

A Brief Report on Parking Signage

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Federal Requirements for Parking Signage for Persons with Disabilities

Title III, Part 36, Appendix A (ADA Accessibility Guidelines for Buildings & Facilities)

- **4.6.4* Signage.** Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility (see 4.30.7). Spaces complying with 4.1.2(5)(b) shall have an additional sign "Van-Accessible" mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.
- **A4.6.4 Signage.** Signs designating parking places for disabled people can be seen from a driver's seat if the signs are mounted high enough above the ground and located at the front of a parking space.

Part 1235 of 23 C.F.R. – Uniform System for Parking for Persons with Disabilities

- **23 C.F.R. § 1235.7 Parking space design, construction, and designation.** (a) Each State shall establish design, construction, and designation standards for parking spaces reserved for persons with disabilities, under criteria to be determined by the State. These standards shall: (1) Ensure that parking spaces are accessible to, and usable by, persons with disabilities which limit or impair the ability to walk; (2) Ensure the safety of persons with disabilities which limit or impair the ability to walk who use these spaces and their accompanying accessible routes; and (3) Ensure uniform sign standards which comply with those prescribed by the "Manual on Uniform Traffic Control Devices for Streets and Highways" (23 C.F.R. part 655, subpart F) to designate parking spaces reserved for persons with disabilities which limit or impair the ability to walk. (b) The design, construction, and alteration of parking spaces reserved for persons with disabilities for which Federal funds participate must meet the Uniform Federal Accessibility Standards.

Summary from State of Texas Dept. of Transportation

ADA Handicap Accessible Parking Regulations:

When parking is provided for the public, designated accessible parking spaces must be provided, if doing so is readily achievable.

An accessible parking space must have space for the vehicle and an additional space located either to the right or to the left of the space that serves as an access aisle. This aisle is needed to permit a person using a wheelchair, electric scooter, or other mobility device to get out of their car or van.

- **A sign** with the international symbol of accessibility must be located in front of the parking space and mounted high enough so it is not hidden by a vehicle parked in the space. There are no ADA requirements or specifications for a painted handicap logo on the parking pavement.
- **Accessible parking spaces** should be the spaces closest to the accessible entrance and be located on level ground. If it is not readily achievable to locate accessible parking in the closest spaces due to sloped pavement or other existing conditions, then the closest level area should be selected.
- **An accessible route** must be provided between the access aisle and the accessible building entrance. This route must have no steps or steeply sloped surfaces and it must have a firm, stable, slip-resistant surface.
- **Van Accessible Spaces** must have an access aisle that is at least eight-feet wide and be designated by a sign with the international symbol and "van accessible." There should be a vertical clearance of at least 98 inches on the vehicular route to the space, at the parking space, and along the vehicular route to an exit. A Van Accessible Parking Space (1 of 8 of all accessible parking spaces, but at least one, must be van accessible. Although designated a van accessible space, cars may use the space too). Provide a parking space that is at least 8 feet wide. There should be at least a 98 inch high clearance at the parking space, the adjacent access aisle and along the vehicular route to the space and vehicular exit. Install a sign with the international symbol of accessibility and "van accessible" and mount it high enough so it is not hidden by the vehicle parked in the space. Locate parking space and access aisle so that they are relatively level (1:50 maximum slope in all directions is recommended if readily achievable) Provide an access aisle that is at least 8 feet wide next to the van parking space to permit a person using a wheelchair or scooter to exit or enter a van with a side-mounted lift.
- **Provide an accessible route** to the accessible entrance to the building - a marked crosswalk may be needed if route crosses vehicular traffic.

- **Accessible parking spaces for cars** must have an access aisle that is at least five-feet wide. The other features are the same as for vans, except that the sign designating the parking space only has an international symbol of accessibility, and there is no requirement for a minimum vertical height.

Kentucky Requirements for Parking Signage for Persons with Disabilities

The Kentucky Revised Statutes have no specific guidelines for parking space signage. KRS 186.042, 186.0422, 186.0425, 189.456, 189.458, and 189.459 address the definitions of disability, the application process for personal placards, plates and associated fees, and the display and use of such placards and plates by persons with disabilities.

Parking signage is designated in the Kentucky Building Code which is promulgated by the Kentucky Board of Housing, Buildings & Construction. Chapter 11 of the code requires conformity with the ADAAG, The Americans with Disabilities Act Accessibility Guidelines. These guidelines provide the same information in regards to signage as stated above in Title III, Part 36 of the ADA.

Enforcement and Penalties in Kentucky

Enforcement

The enforcement of the Kentucky Building Code- under which the rules for parking signage are designated- falls under the purview of the Department of Public Protection's Division of Building Codes Enforcement. This division regulates the Kentucky Building Code as it pertains to the construction of new buildings and the alteration, additions, and/or changes of occupancy to existing structures. The division is further divided into the following:

1. The Plan Review Division- reviews plans prior to construction.
2. Inspection Division- reviews approved construction during the build phase.

On-going inspections are transferred to the General Inspection Division in the Division of Fire Protection.

Penalties

Section 198B.990 of the Kentucky Revised Statutes states the following in regards to penalties for violations of the building code:

(1) Any person who violates any provision of KRS 198B.140, or of the Uniform State Building Code, or any directive or order issued pursuant thereto shall be fined not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000). Each day the violation continues shall constitute a separate offense.

According to the director of the Kentucky Division of Building Codes Enforcement “In new construction or modifications to existing structures that trigger compliance with federal ADA laws, it is the building official's responsibility to ensure compliance with accessible parking and signage requirement before issuing the Certificate of Occupancy. After the Certificate of Occupancy is issued it would be Department of Justice or local law enforcement depending on what the violation is.”