


<b>Standard Operating Policy &amp; Procedure</b>		
<b>A-038</b>	Bicycles: Registration, Locks, Securing & Abandonment	
<b>Scope:</b> Medical Campus		
<b>Effective Date:</b> 12/23/2011		<b>Supersedes Policy:</b> N/A
<b>Review/ Revision Date(s):</b> 01/12/2012		
<b>Last Update By:</b> John Pepper		<b>Approved by:</b> Anthony Artrip
	UNIVERSITY OF MIAMI <b>MILLER SCHOOL</b> of MEDICINE	<b>Security Department</b> 1051 NW 14th Street, Suite 145 Miami, FL 33136 (305) 243-7233

**Purpose**

To outline all bicycle policies and programs in effect on the University of Miami Medical Campus.

**Policy**

All bicycles used, kept or otherwise on the University of Miami Medical Campus are required to be officially registered with University of Miami through the Security Department, kept in working order, and secured a designated bicycle rack with a functional lock whenever not in use. All registered bicycle owners who utilize their bicycle on campus at least 5 days per month may be permanently issued one free U-lock issued by the University. Any bicycles in violation of this policy are subject to being secured, impounded and/ or confiscated by University of Miami Security under the specific procedures outlined.

**Procedures**

- 1.0 DEFINITIONS:
  - 1.1 "Officially registered bicycle" means a bicycle that has an official, unique University of Miami registration sticker affixed to it, all necessary bicycle and owner identification information successfully entered into the University of Miami bicycle registration database, and a U-lock issued to the owner.
  - 1.2 "University of Miami issued U-lock" means a unique U-style bicycle lock, or U-lock, that University of Miami has permanently issued to a bicycle owner at the time of official bicycle registration.
  - 1.3 "Non-secured bicycle" means all tangible bicycles that are either left unattended without any form of locking device that secures the

bicycle to a designated bicycle rack, or left unattended with an insufficient cable style bicycle lock securing the bicycle to a designated bicycle rack.

- 1.4 "Improperly secured bicycle" means all tangible bicycles that are left unattended and secured with any type of locking device to any object other than a designated bicycle rack.
  - 1.5 "Abandoned bicycle" means all tangible bicycles that are presumed, by reasonable aesthetic standards, to be disposed of on University property in a partially or fully wrecked, inoperative, or dismantled condition or has no apparent intrinsic value to the rightful owner.
- 2.0 REGISTRATION & U-LOCK ISSUANCE: All students, faculty and staff who utilize a personally or departmentally-owned bicycle on the Medical Campus are required to officially register their bicycle with the University through the Security Department. As part of the registration process, a unique University bicycle registration sticker will be affixed to the bicycle; bicycle and owner identification information will be captured in the University bicycle registration database. In addition, if the bicycle owner utilizes their bicycle on campus a minimum of 5 days per month, one U-lock will be permanently issued to the bicycle owner free of charge for use to secure the bicycle while on campus.
- 2.1 The official registration process which must be followed by all students, faculty and staff encompasses the following:
    - 2.1.1 A student, faculty or staff member must personally appear with their legally owned bicycle and their University-issued identification at the Security Operations Office, located in Dominion Garage Suite 160 (1051 NW 14<sup>th</sup> Street, Miami, FL 33136) between the hours of 9am and 4:30pm, Monday through Friday, excluding University holidays and closures. It is recommended that the office be contacted in advance by calling: 305-243-7457. Upon arrival, bicycle owners will activate the intercom and state that they are present to register their bicycle.
    - 2.1.2 University security personnel will present the bicycle owner with Bicycle Registration & U-Lock Issuance Form A-038A. This form collects basic bicycle and owner identification information, including the bicycle serial number, and requires the registrant to affirm under penalty of law and University disciplinary action the following statements:
      - 2.1.2.1 I affirm under penalty of law and University policy that I am the legal and sole owner of this bicycle,

or am registering this bicycle on behalf of a University Department which is the legal and sole owner.

