

Police Department Manual (PDP)

PDP 207–02: Vehicles and Carts on Malls or Sidewalks

Effective: 2/5/1988

Revised: 11/1/2017

Purpose

To provide for the safety of all people using the malls, sidewalks, and other pedestrian areas on ASU campuses

Sources

Arizona Revised Statutes §§ 13–1201; 15–1627; 28–693, –904, –982, –1524, –3151A, –3169A

ASU Parking and Vehicle Control Regulations, Part IV, Paragraph B, Sections 4, 5, and 8

Policy

Authorization

Motor-powered vehicles and carts are only authorized to drive, operate, or park on a sidewalk, mall, or other pedestrian area on an ASU campus when an adjacent street is not accessible or compatible. No person shall operate or park any vehicle within pedestrian areas in violation of these conditions. Though all attempts will be made to adhere to this policy, emergency vehicles, used during the course of business, are exempt from these rules.

Required Training

The Authorized Driver Training course is required for anyone who drives an ASU vehicle or cart on campus malls. If you plan to drive an ASU vehicle on the mall or sidewalk areas, you must first complete the Authorized Driver process as referenced in [EHS 119](#), *Motor Fleet Safety*.

To register for training, access the ASU [Environmental Health & Safety Web site](#) and click on the Register for Training link.

Required Equipment

For information on required equipment, see Facilities Management, [FAC 204](#), *University Vehicle Policy*.

Personal Vehicles

In most cases, personal vehicles are not authorized to be driven or parked on any mall, sidewalk, or pedestrian area. Exceptions may be granted only with the approval of the director for Parking and Transportation Services (PTS) or his or her designee and if the personal vehicle is fitted with all of the above safety devices and displaying an appropriate ASU parking permit or vehicle inspection sticker.

Mall Access

An ASU vehicle that meets all of the above requirements for safe condition, safety equipment, and legitimate need for access to the campus can access a mall, unless that same access can be safely and reasonably made by using existing streets, driveways, or parking lots. Non-ASU vehicles must obtain a Vehicle Inspection sticker from PTS.

The Vehicle Inspection sticker shall contain:

1. the vehicle or cart's sponsoring department and vehicle number (permit number)
2. the date of expiration
3. names of malls or other areas to which access is allowed

and

4. contact cell telephone number.

A Vehicle Inspection sticker is not transferable and may not be used on any vehicle other than the one to which it has been issued.

Trailers being pulled or attached to vehicles or carts must have and properly display a separate Vehicle Inspection sticker.

State-owned vehicles or carts need not carry evidence of insurance, since they are insured by State Risk Management. Other vehicles must carry evidence of insurance in accordance with state law.

PTS scrutinizes each request for access to the campus and only issues stickers to those areas that must be reached to permit the holder to perform his or her function in a safe and timely manner. Whenever possible, access is limited to after normal business hours and during weekends to minimize the impact on pedestrian use of malls.

The department head or director is responsible for providing each authorized driver with a copy of this policy and a list of regulations.

Vehicles or carts that have not been issued a Vehicle Inspection sticker are not authorized access to the malls, and their authorized drivers shall be cited for violation of ASU *Parking and Vehicle Control Regulations*, Code 11 or Code 16, if he or she drives into or parks within that area.

Operation (Conditions of Permit)

Anyone operating a vehicle or cart on ASU malls, sidewalks, or pedestrian areas must comply with the following rules:

1. The vehicle or cart must successfully complete an annual safety inspection by Fleet Service and display the maintenance sticker on the windshield, dashboard, or body. The sticker must be visible from the front of the vehicle or cart.
2. The vehicle or cart must have a flashing yellow beacon and a forward-audible beeper that can be turned on when necessary while in motion on a mall, sidewalk, or pedestrian area. Under normal conditions the beeper or flasher need not be turned on; however, it must be operational. The flasher and beeper shall not be used while in motion on public roadways.
3. The vehicle or cart must have an accurate speedometer in operation, if originally equipped.
4. The speed limit for vehicles or carts on the malls, sidewalks, and pedestrian areas is 5 m.p.h. Authorized drivers who are not equipped with a speedometer are not exempt from this requirement, and should gauge their speed by observing pedestrians who normally walk at 3 to 4 m.p.h. When operating on public roadways, authorized drivers must obey posted speed limits and operate at a speed that is reasonable and prudent for conditions.
5. The vehicle or cart must be operated in a cautious, safe manner at all times; specifically, no vehicle may be used to transport more people at one time than the number for which it is designed and equipped; loads must be secured and may not extend beyond the front or sides of the vehicle, and authorized drivers must not leave keys in unoccupied vehicles.
6. The vehicle or cart must have a current license plate and registration document, properly displayed and on board at all times. Authorized drivers must carry a valid United States driver's license and an ASU ID card. The authorized driver must display these documents at the request of an employee of ASU Police Department (ASU PD) or any peace officer.

7. The authorized driver of a vehicle or cart must always yield the right-of-way to pedestrians and bicyclists encountered on malls, sidewalks, and pedestrian areas. Authorized drivers must yield the right-of-way in accordance to state law and the rules of the road when operating on public roadways.
8. The authorized driver may access only those malls and other areas authorized by their Vehicle Inspection sticker, and may not operate or park in any other pedestrian areas. Vehicles or carts that are not wider than 48" may use bike paths, but may not stop or park on the bike paths. Vehicles or carts may not be used on bike lanes that are designed for bicycles as part of a public roadway.
9. The authorized driver of a vehicle or cart that is equipped with turn signals must use them as far in advance of a turning movement as possible; authorized drivers without turn signals must give appropriate hand signals, also as far in advance as possible. Vehicles without turn signals may be driven only in daytime.
10. A vehicle or cart operated between sunset and sunrise must have (all original) lighting equipment, and in no case may a vehicle operate with less than one headlight and one red taillight. No vehicle may be operated at any time of the day without at least one operational brake light.

and

11. No authorized driver may operate a vehicle or cart that is unsafe or not properly equipped as required by this policy. An unsafe condition includes, but is not limited to, oil leaks, worn tires, faulty brakes or steering, burned-out lights, or inoperative beepers.

