

1                                   **DISABLED PARKING PERMIT AMENDMENTS**

2                                                           2022 GENERAL SESSION

3                                                           STATE OF UTAH

4                                   **Chief Sponsor: Jeffrey D. Stenquist**

5                                   Senate Sponsor: \_\_\_\_\_

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7 **LONG TITLE**

8 **General Description:**

9           This bill amends provisions related to accessible parking spaces.

10 **Highlighted Provisions:**

11           This bill:

12           ▶ amends provisions related to the International Building Code pertaining to "van  
13 accessible parking spaces," making them "van only parking spaces" or "wheelchair  
14 only parking spaces";

15           ▶ limits the accessibility to van only parking spaces and wheelchair only parking  
16 spaces to those who require the use of a wheelchair or have a qualifying walking  
17 disability; and

18           ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20           None

21 **Other Special Clauses:**

22           This bill provides a special effective date.

23 **Utah Code Sections Affected:**

24 AMENDS:

25           **15A-3-105**, as last amended by Laws of Utah 2019, Chapter 20

26           **41-1a-414**, as last amended by Laws of Utah 2017, Chapter 41



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **15A-3-105** is amended to read:

30 **15A-3-105. Amendments to Chapters 10 through 12 of IBC.**

31 (1) In IBC, Section 1010.1.9, an exception is added as follows: "Exception: Group E  
32 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section  
33 1010.1.9.5 Exception 5."

34 (2) In IBC, Section 1010.1.9.2, "Exception:" is deleted and replaced with "Exceptions:  
35 1."

36 (3) In IBC, Section 1010.1.9.2, a new exception 2 is added as follows: "2. Group E  
37 occupancies for purposes of a lockdown or a lockdown drill may have one lock below 34  
38 inches in accordance with Section 1010.1.9.5 Exception 5."

39 (4) In IBC, Section 1010.1.9.4, a new number 7 is added as follows: "7. Group E  
40 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section  
41 1010.1.9.5 Exception 5."

42 (5) In IBC, Section 1010.1.9.5, a new exception 6 is added as follows: "6. Group E  
43 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section  
44 1010.1.9.5 Exception 5."

45 (6) In IBC, Section 1010.1.9.6, a new exception 5 is added as follows: "5. Group E  
46 occupancies may have a second lock on classrooms for purposes of a lockdown or lockdown  
47 drill, if:

48 5.1 The application of the lock is approved by the code official.

49 5.2 The unlatching of any door or leaf does not require more than two operations.

50 5.3 The lock can be released from the opposite side of the door on which it is installed.

51 5.4 The lock is only applied during lockdown or during a lockdown drill.

52 5.5 The lock complies with all other state and federal regulations, including the  
53 Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12101 et seq."

54 (7) In IBC, Section 1010.1.9.7, a new number 9 is added as follows: "9. The secure  
55 area or unit with special egress locks shall be located at the level of exit discharge in Type IIIB,  
56 IV, and V construction."

57 (8) In IBC, Section 1011.5.2, exception 3 is deleted and replaced with the following:

58 "3. In Group R-3 occupancies, within dwelling units in Group R-2 occupancies, and in Group

59 U occupancies that are accessory to a Group R-3 occupancy, or accessory to individual  
60 dwelling units in Group R-2 occupancies, the maximum riser height shall be 8 inches (203  
61 mm) and the minimum tread depth shall be 9 inches (229 mm). The minimum winder tread  
62 depth at the walk line shall be 10 inches (254 mm), and the minimum winder tread depth shall  
63 be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25  
64 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less  
65 than 10 inches (254 mm)."

66 (9) In IBC, Section 1011.11, a new exception 5 is added as follows: "5. In occupancies  
67 in Group R-3, as applicable in Section 101.2 and in occupancies in Group U, which are  
68 accessory to an occupancy in Group R-3, as applicable in Section 101.2, handrails shall be  
69 provided on at least one side of stairways consisting of four or more risers."

