



ACCESSIBLE PARKING

The Americans with Disabilities Act (ADA), signed July 26, 1990, provides comprehensive civil rights protection to individuals with disabilities. The ADA focuses on four major areas:

- (1) *employment*
- (2) *state and local government services*
- (3) *public accommodations*
- (4) *commercial facilities and telecommunications.*

The Americans With Disabilities Act Accessibility Guidelines (ADAAG) are standards within the ADA that explain the rules in which the Cooperative Extension Service and other government agencies and private entities must comply. The Kentucky AgrAbility Project will publish a series of bulletins that explain key aspects of the ADA.

What is accessible parking?

Accessible parking requires that enough space be provided alongside a vehicle so that people using mobility aids, including wheelchairs, can transfer and maneuver to and from the vehicle. Accessible parking also requires that spaces are appropriately designated and that they are located adjacent to an accessible route.

How is the minimum number of accessible spaces determined?

In new construction, the minimum number of accessible spaces is determined by the total number of spaces provided in a parking lot. If there is more than one lot, the minimum is determined lot-to-lot, not by the total number of spaces provided.

Must accessible spaces be provided in each lot, or on each level of parking garages?

Accessible spaces can be provided in other lots or locations, or, in the case of parking garages, on one level. These conditions are allowed when equal or greater access is provided in terms of proximity to an accessible entrance, cost, and convenience. For example, accessible spaces required for outlying parking lots may be located in a parking lot closer to an accessible entrance. The minimum number of spaces must still be determined separately for each lot even if the spaces are to be provided in other lots or locations. Accessible spaces may be grouped on one level of a parking garage in order to achieve greater access. However, where parking levels serve different building entrances, accessible spaces should be dispersed so that convenient access is provided to each entrance.

Are accessible spaces required in alterations?

In alterations, the minimum number is based on the total number of spaces altered in each lot, although it is recommended that the full number of spaces required for new construction be provided where the opportunity to do so exists within the planned scope of work. Accessible spaces are required in each altered lot. However, accessible spaces can—and should—be located closest to accessible entrances even where such locations lie outside the altered area or lot.

Is the restriping or resurfacing of a lot considered an alteration?

According to the definition of “alteration,” normal maintenance is not considered an alteration unless the usability of the lot is affected. For example, if a lot is to be resurfaced or its plan reconfigured, accessible spaces must be provided as part of the alteration. However, work that is primarily maintenance, such as repainting existing striping, may not trigger a requirement for accessible spaces. Although the work undertaken may not be technically considered an alteration, accessible spaces should be provided where the work, by its nature, makes the addition of such spaces possible.

Is full compliance with ADAAG required in alterations?

In alterations, applicable ADAAG requirements must be met except where it is “technically infeasible” to do so. For example, if the resurfacing of a lot does not include regrading, it may be technically infeasible to meet the maximum 1:50 surface slope requirement for accessible parking spaces and access aisles due to existing site constraints. Similarly, if providing the number of accessible parking spaces specified by ADAAG would reduce the number of parking spaces in an altered lot below the minimum number required by a local zoning or land use code, it may be technically infeasible to fully meet the ADAAG scoping requirement for accessible parking. For instance, if five accessible parking spaces are required, but the parking lot can only accommodate four accessible spaces and still meet the local code requirement for the total number of parking spaces, then four accessible parking spaces must be provided. However, many zoning adjustment boards are willing to grant limited waivers on the total number of required spaces if accessible spaces are provided.

Are accessible spaces required in existing parking lots and facilities?

ADAAG establishes minimum requirements for new construction or alterations. However, existing facilities not being altered may be subject to requirements for access. Title III of the ADA, which covers the private sector, requires the removal of barriers in places of public accommodation where it is “readily achievable” to do so. This requirement is addressed by regulations issued by the Department of Justice. Under these regulations, barrier removal must comply with ADAAG requirements to the extent that it is readily achievable to do so. For example, when restriping a parking lot to provide the full number of accessible spaces required by ADAAG, a lesser number may be provided. The requirement to remove barriers, however, remains a continuing obligation; what is not readily achievable at one point may become readily achievable in the future.

Must accessible spaces be provided in lots where parking is assigned to individual employees or to paying customers?

ADAAG does not distinguish between lots or garages with assigned spaces and those without. Thus, in lots or garages comprised only of spaces that are leased or assigned to employees, accessible spaces are required. However, in such situations, policies regarding the use of accessible spaces may be feasible so long as they do not discriminate against persons with disabilities. For example, in lots reserved for employees only, accessible spaces may be used by persons without disabilities when they are not needed by employees with disabilities.

