 hours a day.

7. VISITORS: A visitor shall be deemed to be any person, not faculty, staff or student, having occasion to park on the campus. This will include those attending conventions, meetings, workshops or having official business at Montana Western. Visitors are required to obtain no-cost courtesy visitor passes by application from the Business Services Office. Upon request, the Traffic Office will provide a packet of temporary visitor passes which may be filled in and distributed to visitors in advance of an event. Visitors, with a current Temporary Parking Permit, may park in any designated parking space except special permit zones, reserved parking, fire lanes, roadways, crosswalks and loading zones. Any alteration on a pass will constitute an expired permit and considered as a "NO DECAL" violation.

8. MOTORCYCLES AND OTHER TWO-WHEELED VEHICLES are to be registered, and decaled and must park in "Two-Wheeled Vehicle Only" lots (when such lots are provided).

C. Parking Fees and Decal Policies

1. All parking permits for faculty and staff are \$60.00 per academic year, per vehicle. Parking permits purchased for one semester are \$30.00. Interim and summer registration is \$30.00 for all or part of the combined period. A one semester permit may not be updated to an academic year permit after registration. Additional registration is required.

2. Reserved parking permits are \$200.00 per year per vehicle. The \$200.00 fee will provide the registered vehicle owner with one (1) assigned parking space. If the owner were to bring more than one vehicle, the second vehicle will be required to park outside the designated campus parking area, unless, the second vehicle also displays a valid UMW parking permit.

3. Ownership of a UMW parking permits does not guarantee that a space will be available at all times for that permitted vehicle.
4. Parking facilities may not be used unless permits are properly displayed in the permitted vehicle. For motorcycle application, the permit should be placed in a visible location on the motorcycle. All permits must be displayed in the vehicle by the 5<sup>th</sup> school day after the current semester begins.
5. Persons with a valid parking permit, who need to use a substitute vehicle, must obtain a no-cost permit from the Business Services Office. This is a temporary issue and the expiration date will be written on it at the time of issue.
6. The replacement fee for permits, for whatever reason, is \$7.50.
7. Enforcement hours as follows:
  - a. Commuter - Reserved - 7:00 am to 6:00 pm weekdays (except holidays).
  - b. Fire lanes, handicap, Quick Stop, loading docks and reserved parking - 24 hours a day, 7 days a week.
  - c. Residence Hall parking - 24 hours a day, 7 days a week.

#### D. Changes of Registration

1. Any changes in motor vehicle registration information must be immediately reported to the Business Services Office.
2. If any vehicle is sold, transferred, or destroyed, the College parking permit must be returned, or proof of removal must be provided to the Traffic Office for replacement of the permit, without charge. A replacement fee of \$7.50 is charged for decal not exchanged.

## II. GENERAL PARKING REGULATIONS

- A. State laws, city and county ordinances and University regulations will be enforced on Montana Western properties throughout all hours of the day or night.
- B. No vehicle shall be parked in any University parking area while undergoing major repairs or maintenance.
- C. Any abandoned or non-licensed vehicle left on University property may be towed away and turned over to the Dillon City Police Office, in accordance with the University towing policy as delineated below, and county abandoned vehicle regulations.
- D. Any vehicle parked on grass or other areas likely to be harmed by vehicles being parked thereon may be towed in accordance with the University towing policy as delineated below, and county abandoned vehicle regulations.
- E. No person shall stop, stand or park a vehicle, except to avoid conflict with other traffic or in compliance with the law or on the direction of a police, security officer, designated UMW traffic personnel or traffic control device, in any of the following places:
  - 1. On a sidewalk.
  - 2. In front of a public or private driveway.
  - 3. Within an intersection.
  - 4. Within 15 feet of a fire hydrant.
  - 5. On a crosswalk.
  - 6. Within 30 feet upon the approach to any traffic control signal.
  - 7. On any roadway or traffic lane if access or traffic is thereby impeded.
  - 8. In any area marked with yellow curbing or otherwise designated a no parking area.
  - 9. In any special permit, reserved, or handicap area unless with an appropriate permit.
  - 10. In any fire lane designated on the UMW campus map or by appropriate signs or yellow/red curb or pavement.
  - 11. In front of any loading dock or door or fire exit, so designated by appropriate sign.
  - 12. On grass or other areas likely to be harmed by vehicles being parked thereon.
- F. Pedestrians, at all times, have the right-of-way.
- G. No barricades or signs may be removed without proper authorization. Unauthorized removal or destruction of signs constitutes destruction of state property.

