

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1687

By: Derby

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5
6 AS INTRODUCED

7 An Act relating to physically disabled parking;
8 amending 11 O.S. 2001, Section 36-101A, as amended by
9 Section 1, Chapter 35, O.S.L. 2009 (11 O.S. Supp.
10 2010, Section 36-101A), which relates to physically
11 disabled parking and access; directing cities and
12 towns to designate parking spaces for physically
13 disabled wheelchair users; providing specifications;
14 amending 47 O.S. 2001, Section 15-111, as last
15 amended by Section 1, Chapter 302, O.S.L. 2010 (47
16 O.S. Supp. 2010, Section 15-111), which relates to
17 special parking privileges for physically disabled
18 persons; requiring recognition of placard indicating
19 physical disability and wheelchair use; directing
20 municipalities and political subdivisions to
21 designate parking spaces for physically disabled
22 wheelchair users; providing specifications; and
23 providing an effective date.

24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2001, Section 36-101A, as
amended by Section 1, Chapter 35, O.S.L. 2009 (11 O.S. Supp. 2010,
Section 36-101A), is amended to read as follows:

Section 36-101A. A. Cities and towns are hereby authorized to
construct and provide parking spaces, curb cuts, ramps and signage
for physically disabled parking and access for use in conjunction

1 with facilities, both public and private, open to the general
2 public. The city or town may bear the cost of such construction, or
3 at the option of the city or town and the owner of such facilities,
4 share the cost of such construction with the owner of such
5 facilities.

6 B. Beginning January 1, 2010, the posted signage for every
7 parking space that is designated and posted as a reserved area for
8 the parking of a motor vehicle operated by or transporting a
9 physically disabled person shall display sign R7-8, as provided in
10 the latest edition of the Manual on Uniform Traffic Control Devices
11 published by the Federal Highway Administration of the United States
12 Department of Transportation, which includes the words "RESERVED
13 PARKING" and the blue and white international symbol of access.
14 Van-accessible physically disabled reserved parking spaces shall
15 also display sign R7-8a immediately below sign R7-8. Municipalities
16 shall adopt ordinances in compliance with this subsection by January
17 1, 2010. The provisions of this section shall be considered an
18 addition to any federal or state law, rule or regulation regarding
19 the signage requirements for physically disabled parking spaces and
20 shall not limit or amend any other applicable laws, rules or
21 regulations.

22 C. The blue and white international symbol of access,
23 accompanied by appropriate language including, but not limited to,
24 "Handicapped Parking", "Reserved for Handicapped" and "Permit

1 Required-Towing Enforced" may be used in lieu of sign R7-8 if the
2 sign was erected prior to January 1, 2010.

3 D. Beginning January 1, 2012, cities and towns shall be
4 required to designate a minimum of one parking space that is
5 reserved for physically disabled wheelchair users. A physically
6 disabled wheelchair user parking space shall be at least nine-feet
7 wide and shall have an adjacent access aisle that is at least five-
8 feet wide. All physically disabled parking spaces reserved for
9 wheelchair users shall have a sign that includes the word
10 "Wheelchair User Only" and shall be painted a distinctive orange
11 color so as to provide a contrast to surrounding physically disabled
12 parking spaces.

13 SECTION 2. AMENDATORY 47 O.S. 2001, Section 15-111, as
14 last amended by Section 1, Chapter 302, O.S.L. 2010 (47 O.S. Supp.
15 2010, Section 15-111), is amended to read as follows:

16 Section 15-111. A. Municipalities and political subdivisions
17 of the state with authority to regulate the standing or parking of
18 vehicles shall extend special parking privileges to a physically
19 disabled person who displays on a motor vehicle operated by or under
20 the direction and for the use of the physically disabled person:

21 1. A placard indicating physical disability or a placard
22 indicating physical disability and wheelchair user, issued pursuant
23 to the provisions of Section 15-112 of this title;

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1 2. A physically disabled license plate, issued pursuant to the
2 provisions of Section 1135.1 of this title;

3 3. A disabled veterans license plate with the international
4 accessibility symbol, issued pursuant to the provisions of Section
5 1135.2 of this title;

6 4. A disability sticker issued by the Department of Veterans
7 Affairs and federal military bases; or

8 5. A physically disabled placard or license plate issued by
9 another state.

10 B. No such special parking privilege, however, shall excuse the
11 violation of any state statute, nor shall any such privilege be
12 applicable where the standing or parking would create a dangerous
13 situation or impede the normal flow of traffic.

14 C. Municipalities and political subdivisions of the state with
15 authority to regulate the standing or parking of vehicles shall
16 follow the current version of the Americans with Disabilities Act
17 Accessibility Guidelines (ADAAG) when designing or redesigning
18 disabled parking spaces.

19 D. Beginning January 1, 2012, municipalities and political
20 subdivisions of the state shall be required to designate a minimum
21 of one physically disabled parking space that is reserved for
22 physically disabled wheelchair users. A physically disabled
23 wheelchair user parking space shall be at least nine-feet wide and
24 shall have an adjacent access aisle that is at least five-feet wide.

1 All physically disabled parking spaces reserved for wheelchair users
2 shall have a sign that includes the word "Wheelchair User Only" and
3 shall be painted a distinctive orange color so as to provide a
4 contrast to surrounding physically disabled parking spaces.

5 SECTION 3. This act shall become effective January 1, 2012.

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