Medical Care and Other Services for Persons with Mobility Impairments

A greater number of accessible parking spaces is required at facilities providing medical care and other services for persons with mobility impairments. The term “mobility impairments” is intended to include:

- *conditions requiring the use or assistance of a brace, cane, crutch, prosthetic device, wheelchair, or other mobility aid;*
- *arthritic, neurological, or orthopedic conditions that severely limit one’s ability to walk;*
- *respiratory diseases and other conditions which may require the use of portable oxygen; or*
- *cardiac conditions that impose significant functional limitations.*

At outpatient facilities, 10 percent of the parking spaces must be accessible. Facilities that specialize in medical treatment and other services for persons with mobility impairment are required to have 20 percent of parking spaces accessible.

What is an outpatient facility?

An outpatient facility is part of a medical care facility, such as a hospital’s clinic or ambulatory care center, that provides regular and continuing medical treatment to patients without

overnight stay. As defined in the guidelines, medical care facilities are facilities in which the period of stay may exceed 24 hours and physical or medical treatment or care is provided where persons may need assistance in responding to an emergency. Under these guidelines, the term “outpatient facility” does not include doctor’s offices, independent clinics, or other facilities not located in medical care facilities.

Facilities and Units Specializing in Treatment or Services for Persons with Mobility Impairments

Facilities or units that specialize in treatment or other services for persons with mobility impairments, including vocational rehabilitation and physical therapy, must have 20 percent of parking spaces accessible. These are facilities in which the treatment or service specifically serves persons with mobility impairments, such as spinal cord injury treatment centers, prosthetic and orthotic retail establishments, and vocational rehabilitation centers for persons with mobility impairments. This requirement does not apply to facilities providing, but not specializing in, services or treatment for persons with mobility impairments, such as general rehabilitative counseling or therapy centers. In determining whether a facility is subject to this requirement, both the nature of the service or treatment provided and the population they serve should be carefully considered.

Do the 10 percent and 20 percent requirements apply to employee parking spaces as well?

The higher percentages required for outpatient facilities or those facilities specializing in treatment and services for persons with mobility impairments are intended primarily for visitor and patient parking.

If there are separate lots for visitors or patients and employees, the 10 percent or 20 percent requirement may be applied only to the visitor/patient lot while accessible parking could be provided in the employee lot according to the general scoping requirement in the chart. If a lot serves both visitors or patients and employees, 10 percent or 20 percent of the spaces intended for use by visitors or patients must be accessible.

If a hospital with an outpatient unit is served generally by one lot, must 10 percent of all spaces be accessible?

At medical care facilities where parking does not specifically serve an outpatient unit, only a portion of the lot would need to comply with the 10 percent scoping requirement. A local zoning code that requires a minimum number of parking spaces according to occupancy type and square footage may be an appropriate guide in assessing the number of spaces in the lot that “belong” to the outpatient unit. These spaces would be held to the 10 percent requirement while the rest of the lots would be subject to the general scoping requirement in the chart. Those accessible spaces required for the outpatient unit should be located at the accessible entrance serving the unit. This method may also be used in applying the 20

percent requirement to hospitals or other facilities where only a portion or unit provides specialized treatment or services for persons with mobility impairments.

Are accessible spaces required where valet parking is provided?

Parking facilities that provide valet parking only are not required to provide accessible spaces but must have an accessible passenger loading zone that is connected to a facility entrance by an accessible route. However, it is strongly recommended that some accessible parking be provided even if valet parking is available. Some vehicles may be specially adapted with hand controls only or lack a driver's seat and may not be operable by an attendant. In addition, accessible spaces must be provided if valet service is not available during all hours of operation for users who must sometimes retrieve or park their own vehicles.

Is the accessible route leading from accessible spaces prohibited from being located behind other spaces?

Access aisles must connect to an accessible route leading to an accessible entrance of a facility. ADAAG regulations do not require a specific configuration for the connecting accessible route. However, it is strongly recommended that the accessible route not require travel behind other parking spaces since persons who use wheelchairs are not easily visible to drivers. Where this is not possible, the accessible route should run behind accessible parking spaces only.

Can curb ramps be provided within the access aisle?

The maneuvering necessary to enter or exit vehicles and to transfer to and from wheelchairs requires that all accessible spaces, access aisles, and passenger loading zones be level, with slopes no greater than 2 percent in any direction. This does not apply to an entire parking lot or level of a parking structure but does include connecting accessible routes which cannot have cross slopes greater than 2 percent. For safe transfer, access aisles must be level for their full length. Thus, curb ramps, including built up ramps, are not permitted within the area—the full length and width—of access aisles serving either parking spaces or passenger loading zones. Curb ramp openings must be located at the boundary of the access aisle, not the parking space, so that the ramp is not blocked by a parked vehicle. In addition, the required size of access aisles and width of the accessible route cannot be reduced by planters, curbs, or wheel stops.

