

SENATE BILL No. 190

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-16-9; IC 9-18.5.

Synopsis: Modified symbol of access. Requires that parking signs for accessible parking spaces for an individual with a physical disability must bear, instead of the international symbol of accessibility (also known as the international wheelchair symbol), the modified symbol of access when erected, replaced, or repaired after December 31, 2019. Requires that license plates and placards issued by the bureau of motor vehicles for display in or on a vehicle used to transport a person with a disability must bear, rather than the international symbol of accessibility, the modified symbol of access on all new license plates or duplicate or replacement plates after December 31, 2019.

Effective: July 1, 2019.

Becker, Ruckelshaus

January 3, 2019, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 190

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-16-9-1, AS AMENDED BY P.L.198-2016,
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 1. (a) The definitions in this section apply
4 throughout this chapter.
5 (b) "Accessible parking space" refers to a parking space that
6 conforms with the standards of section 4 of this chapter.
7 **(c) "Modified symbol of access":**
8 **(1) refers to a logo with a dynamic character leaning forward**
9 **with a sense of movement that is readily identifiable and**
10 **simply designed with no secondary meaning; and**
11 **(2) signifies equivalent facilitation and accessibility.**
12 ~~(e)~~ **(d)** "Motor vehicle" has the meaning set forth in IC 9-13-2-105.
13 ~~(d)~~ **(e)** "Parking facility" means any facility or combination of
14 facilities for motor vehicle parking which contains parking spaces for
15 the public.
16 ~~(e)~~ **(f)** "Person with a physical disability" means a person who has
17 been issued one (1) of the following:



- 1 (1) A placard under IC 9-14-5 (before its repeal).
- 2 (2) A modified Purple Heart plate under IC 9-18-19-1(b) (before
- 3 its expiration) or IC 9-18.5-6-1(b).
- 4 (3) A disability registration plate under IC 9-18-22 (before its
- 5 expiration).

6 **(4) A disabled Hoosier veteran plate under IC 9-18.5-5.**

7 ~~(4) (5)~~ A license plate or placard issued under IC 9-18.5-8.

8 ~~(f)~~ **(g)** "Public agency" means:

- 9 (1) the state of Indiana, its departments, agencies, boards,
- 10 commissions, and institutions, including state educational
- 11 institutions; and
- 12 (2) a county, city, town, township, school or conservancy district,
- 13 other governmental unit or district, or any department, board, or
- 14 other subdivision of the unit of government.

15 SECTION 2. IC 5-16-9-1.6 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.6. Notwithstanding
 17 any requirement of this chapter, **other than section 2(e) and 2(f) of**
 18 **this chapter**, a person who complies with:

- 19 (1) Title III of the Americans with Disabilities Act of 1990 (42
- 20 U.S.C. 12181); and
- 21 (2) the Americans with Disabilities Act Guidelines adopted by the
- 22 United States Department of Justice;

23 complies with this chapter.

24 SECTION 3. IC 5-16-9-2 IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) Except as provided in
 26 subsection (d), each parking facility that provides parking spaces for
 27 self-parking by employees or visitors must have accessible parking
 28 spaces reserved according to the following schedule:

29 TOTAL NUMBER OF	MINIMUM NUMBER
30 PARKING SPACES	OF RESERVED
31 IN FACILITY	SPACES
32 1 to 25	1
33 26 to 50	2
34 51 to 75	3
35 76 to 100	4
36 101 to 150	5
37 151 to 200	6
38 201 to 300	7
39 301 to 400	8
40 401 to 500	9
41 501 to 1,000	2% of total
42 over 1,000	20 plus 1 for each



100 spaces over 1,000

(b) A parking facility may provide accessible parking spaces in a different location from other parking spaces if the location of the accessible spaces results in equivalent or greater access by the shortest accessible route of travel to an accessible entrance of:

- (1) a building, if the parking facility serves a specific building; or
- (2) the parking facility, if the parking facility does not serve a specific building.

(c) This subsection applies to a building with more than one (1) accessible entrance that has parking adjacent to the entrances. Accessible parking spaces for a building described in this subsection must be dispersed and located closest to the accessible entrances.

(d) This subsection applies to a facility that provides medical care or other services for persons with mobility impairments. A facility described in this subsection must provide accessible parking spaces according to the following schedule:

- (1) An outpatient facility or unit: Ten percent (10%) of the total number of parking spaces serving the facility or unit must be accessible parking spaces.
- (2) A facility or unit that specializes in treatment or services for persons with mobility impairments: Twenty percent (20%) of the total number of parking spaces serving the facility or unit must be accessible parking spaces.

