

Parking and Transportation Services Manual (PTS)

PTS 401: Parking Citations Appeals

Effective: 9/1/1957

Revised: 11/1/2024

Purpose

To describe procedures for appealing an ASU parking citation

Sources

Arizona Revised Statutes § 15–1627

ASU Parking Rules and Regulations

Policy

Any parking citation issued at ASU may be appealed through a two-level process. The consecutive levels of appeal are:

First Level: Parking and Transportation Services (PTS) Appeals office.

Second Level: Parking Citations Appeals Board (PCAB)

Remedies at the first level must be exhausted before appeals at the second level may be pursued.

First-level Appeal

Operators cited for parking violations have seven calendar days, exclusive of the day of issuance, to appeal. If this time period expires, PTS reasonably assumes that the operator or vehicle owner has accepted responsibility for the citation. Failure to appeal within this seven-day period waives any right by the permit holder, vehicle owner, or vehicle operator to appeal the citation.

The PTS Appeals office will consider the appeal and determine whether the citation should be dismissed, modified, transferred, or upheld. PTS keeps permanent records of all documentation submitted by the appellant and/or used by the appeals office for adjudicating the appeal.

The following citations can only be appealed if the responsible customer felt they were issued in error; any other reason will not be considered and the appeal will be automatically cancelled. These citations are also not eligible for consideration of a seven (7)-day appeal period.

Code	Code Description
1	<u>Improper Parking **Warning**</u>

Second-level Appeal (PCAB)

The PCAB is the review authority for PTS appeals officers' decisions. Comprised of faculty, staff, and students, the PCAB exists totally separate and apart from PTS. For a complete description of the PCAB and its procedures, see [PTS 402](#), "Parking Citations Appeals Board."

The Appeals office decision must be appealed within 14 calendar days, exclusive of the day of the Appeals office decision. Appeal of this decision must be made in writing to the PCAB. The appeal must state in detail the grounds wherein the appellant believes the appeals office erred. An appeal may be summarily dismissed by the PCAB for failure to comply with this provision.

Judicial Review

Appellants who wish to contest the decision reached by the PCAB may seek judicial review by Maricopa County Superior Court. The court charges a filing fee.

Procedure

First-level Appeal

<u>Responsibility</u>	<u>Action</u>
	Within 7 calendar days of receiving the citation, exclusive of the day of issuance, to appeal:
Appellant	1. File an ASU Parking Citation Appeal form and supporting documents. All documents may be submitted using online services , in person, by mail, by e-mail, or by fax to the Parking Office on the campus where the citation was received.
Parking Office	2. Verify documents submitted and the ASU ID card (or driver's license); forward the documents to the appeals officer for review and adjudication.
Parking and Transportation Services Appeals office	3. Review the appeal documents to assess the validity of the citation and/or any extenuating circumstances prohibiting the appellant from complying with the regulations.
	If finding that the violation was improperly cited and/or the citation was improperly written, or mitigating factors existed:
	4. Dismiss, modify, void, or transfer the citation under appeal.
	If finding that the violation was properly cited and/or written, and that mitigating factors or circumstances did not exist:
	5. Uphold the citation under appeal.

Second-level Appeal (PCAB)

To appeal the decision of the Parking and Transportation Services (PTS) Appeals office, follow this procedure.

<u>Responsibility</u>	<u>Action</u>
	Within 14 calendar days, exclusive of the day of the appeals officer's decision:
Appellant	<ol style="list-style-type: none"> 1. Present to the Parking Citations Appeals Board (PCAB) secretary in the PTS Appeals Office: <ol style="list-style-type: none"> a. a copy of the adjudicated ASU Parking Citation Appeal form and b. the receipt for the citation payment in full.
Parking Citations Appeals Board (PCAB) secretary	<ol style="list-style-type: none"> 2. Provide the appellant with written instructions and PCAB forms to complete in full, ensuring that a current mailing address and telephone number are included.
Appellant	<ol style="list-style-type: none"> 3. Complete the necessary forms, attaching copies of any supporting documentation. Submit the appeals packet to the PCAB secretary.
	At least one week in advance of the date and time of the board meeting:
PCAB secretary	<ol style="list-style-type: none"> 4. Notify the appellant. Note: The appellant may present the appeal personally or submit a written appeal in absentia. 5.
PCAB	<ol style="list-style-type: none"> 5. Process, review, and adjudicate the appeal.
	Upon arriving at a decision to modify, transfer, or uphold the citation:
	<ol style="list-style-type: none"> 6. Notify the appellant of the decision.

Cross-References

For information on parking citations, see the policies in [PTS 301](#), "Parking Citations ." For more information about appealing parking citations, see:

1. [PTS 402](#), "Parking Citations Appeals Board."
2. [PTS 403](#), "Administrative Dismissal of Citations"
- and
3. [PTS 404](#), "Release of Citations/Appeals Information."