70 (10) In IBC, Section 1013.5, the words ", including when the building may not be fully  
71 occupied" are added at the end of the sentence.

72 (11) IBC, Section 1025, is deleted.

73 (12) In IBC, Section 1029.15, exception 2 is deleted.

74 (13) In IBC, Section 1106.5, the phrase "Van Space" shall be changed to  
75 "Van/Wheelchair Only Space," and "Van-Accessible" shall be changed to "Van/Wheelchair  
76 Only."

77 [~~13~~] (14) In IBC, Section 1207.4, subparagraph 1 is deleted and replaced with the  
78 following: "1. The unit shall have a living room of not less than 165 square feet (15.3 m2) of  
79 floor area. An additional 100 square feet (9.3 m2) of floor area shall be provided for each  
80 occupant of such unit in excess of two."

81 Section 2. Section **41-1a-414** is amended to read:

82 **41-1a-414. Parking privileges for persons with disabilities.**

83 (1) As used in this section:

84 (a) "Accessible parking space" means a parking space that is clearly identified as  
85 reserved for use by a person with a disability and includes:

86 (i) vertical signage, including the international symbol of accessibility, that is visible  
87 from a passing vehicle; and

88 (ii) a clearly marked access aisle, if provided, that is adjacent to and considered part of  
89 the parking space.

90 (b) "Temporary wheelchair user placard" means the same as that term is defined in  
91 Section 41-1a-420.

92 (c) "Van [~~accessible~~] only parking space" or "wheelchair only parking space" means an  
93 accessible parking space that is marked for use by a qualifying person with a walking disability  
94 who has a temporary wheelchair user placard or a wheelchair user placard and includes:

95 (i) vertical signage with the international symbol of accessibility and the words "van  
96 accessible" that is visible from a passing vehicle; and

97 (ii) a clearly marked access aisle that is adjacent to and considered part of the parking  
98 space.

99 (d) "Walking disability" means a physical disability that requires the use of a  
100 walking-assistive device or wheelchair or similar low-powered motorized or mechanically  
101 propelled vehicle that is specifically designed to assist a person who has a limited or impaired  
102 ability to walk.

103 (e) "Wheelchair user placard" means the same as that term is defined in Section  
104 41-1a-420.

105 (2) Except in parking areas designated for emergency use, a person with a disability,  
106 qualifying under rules made in accordance with Section 41-1a-420, may park an appropriately  
107 marked vehicle for reasonable periods without charge in metered parking zones and restricted  
108 parking areas, in a manner that allows proper access to the vehicle by the person with a  
109 disability.

110 (3) (a) (i) Only those vehicles [~~carrying a person~~] with a disability special group license  
111 plate, temporary removable windshield placard, or removable windshield placard and  
112 transporting a qualifying person with a disability may park in an accessible parking space.

113 (ii) Only those vehicles with a temporary wheelchair user placard or a wheelchair user  
114 placard transporting a qualifying person with a disability may park in a wheelchair only parking  
115 space.

116 (b) A violation of Subsection (3)(a) is a class C misdemeanor.

117 [~~(c) A person described in Subsection (3)(a) is encouraged to avoid parking in a van~~  
118 ~~accessible parking space unless:]~~

119 [~~(i) the person has a walking disability and has a temporary wheelchair user placard;]~~

120 [~~(ii) the person has a wheelchair user placard; or]~~

121            [~~(iii) all other accessible parking spaces that are not van accessible parking spaces are~~  
122 ~~occupied.~~]

123            (4) This section applies to and may be enforced on public property and on private  
124 property that is used or intended for use by the public.

125            (5) The parking privileges granted by this section also apply to vehicles displaying a  
126 person with a disability special group license plate, temporary removable windshield placard,  
127 or removable windshield placard issued by another jurisdiction if displayed on a vehicle being  
128 used by a person with a disability.

129            Section 3. **Effective date.**

130            This bill takes effect on January 1, 2024.