

SENATE BILL 46

By Massey

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 4; Title 12; Title 55 and Title 68, relative to
persons with disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Dynamic Accessibility Act."

SECTION 2. Tennessee Code Annotated, Title 12, Chapter 2, Part 1, is amended by adding the following new section:

(a) The commissioner of general services shall promulgate rules for the purpose of designating the symbol of access to be used for buildings owned or operated by this state on signage indicating access for persons with disabilities. The commissioner, in promulgating rules, may collaborate and seek input from state agencies for the purpose of carrying out this section.

(b) The symbol must depict a logo with a dynamic character leaning forward with a sense of movement, be readily identifiable, and be simply designed with no secondary meaning. The symbol must signify equivalent facilitation and accessibility as the previously used international symbol of access. The symbol must be depicted in substantially the following form:



(c) The symbol must be accompanied by the adjective "Accessible," when appropriate for the signage, and must be used to designate every point of access for persons with disabilities for all state buildings, structures, or real property constructed or purchased on or after July 1, 2019. For existing state buildings, structures, and real property, signage indicating access for persons with disabilities must conform to the requirements of this section as the signage is replaced or repaired, or when an existing state building, structure, or real property is renovated at a cost of ten thousand dollars (\$10,000) or more.

SECTION 3. Tennessee Code Annotated, Section 55-21-104, is amended by deleting subsection (a) and substituting instead the following:

(1) The department shall designate the symbol of access adopted pursuant to SECTION 2 for the issuance of registrations, placards, decals, and license plates to drivers or passengers with a disability under this part.

(2) The symbol must be utilized for the issuance of all new registrations, placards, decals, and license plates under this part on or after July 1, 2019. Existing registrations, placards, decals, and license plates must conform to subdivision (a)(1) upon replacement, including upon a request for replacement by a driver or passenger with a disability.

(3) The department may promulgate rules for the purpose of carrying out this subsection (a).

SECTION 4. Tennessee Code Annotated, Section 55-4-209(b)(2), is amended by deleting the language "stylized wheelchair symbol" and substituting instead "symbol of access".

SECTION 5. Tennessee Code Annotated, Section 55-21-105(b), is amended by deleting from subdivision (3) the language "wheelchair disabled sign," and substituting instead "wheelchair disabled sign or symbol of access designated under § 55-21-104(a),".

SECTION 6. Tennessee Code Annotated, Section 55-21-105(b)(5), is amended by deleting the first sentence and substituting instead the following:

Van accessible parking spaces must have an additional sign marked "Van Accessible — Priority for Wheelchair" mounted below the sign required by subsection (c).

SECTION 7. Tennessee Code Annotated, Section 55-21-105(c), is amended by deleting the first sentence and substituting instead the following:

Each such parking space must be marked and maintained with the stylized wheelchair symbol designated by § 55-21-104, as that section existed prior to July 1, 2019, or with the symbol of access designated by § 55-21-104 on and after July 1, 2019.

SECTION 8. Tennessee Code Annotated, Section 55-21-108, is amended by deleting the language "wheelchair disabled sign" wherever it may appear and substituting instead "wheelchair disabled sign or symbol of access designated under § 55-21-104".

SECTION 9. This act shall take effect upon becoming a law for purposes of promulgating rules and carrying out any administrative duties necessary to effectuate the provisions and intent of this act, the public welfare requiring it. This act shall take effect July 1, 2019, for all other purposes, the public welfare requiring it.