



Reprinted
February 7, 2017

SENATE BILL No. 351

DIGEST OF SB 351 (Updated February 6, 2017 4:01 pm - DI 109)

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

Synopsis: Disability and accessible parking placards and symbols. Provides that a veteran who qualifies for the disabled Hoosier veteran license plate is entitled to receive a disability parking placard. 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. 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.

Effective: July 1, 2017.

**Eckerty, Delph, Niezgodski, Crider,
Merritt, Randolph Lonnie M**

January 10, 2017, read first time and referred to Committee on Veterans Affairs and The Military.
January 31, 2017, reported favorably — Do Pass.
February 6, 2017, read second time, amended, ordered engrossed.

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First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 351

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, 2017]: 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 (d) "Motor vehicle" has the meaning set forth in IC 9-13-2-105.
13 (e) "Parking facility" means any facility or combination of
14 facilities for motor vehicle parking which contains parking spaces for
15 the public.
16 (f) "Person with a physical disability" means a person who has
17 been issued one (1) of the following:

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- 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 license plate or placard issued under IC 9-18.5-8.

7 ~~(f)~~ (g) "Public agency" means:

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

14 SECTION 2. IC 5-16-9-1.6 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.6. Notwithstanding
 16 any requirement of this chapter, **other than section 2(e) and 2(f) of**
 17 **this chapter**, a person who complies with:

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

22 complies with this chapter.

23 SECTION 3. IC 5-16-9-2 IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in
 25 subsection (d), each parking facility that provides parking spaces for
 26 self-parking by employees or visitors must have accessible parking
 27 spaces reserved according to the following schedule:

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



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

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

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

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

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

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

- 28 (1) ~~The international symbol of accessibility. As specified in~~
 29 **subsection (f), either the modified symbol of access or the**
 30 **international symbol of accessibility.**
 31 (2) Letters and numbers that have a width to height ratio between
 32 3:5 and 1:1 and a stroke width to height ratio between 1:5 and
 33 1:10.
 34 (3) Characters and numbers that are sized according to the
 35 distance from which the characters and numbers are read, with the
 36 minimum height measured by an uppercase "X". Lowercase
 37 characters may be used.

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

- 40 **(1) for a sign erected or repaired before January 1, 2018, the**
 41 **international symbol of accessibility; or**
 42 **(2) for a sign erected or repaired after December 31, 2017, the**



1 **modified symbol of access.**

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

6 SECTION 4. IC 9-18.5-8-2, AS ADDED BY P.L.198-2016,
7 SECTION 327, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) The bureau shall design a
9 license plate and placard for display in or on a vehicle used to transport
10 a person with a disability.

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

13 (c) **A license plate or placard issued by the bureau before**
14 **January 1, 2018, must bear**

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

19 (2) ~~An expiration date:~~

20 **A license plate or placard issued by the bureau after December 31,**
21 **2017, must bear the modified symbol of access (as defined in**
22 **IC 5-16-9-1(c)).**

23 SECTION 5. IC 9-18.5-8-6, AS ADDED BY P.L.198-2016,
24 SECTION 327, IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) The bureau shall issue a
26 placard to any corporation, limited liability company, partnership,
27 unincorporated association, or any legal successor of a corporation,
28 limited liability company, partnership, or unincorporated association,
29 that is authorized by the state or a political subdivision to operate
30 programs, including the provision of transportation, or facilities for
31 individuals with disabilities.

32 (b) A placard issued under subsection (a) expires on the earlier of
33 the following:

34 (1) January 1 of the fourth year after the year in which the placard
35 is issued.

36 (2) The date on which the corporation, limited liability company,
37 partnership, or unincorporated association ceases to operate
38 programs or facilities for individuals with disabilities.

39 (c) **The bureau shall issue a placard to an individual who**
40 **qualifies to receive a disabled Hoosier veteran license plate under**
41 **IC 9-18.5-5-1. A placard issued under this subsection expires when**
42 **the individual no longer qualifies to receive a disabled Hoosier**



1 **veteran license plate.**



COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill No. 351, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 351 as introduced.)

DELPH, Chairperson

Committee Vote: Yeas 8, Nays 0

 SENATE MOTION

Madam President: I move that Senate Bill 351 be amended to read as follows:

Between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-16-9-1, AS AMENDED BY P.L.198-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Accessible parking space" refers to a parking space that conforms with the standards of section 4 of this chapter.

(c) "**Modified symbol of access**":

(1) refers to a logo with a dynamic character leaning forward with a sense of movement that is readily identifiable and simply designed with no secondary meaning; and

(2) signifies equivalent facilitation and accessibility.

(d) "Motor vehicle" has the meaning set forth in IC 9-13-2-105.

(e) "Parking facility" means any facility or combination of facilities for motor vehicle parking which contains parking spaces for the public.

(f) "Person with a physical disability" means a person who has been issued one (1) of the following:

(1) A placard under IC 9-14-5 (before its repeal).

(2) A modified Purple Heart plate under IC 9-18-19-1(b) (before its expiration) or IC 9-18.5-6-1(b).

(3) A disability registration plate under IC 9-18-22 (before its expiration).

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

(g) "Public agency" means:

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

SECTION 2. IC 5-16-9-1.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.6. Notwithstanding any requirement of this chapter, **other than section 2(e) and 2(f) of this chapter**, a person who complies with:

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

complies with this chapter.

SECTION 3. IC 5-16-9-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (d), each parking facility that provides parking spaces for self-parking by employees or visitors must have accessible parking spaces reserved according to the following schedule:

TOTAL NUMBER OF PARKING SPACES IN FACILITY	MINIMUM NUMBER OF RESERVED SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
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 or repaired before January 1, 2018, the international symbol of accessibility; or

(2) for a sign erected or repaired after December 31, 2017, the modified symbol of access.

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

SECTION 4. IC 9-18.5-8-2, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2017]: Sec. 2. **(a)** The bureau shall design a license plate and placard for display in or on a vehicle used to transport a person with a disability.

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

(c) A license plate or placard issued by the bureau before January 1, 2018, must bear

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

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

A license plate or placard issued by the bureau after December 31, 2017, must bear the modified symbol of access (as defined in IC 5-16-9-1(c))."

Renumber all SECTIONS consecutively.

(Reference is to SB 351 as printed February 1, 2017.)

BECKER

