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HOUSE BILL DRH10172-ML-116 (03/02)

Short Title: Modernize Symbol of Access. (Public)

Sponsors: Representatives Hardister, Torbett, Dobson, and Adcock (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODERNIZE THE SYMBOL OF ACCESS FOR PERSONS WITH
3 DISABILITIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Design Symbol. – The Department of Administration, in consultation
6 with any other State agency or department it deems necessary to consult with, shall design a
7 new symbol of access for signs and other materials indicating access for, or use by, persons
8 with disabilities. The symbol required under this section shall depict a logo with a dynamic
9 character leaning forward with a sense of movement, be readily identifiable, and be simply
10 designed with no secondary meaning. The symbol required under this section shall signify
11 equivalent facilitation and accessibility as the International Symbol of Access.

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

17 SECTION 3. G.S. 20-37.5 reads as rewritten:

18 "§ 20-37.5. Definitions.

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

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



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

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

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

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

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

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

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

35"

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

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

47 **SECTION 6.** Section 3 of this act becomes effective January 1, 2018, and applies
 48 to license plates and windshield placards issued on or after that date. Section 4 of this act
 49 becomes effective January 1, 2018, and applies to tests administered on or after that date.
 50 Section 5 of this act becomes effective January 1, 2018, and applies to signs installed or
 51 replaced. The remainder of this act is effective when it becomes law.