Memorandum to Presidents

Date: December 21, 1983

From: Office of the Vice Chancellor for Employee Relations and Educational Services
       Office of the University Counsel and Vice Chancellor for Legal Affairs

Subject: Campus Law Enforcement (Appearance Tickets) and Traffic Control (Department of Transportation Orders)

To: Presidents, State-Operated Campuses

We call to your attention two recent developments affecting campus law enforcement and traffic control.

--The Education Law, §355(2)(m), has been amended by chapter 969 of the Laws of 1983, to authorize State University peace officers to issue "appearance tickets" for offenses of less than felony grade. Under the Criminal Procedure Law, an "appearance ticket" is a written notice directing a designated person to appear in the local criminal court in connection with the alleged commission of a designated offense. Prior to this amendment, in all cases of arrest for offenses less than felony grade, University peace officers generally were required to bring an arrested person immediately to the local police for necessary post-arrest procedures and appearance in a criminal court. This amendment, sought by the University to remedy an omission in the Unified Peace Officer Law, should aid the law enforcement efforts of University peace officers.

--The New York State Department of Transportation (DOT) has recently advised the University that the Department will no longer issue orders to State University regulating vehicular and pedestrian traffic on campus roadways. Such orders embody the traffic regulations in effect for each of the State-operated campuses. Orders previously issued by that Department, however, will remain in force until modified by the University. The University's own authority to regulate campus roadway traffic or parking under Education Law, §362, is not affected.

DOT will continue to provide assistance in conducting studies or evaluating specific traffic or parking problems with recommendations to be incorporated into University regulations. Advice concerning any traffic and parking problems or order
changes may be initiated with the DOT Regional Office Traffic Engineer for your campus. DOT's Main Office will receive recommendations from Regional DOT Offices and will cooperate with University Counsel and the Office of Public Safety Services in Central Administration in finalizing recommended changes. These recommendations will be forwarded to the campus for review prior to formal adoption.

If you have any questions, please call University Counsel (518-473-7591) or the Office of Public Safety Services (518-473-1055).

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James S. Smoot

cc: Directors of Public Safety, State-Operated Campuses

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