

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 533

Short Title: Modernize Symbol of Access. (Public)

Sponsors: Representatives Hardister, Torbett, Dobson, and Adcock (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government II, if favorable, Regulatory Reform

March 30, 2017

A BILL TO BE ENTITLED

AN ACT TO MODERNIZE THE SYMBOL OF ACCESS FOR PERSONS WITH
DISABILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Design Symbol. – The Department of Administration, in consultation with any other State agency or department it deems necessary to consult with, shall design a new symbol of access for signs and other materials indicating access for, or use by, persons with disabilities. The symbol required under this section shall 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 required under this section shall signify equivalent facilitation and accessibility as the International Symbol of Access.

SECTION 2. Signs in State Buildings. – The Department of Administration shall ensure that all signs in State buildings indicating access for persons with disabilities reflect the symbol of access designed under Section 1 of this act instead of the International Symbol of Access. The requirement of this section only applies to signs installed or replaced on or after January 1, 2018.

SECTION 3. G.S. 20-37.5 reads as rewritten:
"§ 20-37.5. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Article to the defined words and phrases and their cognates:

- (1) ~~"Distinguishing license plate"~~ means a Distinguishing license plate. – A license plate that displays the ~~International Symbol of Access~~ symbol of access using the same color, size of plate, and size of letters or numbers as a regular plate.
- (2) ~~"Handicapped"~~ shall mean a Handicapped. – A person with a mobility impairment who, as determined by a licensed ~~physician~~ physician, meets any of the following requirements:
 - a. Cannot walk 200 feet without stopping to ~~rest~~ rest.
 - b. Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive ~~device~~ device.
 - c. Is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume of one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mm/hg on room air at ~~rest~~ rest.



- 1 d. Uses portable ~~oxygen;~~oxygen.
 2 e. Has a cardiac condition to the extent that the person's functional
 3 limitations are classified in severity as Class III or Class IV
 4 according to standards set by the American Heart
 5 ~~Association;~~Association.
 6 f. Is severely limited in their ability to walk due to an arthritic,
 7 neurological, or orthopedic ~~condition;~~or condition.
 8 g. Is totally blind or whose vision with glasses is so defective as to
 9 prevent the performance of ordinary activity for which eyesight is
 10 essential, as certified by a licensed ophthalmologist, optometrist, or
 11 the Division of Services for the Blind.

12 (3) ~~"International Symbol of Access" means the~~International Symbol of Access.
 13 ~~– The symbol adopted by Rehabilitation International in 1969 at its Eleventh~~
 14 ~~World Congress on Rehabilitation of the Disabled.~~

15 (4) ~~"Removable windshield placard" means a~~Removable windshield placard. –
 16 A two-sided, hooked placard which includes all of the following on each
 17 side:

- 18 a. The ~~International Symbol of Access;~~symbol of access, which is at
 19 least three inches in height, centered on the placard, and is white on a
 20 blue ~~shield;~~shield.
 21 b. An identification ~~number;~~number.
 22 c. An expiration date that is visible from at least 20 feet and the month
 23 and year of ~~expiration;~~and expiration.
 24 d. The seal or other identification of the issuing authority.

25 (5) Symbol of access. – The symbol designed by the Department of
 26 Administration depicting a logo with a dynamic character leaning forward
 27 with a sense of movement."

28 **SECTION 4.** G.S. 20-7(c) reads as rewritten:

29 "(c) Tests. – To demonstrate physical and mental ability, a person must pass an
 30 examination. The examination may include road tests, vision tests, oral tests, and, in the case of
 31 literate applicants, written tests, as the Division may require. The tests must ensure that an
 32 applicant recognizes the ~~handicapped~~-international symbol of ~~access;~~access and symbol of
 33 access, as both terms are defined in G.S. 20-37.5. The Division may not require a person who
 34 applies to renew a license that has not expired to take a written test or a road test unless one or
 35 more of the following applies:

36 "...."

37 **SECTION 5.** G.S. 136-30(c) reads as rewritten:

38 "(c) Public Vehicular Areas. – Except as provided in this subsection, all traffic signs and
 39 other traffic control devices placed on a public vehicular area, as defined in G.S. 20-4.01, must
 40 conform to the Uniform Manual. The owner of private property that contains a public vehicular
 41 area may place on the property a traffic control device, other than a sign designating a parking
 42 space for handicapped persons, as defined in G.S. 20-37.5, that differs in material from the
 43 uniform device but does not differ in shape, size, color, or any other way from the uniform
 44 device. The owner of private property that contains a public vehicular area may place on the
 45 property a sign designating a parking space for handicapped persons that includes the symbol
 46 of access, as defined in G.S. 20-37.5, and differs in material and color from the uniform
 47 signsign, but does not differ in shape, size, or any other way from the uniform device."

48 **SECTION 6.** Section 3 of this act becomes effective January 1, 2018, and applies
 49 to license plates and windshield placards issued on or after that date. Section 4 of this act
 50 becomes effective January 1, 2018, and applies to tests administered on or after that date.

- 1 Section 5 of this act becomes effective January 1, 2018, and applies to signs installed or
2 replaced. The remainder of this act is effective when it becomes law.