- H. The position of any vehicle when parked shall be such that the whole of the vehicle is located within the boundaries of the parking space. If a vehicle is too large for the space provided, it must be parked elsewhere.
- I. Driving a motor vehicle on University property, other than authorized roads, driveways, or parking areas is prohibited.
- J. Vehicles may be towed or wheel locked, at the owner's expense, from any special permit area, handicap permit area, reserved parking area, fire lane, fire hydrant or any special tow away zone. See the University towing policy for additional instances in which towing may be authorized.
- K. Bicycles must be operated in conformity to city ordinances and state law. Bicycles must have lighting equipment when operated at night. Bicycles are to be parked in racks where provided and may not block building entrances, doorways, hallways or fire exits. Bicycles may not be parked or stored within any campus building. Bicycles in violation of Western policies may be impounded and not released until all fines are paid.
- L. All motor vehicles parked on University property must be registered with the Business Services as herein provided.
- M. No parking shall be allowed in service drives, loading zones and fire lanes. Only persons so designated may park in visitor parking, visitor parking, Motor Pool/Heating Plant parking, Food Service parking or handicap parking.
- N. No vehicle shall be driven on campus in excess of 5 miles per hour.
- O. Designated employees have authority to issue tickets for violations and to enforce traffic regulations.

### III. PENALTIES

- A. The Montana statutes and the Regents of Higher Education have authorized Montana Western to levy fines against faculty, staff, students, or other individuals for violation of parking, traffic or registration regulations within campus boundaries. (MCA 20-25-312)
- B. Parking privileges may be cancelled for violation of traffic regulations or misuse of decals. Motor vehicles may be immobilized or towed for repeated violations of traffic regulations including failure to register after a warning.
- C. A habitual offender is defined as being any person who commits five or more violations of Western's Vehicle and Traffic Control Regulations in any twelve month period. Habitual offenders shall lose parking privileges for the remainder of the academic year.
- D. Moving violations may be prosecuted in city or county courts. Driving a motor vehicle on other than authorized roads, driveways or parking areas may be deemed by moving violation.



- E. At the end of each semester, students with unpaid fines may not be permitted to receive grades or re-enroll until all fines are paid. Unpaid fines at any point can be turned in for collection. At the end of each month fines not paid by faculty, staff and students employed by the University can be withheld from amounts owed to them as authorized by state statute. (MCA 20-25-312) This paragraph serves as official notification of action to be taken according to provisions of MCA 17-4-105.
- F. Rules not specifically set forth in these regulations may be recommended by the Campus Development Committee or the Traffic Appeals and Review Committee. (See paragraphs V and VII, E.)
- G. Falsifying information on registration application such as name, residence, license number or any other data required for registration of motor vehicle or motor driven cycle may result in a \$20.00 fine and/or revocation of parking privileges for the remainder of the academic school year.
- H. Schedule of violations:

Disability Parking Violations \$100.00  
 Violations \$20.00

- |   |                            |
|---|----------------------------|
| Fire Lanes  | Loading Zones              |
| Reserved Parking  | No Decal                   |
| Falsified Registration  | Special Permit             |
| Improper Parking  | No Parking Area            |
| Improper Decal  | Parking in Restricted Area |
| Using two parking spaces  | Other                      |
| Failure to display permit correctly (cannot read permit number) |                            |
| Altering the permit in any way                                  |                            |

In some cases parking privileges may be revoked or denied. Failure to pay the fine or file a traffic appeal within five business days of the date specified on the notice of traffic violation will constitute a second offense or offenses subject to fine.

