

Parking and Transportation Services Manual (PTS)

PTS 402: Parking Citations Appeals Board

Effective: 9/1/1970

Revised: 7/1/2023

Purpose

To describe the authority, composition, and procedures of the Parking Citations Appeals Board

Sources

Arizona Revised Statutes §§ 15–1627; 38–431

Arizona Board of Regents Policy Manual - 5-102

ASU Parking Rules and Regulations

Policy

Authority

The Parking Citations Appeals Board (PCAB) is an administrative university committee composed of students, faculty, and staff. The PCAB is the review authority for Parking and Transportation Services (PTS) parking appeals officers' decisions. Its purpose is to impartially adjudicate appeals in accordance with applicable Arizona state law and the ASU *Parking Rules and Regulations*.

PCAB is authorized to establish its own procedural rules and to function through administrative subunits in keeping with the mission given to it by the university president, the policies of the Board of Regents and the laws of the State of Arizona. Although secretarial support and record keeping are provided by PTS, the PCAB is not a division of PTS. PCAB is under no obligation to support, endorse, or otherwise agree with decisions made by PTS appeals officers.

Membership

The board comprises up to nine student members (recommended by the president of ASASU), up to nine faculty members, and up to nine staff members. Members serve two-year terms but may be reappointed to additional two-year terms. The president appoints one member to serve as chair of the board.

A "session of the board" denotes a meeting of three members to hear and determine an appeal. Three members of the board hear each appeal and render a decision. A majority of two of the members is sufficient to render a decision.

Notice of Sessions

Not less than 24 hours' notice of sessions shall be provided to board members and to the public. Members are notified via email, campus mail or first-class mail. The public is notified by the posting of scheduled board meeting dates in the PTS Office. Appellants are notified in writing, via email, campus or first-class mail, of both hearing dates and appeal dispositions. Each meeting notice shall also contain an agenda. With the exception of executive sessions scheduled only with a majority vote of the members and limited to those specific items described in *Arizona Revised Statutes § 38-431.03*, all meetings are open to the public in compliance with the Open Meeting Law.

Rulings

Hearings are administrative proceedings not subject to formal rules of evidence. A tape recording is made of all hearings and stored for 90 days. Decisions of the board must be based on a review of all evidence submitted in accordance with Arizona state law and the ASU *Parking Rules and Regulations*.

Rehearings

The board may grant a rehearing of any ruling only when its decision should be changed because of an error of fact or law. The board has discretion to deny a request for a rehearing without affording the appellant an opportunity to be heard.

Procedure

First-level Appeal

Responsibility	Action
Parking Citations Appeals Board (PCAB) secretary	<ol style="list-style-type: none">1. Schedule board panel sessions, notifying members and appellants, and posting notices for the general public.2. Designate presiding members for each board session.3. Record the proceedings, as required, maintaining records as directed.4. When appellants do not attend hearings in person, notify them of the board's decisions.
Presiding board member	<ol style="list-style-type: none">5. For each case to be heard, state the name of the appellant, whether the appellant is present, and summarize the written appeal.6. Ensure that the proceeding is confined to the issues of the specific case.
	If desired:
Appellant	<ol style="list-style-type: none">7. Present case, examine witnesses, and offer supporting documents. <p>Note: Unless specifically waived by the board, each presentation is limited to 15 minutes.</p> <ol style="list-style-type: none">3.
PCAB members	<ol style="list-style-type: none">8. Ask questions of the appellant or any witnesses, as desired.
	On each appeal heard:
	<ol style="list-style-type: none">9. Vote on a motion to affirm, reverse, or modify a decision of a parking appeals officer.
Presiding board member	<ol style="list-style-type: none">10. Cast a tie-breaking vote when necessary.11. Advise the appellant of the board's 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 401](#), "Parking Citations Appeals"
2. [PTS 403](#), "Administrative Dismissal of Citations"

and

3. [PTS 404](#), “Release of Citations/Appeals Information.”