Enforcement

Fleet Service may not issue a Vehicle Inspection sticker to any vehicle or cart unsafe or not equipped, licensed, and documented as required by this policy.

In cases involving violations by a vehicle or cart owned by the state on malls and pedestrian areas, employees of ASU PD who observe violations of this policy within the jurisdiction of ASU can take the following enforcement actions:

1. give a written or verbal warning to the authorized driver and to the department head
2. issue an ASU citation for violation of ASU *Parking and Vehicle Control Regulations*, Code 11 or Code 16

and

3. issue an ASU citation as in the preceding two steps, with the instruction that the citation will be excused if the equipment problem is corrected within five school days.

In cases involving moving violations by a vehicle or cart not owned by the state on malls and pedestrian areas, certified employees of ASU PD who observe violations of this policy within the jurisdiction of ASU can also issue a state of Arizona moving violation citation through the Tempe justice court for violation of *Arizona Revised Statutes* § 28-904, "Driving on a Sidewalk."

In addition to issuing citations, ASU PD employees may, at their discretion, revoke and physically remove the Vehicle Inspection sticker of any vehicle found to be unsafe, i.e., lacking safety equipment, or when its authorized driver violates the permit conditions or any law.

In accordance with *Arizona Revised Statutes* § 28-1524, an owner, department head, director, supervisor, or other person employing or otherwise directing the authorized driver of any vehicle who requires or knowingly permits the authorized driver to operate in any manner contrary to the law on a public roadway is guilty of a class 2 misdemeanor. ASU PD police officers may arrest, cite, and release anyone who causes authorized drivers to break the law in this manner. Similarly, violations committed on the malls, sidewalks, or pedestrian areas of ASU at the direction or knowledgeable permission of the authorized driver's supervisor may be used to cite the supervisor as well as the authorized driver.

Only ASU police officers may issue a state of Arizona motor vehicle citation or arrest. An ASU police officer, an ASU police aide, or an ASU parking enforcement officer may issue a mall citation. Should ASU police aides or parking employees encounter resistance or noncooperation with regard to the vehicle control regulations, they should summon a police officer. The officer may, at his or her discretion, order the state-owned vehicle or cart parked, or seize its keys, and return them to the appropriate department head. The officer may elect to impound the vehicle in extreme cases. In any event, a departmental report is completed and a copy forwarded to the appropriate department head or director.

Procedure

Responsibility	Action
Department head, director, or individual	<ol style="list-style-type: none"> 1. Forward a written request for a Vehicle Inspection sticker to Parking and Transportation Services. The written request shall document the need for access to specific areas and the number of vehicles needing stickers, number of days requested and vendor contact information (telephone and email address).
Fleet Service	<ol style="list-style-type: none"> 2. If necessary, review the written request and determine if the request for access is justified. <p>If the request is justified:</p> <ol style="list-style-type: none"> 3. Contact the department or individual and schedule a time for inspection of the vehicle or cart. 4. Perform the inspection of the vehicle or cart to ensure that it is in safe condition, that it has proper documentation, and that all safety devices are present. Collect the inspection fee. 5. Verify that the vehicle/cart has a valid ASU campus decal. 6. Provide the department or individual with the appropriate Vehicle Inspection sticker and a copy of this policy. <p>If the vehicle or cart does not pass inspection:</p> <ol style="list-style-type: none"> 7. Provide the authorized driver with a list of corrections to be made.
Department head, director, or individual	<ol style="list-style-type: none"> 8. Make necessary repairs and modifications, and schedule a re-inspection.
Fleet Service	<ol style="list-style-type: none"> 9. Re-inspect the vehicle or cart. <p>If the vehicle or cart complies with inspection requirements:</p> <ol style="list-style-type: none"> 10. Issue the appropriate Vehicle Inspection sticker. (Note: The "Mall Access" permit has been changed to a "Vehicle Inspection" sticker).
Department head or director	<ol style="list-style-type: none"> 11. Control the use of all Vehicle Inspection stickers issued to the department.

ASU Police Department	12. Enforce the laws, rules, and regulations established for the use of vehicles or carts on campus.
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Cross-References

For more information, see

1. Academic Affairs Policies and Procedures Manual, [ACD 126](#), "References Check and Background Verification"
2. Environmental Health and Safety Manual, [EHS 115](#), "Incident Reporting and Investigation"
3. Environmental Health and Safety Manual, [EHS 119](#), "Motor Fleet Safety"
4. Environmental Health and Safety Manual, [EHS 705-02](#), "Vehicle Loss Insurance Recovery"
5. Environmental Health and Safety Manual, [EHS 705-08](#), "University Volunteer Insurance Coverage"
6. Facilities Management Manual, [FAC 204](#), "University Vehicle Policy"
7. Staff Personnel Policies and Procedures Manual, [SPP 319](#), "Driver's License Monitoring"
8. Staff Personnel Policies and Procedures Manual, [SPP 801](#), "Employee Conduct and Work Rules"
9. Staff Personnel Policies and Procedures Manual, [SPP 808](#), "Performance Management for University Staff"
10. Staff Personnel Policies and Procedures Manual, [SPP 809](#), "Discipline"

and

11. Staff Personnel Policies and Procedures Manual, [SPP 1010](#), "Termination of University Staff Employment"