#### IV. APPEALS

Traffic fines are payable at the Business Services Office. Anyone wishing to appeal a fine must follow the procedures outlined below:

If a faculty, staff, student or other individual wishes to appeal a citation, he/she must appear at the Business Services Office and file a notice of appeal. The appeal should be made in writing within five business days of the violation. Appeals will be reviewed by the Traffic Appeals and Review Committee. Fines established or upheld by the Traffic Committee are due upon notification.

#### V. THE TRAFFIC APPEALS AND REVIEW COMMITTEE

The Traffic Appeals and Review Committee is composed of representatives from the faculty, staff and student body and one ex officio, non voting member, from the Campus Services Department. The required voting membership or quorum shall be three. The Committee shall be directed by a chair appointed by the Chancellor. The chair shall have a vote.

#### VI. SPECIAL OCCASIONS AND EMERGENCIES

- A. On special occasions and emergencies, parking limitations can be imposed by the Vice Chancellor of Administration and Finance as required by the prevailing conditions.
- B. Exceptions to parking and traffic regulations must be authorized, in advance, by the Vice Chancellor of Administration and Finance (683-7031) or after hours, weekends and holidays with the Western boiler engineer or campus security officer (683-7141).
- C. Arrangements for parking trailers, large trucks and buses, must be made with the Business Services Office (683-7101), the Campus Services Office (683-7560), or after hours, weekends and holidays with the Western boiler engineer or campus security, (683-7141).
- D. Vehicles that have become disabled and cannot be moved under their own power MUST be reported immediately to the Business Services Office, Campus Services Office, or the boiler engineer or campus security officer. If reported, up to twenty-four (24) hours will be given to the individual to make arrangements to have the car moved before a citation will be issued. Exceptions to this will be made in sensitive situations in which case the car may have to be moved immediately. The University towing policy will apply.
- E. Faculty, staff or students who wish to load or unload materials around any building must obtain prior permission from the Business Services Office (683-7101) before the loading or unloading, except in designated Quick Stop areas.
- F. Any accident involving a vehicle on University property must be reported immediately to the Business Services Office and the Dillon City Police Office

683-3701. After normal working hours, the Heating Plant engineer or campus security should be contacted in conjunction with the Dillon City police.

## VII. GENERAL POLICY AND AMENDMENT

- A. All matters concerning parking and traffic should be referred to Business Services (683-7101) for assistance.
- B. The University of Montana Western assumes no responsibility for the vehicle or protection of any vehicle or its contents while operated or parked on the campus. Individuals are advised to lock vehicle doors at all times and remove tempting articles from their vehicles.
- C. Faculty, staff and students of the University shall be subject to such fines and penalties as are listed in these regulations.
- D. These regulations may be amended at any time and become effective by order of The Vice Chancellor of Administration, Finance and Student Affairs

## VIII. TOWING POLICY

- A. Vehicles will be towed or wheel locked at the owner's expense from the following areas: any special permit area, reserved permit area, disability parking, fire lane, fire hydrant, sidewalk, lawn, loading dock, short term unloading, or special tow-away. Vehicles considered abandoned will be towed to an off-campus location at the owners expense.
- B. In addition to A above, a vehicle may be towed or wheel locked at the owner's expense when it is left in such a position as to substantially endanger public safety, when said vehicle interferes with College functions or operations in such a manner that removal is imperative, or when said vehicle is parked on areas of the University likely to be harmed by vehicles being parked thereon (e.g. grass and garden surfaces).
- C. Any towing or wheel locking that has been done under the provisions of B above shall be subject to review by the Traffic Appeals and Review Committee.
- D. Vehicles abandoned or left standing on University property may be towed away. The University reserves the right to apply State statute (MCA 61-8-356) which sets a minimum time limit of 48 hours on streets and 5 days on other city, county or state property.
- E. Vehicles may be towed or wheel locked at owner's expense if the vehicle has accumulated five or more unpaid tickets.
- F. The map contained in the Motor Vehicle Regulations for UMW shall identify all fire lanes, disability and loading zones/Quick Stops, visitor parking, Commuter and Resident lots

