

HB0213S02 compared with HB0213S01

~~{deleted text}~~ shows text that was in HB0213S01 but was deleted in HB0213S02.

inserted text shows text that was not in HB0213S01 but was inserted into HB0213S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Jeffrey D. Stenquist proposes the following substitute bill:

DISABLED PARKING PERMIT AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeffrey D. Stenquist

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to accessible parking spaces.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to the International Building Code pertaining to "wheelchair ~~{only}~~ parking spaces";
- ▶ ~~{limits the accessibility to wheelchair only parking spaces to those who require the use of a wheelchair or have a qualifying walking disability;~~
- ▶ changes the level of offense for a violation of; encourages an individual that is otherwise eligible to park in an accessible parking {provisions;} space to avoid parking in a wheelchair parking space unless the individual has wheelchair user placard; and

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- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(8) In IBC, Section 1011.5.2, exception 3 is deleted and replaced with the following: "3. In Group R-3 occupancies, within dwelling units in Group R-2 occupancies, and in Group U occupancies that are accessory to a Group R-3 occupancy, or accessory to individual dwelling units in Group R-2 occupancies, the maximum riser height shall be 8 inches (203 mm) and the minimum tread depth shall be 9 inches (229 mm). The minimum winder tread depth at the walk line shall be 10 inches (254 mm), and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 10 inches (254 mm)."

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

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

(11) IBC, Section 1025, is deleted.

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

(13) In IBC, the following is added below Table 1106.1: "Where two or more accessible spaces are required, a minimum of one space shall be designated as a wheelchair ~~only~~ parking space, with physical dimensions of 11 feet wide and adjacent to an access aisle at least five feet wide. This shall be in addition to the van-accessible space or spaces required by Section 1106.5."

~~(13)~~ (14) In IBC, Section 1207.4, subparagraph 1 is deleted and replaced with the

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following: "1. The unit shall have a living room of not less than 165 square feet (15.3 m2) of floor area. An additional 100 square feet (9.3 m2) of floor area shall be provided for each occupant of such unit in excess of two."

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

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

(1) As used in this section:

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

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

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

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

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

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

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

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

(e) "Wheelchair ~~only~~ parking space" means an accessible parking space that is marked for use by a qualifying person with a temporary wheelchair user placard or a wheelchair user placard and includes:

(i) vertical signage with the international symbol of accessibility and the words "wheelchair ~~only~~ parking" that is visible from a passing vehicle; and

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

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space.

~~[(e)]~~ (f) "Wheelchair user placard" means the same as that term is defined in Section 41-1a-420.

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

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

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

~~}~~ (b) A violation of Subsection (3)(a) is ~~{}~~ a class C misdemeanor ~~{}~~ an infraction.

(c) A person ~~[described in Subsection (3)(a)]~~ who is eligible to park in an accessible parking space is encouraged to avoid parking in a van accessible parking space unless:

- (i) the person has a walking disability and has a temporary wheelchair user placard;
- (ii) the person has a wheelchair user placard; or
- (iii) all other accessible parking spaces that are not van accessible parking spaces are occupied.

(d) A person who is eligible to park in an accessible parking space is encouraged to avoid parking in a wheelchair parking space unless:

- (i) the person has a walking disability and has a temporary wheelchair user placard;
- (ii) the person has a wheelchair user placard; or
- (iii) all other accessible parking spaces that are not van accessible parking spaces are occupied.

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

(5) The parking privileges granted by this section also apply to vehicles displaying a person with a disability special group license plate, temporary removable windshield placard,

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or removable windshield placard issued by another jurisdiction if displayed on a vehicle being used by a person with a disability.

Section 3. **Effective date.**

This bill takes effect on January 1, 2024.