



## TDLR Rule Change Updated Parking Requirements 68.104. Accessible Parking Spaces

*“(New section effective August 1, 2020, 45 TexReg 5166)”*

“(a) A paved accessible parking space must include:

- (1) the International Symbol of Accessibility painted conspicuously on the surface in a color that contrasts the pavement;
- (2) the words ‘NO PARKING’ painted on any access aisle adjacent to the parking space. The words must be painted:
  - (A) in all capital letters;
  - (B) with a letter height of at least twelve inches, and a stroke width of at least two inches; and
  - (C) centered within each access aisle adjacent to the parking space; and
- (3) a sign identifying the consequences of parking illegally in a paved accessible parking space. The sign must:
  - (A) at a minimum state ‘Violators Subject to Fine and Towing’ in a letter height of at least one inch;
  - (B) be mounted on a pole, post wall or freestanding board;
  - (C) be no more than eight inches below a sign required by Texas Accessibility Standards, 502.6; and
  - (D) be installed so that the bottom edge of the sign is no lower than 48 inches and no higher than 80 inches above ground level.

(b) A parking space identification sign that complies with Texas Accessibility Standards, 502.6, that includes the requirements in subsection (a)(3)(A) satisfies subsection (a)(3).”

### “502 Parking Spaces

502.6 Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation “van accessible.” Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

Advisory 506.2 Identification. The required “van accessible” designation is intended to be informative, not restrictive, in identifying those spaces that are better suited for van use. Enforcement of motor vehicle laws, including parking privileges, is a local matter.”

A few notes from a TDLR seminar:

- “Paved” is undefined, grass would not be acceptable.
- If the violation sign is separate and under the ISA sign there is a maximum 8” from the bottom of the ISA sign to the top of the violation sign.
- “The building owner has the discretion to determine paint color, contrast, font types, and ISA types, color and size.”

The effective date depends on when the project was registered.

- Between April 1, 1994 to March 14, 2012 either the 1994 or the 2012 TAS applies.
- Between March 15, 2012 to July 31, 2020, the 2012 TAS applies.
- If the project is registered “on or after” August 1st 2020, the 2012 TAS and Rule 68.104 applies.

Where it is not required.

- Commencement of construction between April 1, 1994 to March 14, 2012, either the 1994 TAS or 2012 TAS applies.
- Commencement of construction between March 15, 2012 to July 31, 2020 the 2012 TAS applies.
- Commencement of construction on or after August 1, 2020 the 2012 TAS applies, along with the TDLR Administrative Rule 68.104.