- G. Costs of any towing done by order of the Campus Services found to be unwarranted on appeal to, or review by, the Traffic Appeals and Review Committee will be paid by The University out of appropriate funds.
- H. Vehicle owners may redeem their vehicles by paying the towing service operator fees, wheel lock fees, or both, plus any fines owed to Western.
- I. If a towing vehicle has been dispatched and the vehicle, to be towed, has moved it will be the responsibility of the vehicle owner to pay all dispatch fees.

**APPENDIX**

**RESOLUTION:**

WHEREAS the Campus Development Committee of The University of Montana Western has reviewed and made recommendations regarding the amendment of the vehicle regulations of The University of Montana Western to foster the convenience and safety of all personnel on the campus; and,

WHEREAS the adoption of the above vehicle regulations which include all approved amendments will facilitate the efficient operation of The University of Montana Western,

THEREFORE the above amended University of Montana Western Vehicle and Traffic Control Regulations for the 2016-2017 academic year are hereby adopted as of the 1st day of December 2016 to be promulgated and enforced from that date until amended in writing as herein provided and in accordance with authorization specified in section 20-25-312 of Montana Code Annotated and section 1002-1 of the Montana University System Policy and Procedures Manual.

Susan Briggs  
Vice Chancellor of Administration, Finance and Student Affairs  
The University of Montana Western

ITEM 135-1605-R0507 Authorization for The University of Montana Western to charge Motor Vehicle Registration Fees.

**THAT:** The Board of Regents of Higher Education authorizes the establishment of the following Motor Vehicle Registration Fees for students, faculty and staff at The University of Montana Western

Annual .....	\$ 60.00
One Semester.....	\$ 30.00
Motorcycle.....	\$ 60.00
Reserved.....	\$200.00
Emerick Lot Only(faculty & staff)	\$ 30.00

Permit Replacement Fee.....\$ 7.50 (151-104-R011)

**Section: 1002.1** Vehicle regulations and parking; Montana University System  
(From Policy and Procedures Manual/Montana Board of Regents of Higher Education)

Statutory authority: See § 20-25-312 MCA and § 49-4-307 MCA

Board policy:

- A. The presidents and chancellors of the campuses of the Montana University System are authorized to enforce rules and regulations concerning the parking and operation of vehicles upon the grounds, streets, drives and alleys of each campus.
- B. Except as noted in section C below, fines for violations of campus parking and vehicle regulations may be assessed in amounts not to exceed the campus schedule approved by the board of regents.
3. The fine for parking illegally in a designated handicap parking zone shall be \$100. Each campus shall post notice of the fine.

## Pertinent applications of the Montana Code Annotated:

**20-25-311. Motor vehicle regulation -- parking and operation.** The regents of the Montana university system are authorized to make rules at each unit of the university system concerning the parking and operation of motor vehicles upon the grounds, streets, drives, and alleys of each unit.

**History:** En. Sec. 1, Ch. 398, L. 1971; R.C.M. 1947, 75-8503.2.

**20-25-312. Motor vehicle regulation -- enforcement of regulations -- appeals.** (1) The regents may authorize the president of each unit to:

(a) assess fees for parking on campus subject to the approval of the regents after the regents' consultation with the respective student governing body of the unit;

(b) assess fines in accordance with a published schedule approved by the regents for violations of motor vehicle or parking regulations of each unit;

(c) order the removal of vehicles parked in violation of motor vehicle regulations of each unit at the expense of the violator;

(d) establish a system of appeals at each unit concerning parking violations;

(e) withhold the amount of any unpaid parking fine from any amount owing any student, employee, or faculty member, subject to the provisions of [17-4-105](#);

(f) prohibit a student from registering if the student has unpaid parking assessments or fines outstanding resulting from on-campus motor vehicle or parking violations within the previous year.