- 2.1.2.2 If I am accepting a free bicycle lock, I affirm under University policy that I will utilize the bicycle I am registering on the campus indicated above for the number of days each month indicated. I understand that in order to be eligible to receive a free bicycle lock, I must utilize my bicycle on campus a minimum of 5 days per month.
  - 2.1.2.3 If I am accepting a free bicycle lock, I affirm under penalty of law and University policy that I have not previously received a free U-lock under the terms of this program.
  - 2.1.2.4 If I am accepting a free bicycle lock, I affirm that the University assumes absolutely no liability associated with the use of this lock, including lock maintenance, lock breakage, lock failure, lock rusting, lost keys, bicycle theft, theft of parts from the bicycle and every other possible issue. I am solely responsible for the lock, the lock keys and every action taken with such
- 2.1.3 Security personnel will personally verify that the serial number on the bicycle and the serial number listed on the form match. In addition, security personnel will photocopy the owner's University identification card into the designated space on the registration form, and also take a digital photograph of the bicycle.
- 2.1.4 Upon completion of the form, university security personnel will issue an official University bicycle registration sticker and assist the owner in affixing it to a visible area on the frame of the bicycle. The sticker must be affixed to the frame at this time; the owner may not leave with the registration sticker in hand.
- 2.1.5 If the bicycle owner affirms that they utilize their bicycle on campus a minimum of 5 days per month on the form, university security personnel will permanently issue one U-lock free of charge to the owner which must be used to secure the bicycle while on campus.
- 2.1.6 If the bicycle owner does not affirm that they utilize their bicycle on campus a minimum of 5 days per month on the

form, they may purchase a U-lock at current market value, but will not be issued a free U-lock.

2.1.7 Any person with University-issued identification can purchase a U-lock at current market value. Bicycle U-locks are sold in the Security Administration Office, located in Dominion Garage Suite 145 (1051 NW 14<sup>th</sup> Street, Miami, FL 33136) between the hours of 9am and 4:30pm, Monday through Friday, excluding University holidays and closures.

2.1.8 Completed bicycle registration forms will be kept in a secured location and entered by security personnel into the University's restricted access bicycle registration database. Data in the database will only be used for official purposes by authorized University personnel.

2.2 Bicycles in violation of this policy are subject to being secured, impounded and/ or confiscated by the University of Miami under subsequent clauses within this policy.

3.0 **MANDATORY SECURING:** All students, faculty and staff who utilize a personally or departmentally-owned bicycle on the Medical Campus are required to keep their bicycles secured to a designated bicycle rack with an appropriate lock (or U-lock if so issued by the University) whenever not in use.

3.1 The University makes a significant number of designated bicycle racks readily available throughout the Medical Campus for use by all students, faculty and staff. Under no circumstances are bicycles ever permitted to be secured to anything other object.

3.2 Though a bicycle owner who has been issued a U-lock by the University must utilize the U-lock, nothing in this policy precludes an owner from utilizing any additional reasonable secondary or tertiary method to secure their bicycle to a designated bicycle rack.

3.3 Bicycles in violation of this policy are considered to be a non-secured bicycle or an improperly secured bicycle and are subject to being secured, impounded and/ or confiscated by the University of Miami under subsequent clauses within this policy.

4.0 **UNSECURED BICYCLES:** Bicycles left on the Medical Campus in a non-secured or improperly secured manner as defined by this policy, may be secured by University security personnel to the nearest designated bicycle rack with a University-controlled "red" U-lock. The intention is to prevent theft and inform the bicycle owner of the bicycle registration and free lock program.

- 4.1 A laminated Non-Secured Bicycle Notice must be attached by Security personnel to the bicycle in a conspicuous manner with the following statement:
    - 4.1.1 **NON-SECURED BICYCLE NOTICE.** Your bicycle was found to be “Non-Secured” by University of Miami Security personnel. “Non-Secured” means unsecured or secured with a cable lock. Per University policy A-038, your bicycle has been secured with a University-controlled “red” U-lock that can only be removed by authorized University Security personnel. To have the lock removed you must appear in person at the Security Operations Office, located in Dominion Garage Suite 160 (1051 NW 14<sup>th</sup> Street, Miami, FL 33136) between the hours of 9am and 4:30pm, Monday through Friday, excluding University holidays and closures, with your University issued identification and complete Bicycle Release Form A-038B supplied by security. It is recommended that the office be contacted in advance by calling: 305-243-7457. There are no fees or charges associated with this policy.
    - 4.1.2 Such notice shall be not less than 4 inches by 5 inches and shall be sufficiently weatherproof to withstand normal exposure to the elements.
  - 4.2 Security personnel will have the owner complete Bicycle Release Form A-038B, affirming under penalty of law and University disciplinary action that the claimant is the legal owner of the bicycle. The University’s bicycle registration database may also be utilized for verification of ownership. The owner will then be escorted to the bicycle by security personnel, and the red U-lock will be removed. If the owner has not yet registered their bicycle and received their one free U-lock, then one may be issued at this time.
  - 4.3 If after 90 days have passed no rightful owner has come forth to claim the bicycle, it is subject to being impounded by the University of Miami under subsequent clauses within this policy.
- 5.0 **ABANDONED BICYCLES:** All tangible bicycles that are presumed, by reasonable aesthetic standards, to be disposed of on University property in a partially or fully wrecked, inoperative, or dismantled condition or have no apparent intrinsic value to the rightful owner will be preliminarily considered abandoned.
- 5.1 Whenever university security personnel make a preliminary determination that an abandoned bicycle is present on the Medical Campus, University of Miami Security personnel shall post a notice upon the bicycle with the following statement on it:

- 5.1.1 ABANDONED BICYCLE WARNING NOTICE. NOTICE TO THE OWNER OF THIS BICYCLE. This bicycle appears, by reasonable standards, to be abandoned. It is therefore unlawfully upon private property known as the University of Miami and must be removed within 20 days; otherwise, it will be removed and disposed of pursuant to University policy A-038. The owner may be liable for the costs of removal, storage, and publication of this notice. Please contact the University of Miami Security at the telephone number listed below or remove the bicycle from this general location within 20 days. Removing this notice will not prevent confiscation. Dated and signed by the University of Miami Security Department: (305) 243-9466.
- 5.1.2 Such notice shall be not less than 8 inches by 10 inches and shall be sufficiently weatherproof to withstand normal exposure to the elements.
- 5.2 If, at the end of 20 days after posting the notice the owner has not removed the bicycle from the general area, contacted security to advise that the bicycle is not abandoned, or shown reasonable cause for failure to do so, the bicycle will be considered to be officially abandoned. University Security personnel shall take custody of the bicycle by whatever means necessary, including forcible removal and/ or breakage of any locking mechanisms, and retain custody of the bicycle for 90 days.
- 5.2.1 The bicycle may be stored during this 90-day period in any location deemed secured and appropriate by the Director of Security, including under the direct control of another University of Miami unit when so authorized.
- 5.2.2 In this 90-day time period, a picture of the bicycle shall be posted on a special "abandoned bicycle" section of the University of Miami Security Department Website ([www.security.med.miami.edu](http://www.security.med.miami.edu)) as to allow additional opportunity for the rightful owner of such bicycle to come forward. In addition, this policy will be posted in its entirety on such webpage.
- 5.3 If the rightful owner of the bicycle comes forward in this 90 day period, and can prove ownership, the bicycle shall be returned to such owner. Ownership may be proven by referencing a registered bicycle in the University bicycle registration database, displaying a receipt of purchase with serial number, or by any other reasonable documentation. The claimant will be required to complete Bicycle Release Form A-038B, and provide their University issued

identification for copy onto the form. If ownership cannot be proven by any of the aforementioned means, Bicycle Release Form A-038B will serve as a legally binding affidavit attesting to the sworn ownership of the bicycle by the claimant.

5.3.1 At the discretion of the University, such owner may be ordered to pay any or all costs associated with the removal and storage of such bicycle.

5.4 If after 90 days have passed no rightful owner has come forth, the rightful owner is assumed to have forfeited her or his bicycle to the University, and the University becomes the rightful owner. Upon assuming ownership, the University may permanently retain any or all of the bicycle for the University's own use, trade such bicycle to any unit of government or private enterprise, donate the bicycle to any individual or charitable organization, sell the bicycle, or dispose of the bicycle through appropriate pre-established refuse removal procedures.

5.4.1 If the University elects to sell the bicycle, it must do so at public sale by competitive bidding. Notice of the time and place of the sale shall be given by an advertisement of the sale posted on the University of Miami Security Department website for 2 consecutive weeks prior. The notice shall include a statement that the sale shall be subject to any and all liens. The advertisement must include a general description and the time and place of the sale.

5.5 The known owner of any abandoned bicycle who, after notice as provided in this section, does not remove such property within the specified period may be held liable to the University for any or all costs of removal, storage, and destruction of such bicycle, less any salvage value obtained by disposal of the property.

5.6 Whoever opposes, obstructs, or resists any University personnel in the discharge of duties assigned by the Security Department as provided in this section may face criminal and/ or University disciplinary charges.

5.7 Any University personnel authorized by the Security Department to perform bicycle seizure duties is immune from University disciplinary charges pertaining to the rightful performance of his/ her assigned duties.

5.8 **EXIGENT SITUATIONS:** Whenever University of Miami Security personnel identify a bicycle, which in the opinion of such personnel poses a clear public safety hazard simply by its presence or location including, without limitation and for purposes of example

only, broken, sharp and/or protruding spokes, disjointed or unattached wheels or tires, severely damaged frames or tire rims, severe rust, location of the bicycle which causes a trip-hazard, location of bicycle to cause a danger of projectile during a hurricane, tornado or violent storm, it may be confiscated without any prior notice. Once in University of Miami custody, the bicycle will be treated as abandoned and all procedures outlined above will be followed.

- 6.0 Nothing in this policy precludes or relieves responsibilities set forth in other department or University of Miami policies.