(e) The reserved space or spaces under this chapter must be reserved by posting immediately adjacent to and visible from the space or spaces a vertical sign measuring at least forty-eight (48) inches from the base of the sign, located in a manner that will not be obscured by a vehicle parked in the space, and bearing the following:

- (1) ~~The international symbol of accessibility. As specified in subsection (f), either the modified symbol of access or the international symbol of accessibility.~~
- (2) Letters and numbers that have a width to height ratio between 3:5 and 1:1 and a stroke width to height ratio between 1:5 and 1:10.
- (3) Characters and numbers that are sized according to the distance from which the characters and numbers are read, with the minimum height measured by an uppercase "X". Lowercase characters may be used.

(f) In addition to the requirements set forth in subsection (e), the sign required by subsection (e) must display:

- (1) for a sign erected, replaced, or repaired before January 1, 2020, the international symbol of accessibility; or**



1 **(2) for a sign erected, replaced, or repaired after December**
 2 **31, 2019, the modified symbol of access.**

3 ~~(f)~~ **(g)** The characters and background of a sign required under
 4 subsection (e) must be eggshell, matte, or another nonglare finish.
 5 Characters and symbols used on a sign must contrast with the
 6 background color of the sign.

7 SECTION 4. IC 9-18.5-5-5, AS ADDED BY P.L.198-2016,
 8 SECTION 327, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2019]: Sec. 5. **(a)** A disabled Hoosier veteran
 10 license plate must be gold in color with blue lettering and contain the
 11 following:

12 (1) Identification numerals.

13 (2) The words "Disabled Hoosier Veteran".

14 **(b) In addition to the requirements in subsection (a), a disabled**
 15 **Hoosier veteran license plate issued as a new license plate or**
 16 **duplicate or replacement license plate under IC 9-18.1-11-8 by the**
 17 **bureau after December 31, 2019, must bear the modified symbol of**
 18 **access (as defined in IC 5-16-9-1(c)).**

19 SECTION 5. IC 9-18.5-6-1, AS ADDED BY P.L.198-2016,
 20 SECTION 327, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The bureau shall design a
 22 license plate that will designate a vehicle as being registered to an
 23 individual who has been awarded a Purple Heart decoration.

24 (b) Upon proper application, the bureau may modify a license plate
 25 designed under subsection (a) to designate a vehicle as being registered
 26 to an individual who is:

27 (1) described in subsection (a); and

28 (2) eligible to be issued:

29 (A) a placard under IC 9-14-5 (before its repeal) or
 30 IC 9-18.5-8; or

31 (B) a person with a disability registration plate under
 32 IC 9-18.5-8.

33 (c) An individual who:

34 (1) knowingly; or

35 (2) intentionally;

36 falsely professes to have the qualifications to obtain a license plate
 37 under subsection (b) commits a Class C misdemeanor.

38 (d) An individual who owns a vehicle bearing a license plate issued
 39 under subsection (b) and knows that the individual is not entitled to a
 40 license plate issued under subsection (b) commits a Class C
 41 misdemeanor.

42 **(e) A license plate issued under subsection (b) as a new license**



1 **plate or duplicate or replacement license plate under**
2 **IC 9-18.1-11-8 by the bureau after December 31, 2019, must bear**
3 **the modified symbol of access (as defined in IC 5-16-9-1(c)).**

4 SECTION 6. IC 9-18.5-8-2, AS ADDED BY P.L.198-2016,
5 SECTION 327, IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The bureau shall design a
7 license plate and placard for display in or on a vehicle used to transport
8 a person with a disability.

9 (b) A license plate or placard must bear ~~the following:~~ **an**
10 **expiration date.**

11 (c) **A license plate or placard issued by the bureau before**
12 **January 1, 2020, must bear**

13 (†) the official international wheelchair symbol, a reasonable
14 facsimile of the international wheelchair symbol, or another
15 symbol selected by the bureau to designate the vehicle as being
16 used to transport a person with a disability.

17 (2) ~~An expiration date.~~

18 (d) **A license plate or placard issued as a new license plate or**
19 **duplicate or replacement license plate under IC 9-18.1-11-8 by the**
20 **bureau after December 31, 2019, must bear the modified symbol of**
21 **access (as defined in IC 5-16-9-1(c)).**