(2) The proceeds from fines and fees collected must be remitted to the unit at which collections are made and must be used for appropriate maintenance and construction of parking facilities and for traffic control.

**History:** En. Sec. 2, Ch. 398, L. 1971; amd. Sec. 1, Ch. 246, L. 1974; R.C.M. 1947, 75-8503.3; amd. Sec. 1, Ch. 150, L. 1979; amd. Sec. 1, Ch. 91, L. 1985; amd. Sec. 3, Ch. 160, L. 1985; amd. Sec. 1, Ch. 220, L. 2003.

**17-4-105. Authority to collect debt -- offsets.** (1) Once a debt of an agency has been transferred to the department, the department may collect it. The department may contract with commercial collection agents for recovery of debts owed to agencies.

(2) The department shall, when appropriate, offset any amount due an agency from a person or entity against any amount, including refunds of taxes, owing the person or entity by an agency. The department may not exercise this right of offset until the debtor has first been notified by the department and been given an opportunity for a hearing pursuant to [15-1-211](#). An offset may not be made against any amount paid out as child support collected by the department of public health and human services. The department shall deduct from the claim and draw warrants for the amounts offset in favor of the respective agencies to which the debt is due and for any balance in favor of the claimant. Whenever insufficient to offset all amounts due the agencies, the amount available must be applied first to debts owed by reason of the nonpayment of child support and then in the manner determined appropriate by the department.

(3) (a) The department may enter into an agreement with the federal government to offset against tax refunds payable by the federal government and pay to the state any taxes or other debts owed to an agency of the state. Except as provided in subsection (3)(c), the state may also enter into a reciprocal agreement with the federal government for the state to offset against tax refunds payable by the state and pay to the federal government any

taxes or other debts owed to the federal government.

(b) For purposes of offsetting of debts referred to in subsection (3)(a), offsets or payments will be made in the following priority:

(i) child support payments;

(ii) any debts that are owed to this state, an agency of this state as defined in [17-4-101](#), or a local government unit, including a county, city, town, consolidated city-county, school district, or local public entity with the authority to spend or receive public funds; and

(iii) any debts owed to the federal government.

(c) Taxes or debts that cannot be liened or levied upon pursuant to 26 U.S.C. 5000A(g) must be excluded from the offset.

(d) (i) The department may enter into an agreement with another state or an agency of another state to offset against tax refunds payable by the other state or agency of the other state and pay to this state any taxes or other debts owed to this state or an agency of this state.

(ii) To facilitate an agreement of the kind authorized by subsection (3)(d)(i), the department may enter into an agreement that allows the other state or agency of the other state to offset against tax refunds payable by this state the whole or part of an amount owed for taxes to the other state or agency of the other state. However, the department may enter into an agreement of the type authorized by subsection (3)(a) or (3)(d)(i) only if the other state or agency of the other state or the federal government allows the offset against tax refunds owed by the other state or agency of the other state or the federal government any taxes or other debts owed to this state or an agency of this state.

(e) A state or agency of another state or the federal government entering into an agreement with the department pursuant to subsection (3)(a) or (3)(d)(i) may not exercise the offset against tax refunds unless the other state or agency of the other state or the federal government has notified the taxpayer of the taxes due and has given the taxpayer an opportunity for review or appeal of the tax debt. Another state or agency of another state intending to offset taxes shall provide the department with proof of notification and opportunity for review or appeal before the offset is exercised.

(4) (a) A debt owed to the department of public health and human services or being collected by the department of public health and human services on behalf of any person or agency may be offset by the department if the debt is being enforced or collected by the department of public health and human services under Title IV-D of the Social Security Act.

(b) The debt does not need to be determined to be uncollectible as provided for in [17-4-104](#) before being transferred to the department for offset. The debt must have accrued through written contract, court judgment, administrative order, or a distribution the recipient was not entitled to retain as described in [40-5-910](#).

(c) Within 30 days following the notification provided for in subsection (2), the person owing a debt described in subsection (4)(a) may request a hearing. The request must be in writing and be mailed to the department. The person owing a debt is not entitled to a hearing if the amount of the debt has been the subject matter of any proceeding conducted for the purpose of determining the validity of the debt and a decision made as a result of that proceeding has become final. The hearing must initially be conducted by teleconferencing methods and is subject to the provisions of the Montana Administrative Procedure Act. The department of public health and human services shall adopt rules governing the hearing procedures.

(5) If the department determines that a person or entity has refused or neglected to file a claim within a reasonable time, the head of the state agency owing the amount shall file the claim on behalf of the person or entity. If the claim is approved by the department, the claim has the same force and effect as if it were filed by the person or entity. The amount due any person or entity from the state or any agency of the state is the net amount otherwise owing the person or entity after any offset, as provided in this section.

(6) A debt owed to a state agency by a local government may not be offset against a payment due to a local government pursuant to [15-1-121](#).



**History:** (1)En. 84-7105 by Sec. 5, Ch. 118, L. 1974; amd. Sec. 2, Ch. 248, L. 1977; Sec. 84-7105, R.C.M. 1947; (2), (3)En. Sec. 420, Pol. C. 1895; re-en Sec. 170, Rev. C. 1907; re-en. Sec. 151, R.C.M. 1921; Cal. Pol. C. Sec. 433; re-en. Sec. 151, R.C.M. 1935; amd. Sec. 1, Ch. 94, L. 1969; amd. Sec. 98, Ch. 326, L. 1974.; Sec. 79-101, R.C.M. 1947; R.C.M. 1947, 79-101(13), 84-7105; amd. Sec. 2, Ch. 160, L. 1985; amd. Sec. 1, Ch. 679, L. 1985; amd. Sec. 3, Ch. 419, L. 1989; amd. Sec. 28, Ch. 702, L. 1989; amd. Sec. 2, Ch. 429, L. 1993; amd. Sec. 15, Ch. 325, L. 1995; amd. Sec. 57, Ch. 546, L. 1995; amd. Secs. 4, 7, Ch. 589, L. 1995; amd. Sec. 1, Ch. 482, L. 1997; amd. Sec. 100, Ch. 552, L. 1997; amd. Sec. 2, Ch. 105, L. 1999; amd. Sec. 2, Ch. 236, L. 2003; amd. Sec. 1, Ch. 184, L. 2009; amd. Sec. 3, Ch. 338, L. 2015.

**61-8-356. Prohibition against parking or leaving vehicles on public property -- presumption of ownership.** (1) A vehicle may not be parked or left standing upon the right-of-way of a public highway for a period longer than 48 hours or upon a city street or state, county, or city property for a period longer than 5 days.

(2) The abandonment of a vehicle, other than a bicycle, on a public highway, a city street, public property, or private property creates a prima facie presumption that the last-registered owner of the vehicle is responsible for the abandonment and is liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less the amount realized if the vehicle is sold.

(3) The filing of a theft report with a law enforcement agency prior to the abandonment relieves the last-registered owner of liability under subsection (2).

**History:** En. Sec. 1, Ch. 288, L. 1967; amd. Sec. 1, Ch. 169, L. 1969; R.C.M. 1947, 53-901; amd. Sec. 13, Ch. 283, L. 1995; amd. Sec. 252, Ch. 42, L. 1997; amd. Sec. 35, Ch. 352, L. 2003.