Are detectable warnings required in parking lots?

The Access Board, along with the Department of Justice and the Department of Transportation, has suspended the requirement for detectable warnings on curb ramps and at hazardous vehicular areas and reflecting pools until July, 1996, pending the completion of further research.

Does ADAAG contain specifications for the striping of parking spaces or the designation of accessible spaces on the surface of the parking space?

ADAAG does not specify the method or color in which accessible spaces are striped nor does it require placement of the access symbol on the surface of parking spaces. Local codes, not ADAAG, may contain requirements for the striping of spaces, including color, and any surface decals or designations.

At what location and height is signage to be mounted?

ADAAG does not include a specific location or minimum height for signs but requires them to be placed so as not to be "obscured" by a car or van parked in the space. Access symbols provided on the surface of the space do not meet this requirement. Posted signage is typically placed in front of the space but signs can also be mounted on walls or other elements that are in close proximity to the space. Since many local codes address the height of exterior signage, a minimum mounting height is not specified in ADAAG.

What are requirements for the size and color of signs?

ADAAG requires accessible spaces to be designated by the international symbol of accessibility but does not address the color or size of parking signs, which may be regulated by local code.

Must a sign be provided at each accessible parking space?

While ADAAG requires parking spaces to be designated by the access symbol, it does not specifically require the designation of each space. Alternatives to signs at each space are allowed so long as spaces reserved for use by persons with disabilities are clearly designated and distinguished from other parking spaces.

Is "front-in" only parking prohibited by ADAAG?

Accessible spaces are required to be served by an access aisle which can be placed on either side of the parking space. Drivers may pull in or back in to perpendicular parking spaces depending on which side of the space is served by an access aisle and whether a person with a disability wishes to exit the vehicle from the driver's or the passenger's side.

Accessible spaces that drivers can only pull into do not afford the same level of flexibility. ADAAG does not specifically address or prohibit "front-in" only parking. Thus, it is recommended that where such parking is provided, accessible spaces be designed so as to allow "back-in" parking also or that access aisles be provided to serve each side of a space. With respect to van-accessible spaces, it is recommended that the access aisle be provided on the passenger side of spaces

since van side doors and side-mounted lifts are typically located on the passenger side.

Accessible Van Parking Spaces

The growing use of vans by persons with mobility impairments has led to a requirement for some accessible spaces that accommodate van users. Most often, vans are equipped with a lift or ramp at a side door. According to research sponsored by the Access Board, almost 17 feet in width is needed for the convenient deployment and use of a van-mounted lift. ADAAG requires the access aisle serving a van space to be at least eight feet wide, as is the parking space itself, for a combined minimum width of 16 feet. Since accessible spaces may share an access aisle, a single eight-foot aisle can serve two van spaces without additional space impact.

Minimum Number of Van-Accessible Spaces

One of every eight spaces is required to have an eight-foot aisle to accommodate van users. Where spaces share access aisles, it is recommended that both spaces served by the eight-foot aisle be designated as “van-accessible.”

Required Minimum Number of:

<u>Accessible Spaces</u>	<u>Van-Accessible Spaces</u>
1 to 8	1
9 to 16	2
17 to 24	3
25 to 32	4
33 and over	1 additional van-accessible space for every 8 accessible spaces

Must van-accessible spaces be restricted to van use?

The required “van-accessible” designation, which should be located beneath the international symbol of accessibility, is intended to be informative, not restrictive, in identifying those spaces that are better suited for van use. It should not be interpreted as restricting the use of spaces to vans only. Additional signage may be provided recommending that cars not be parked in van-accessible spaces unless no other accessible parking space is available. This distinction could be particularly helpful in those lots where only one accessible space is required, since ADAAG requires that space to be van-accessible.

Universal Parking Spaces

As an alternative to providing both accessible spaces, “universal” parking spaces may be provided. Universal parking does not require the specific designation of van spaces since each accessible space can accommodate either a car or van. This design features wider parking spaces that are at least 11 feet wide with standard access aisles at least five feet wide. The wider space

allows users to park to one side or the other of the space, which may ease transfer and travel from the vehicle, especially when an access aisle is provided on only one side of the space.

Passenger Loading Zones

An accessible passenger loading zone is required only where passenger loading zones are specifically designed for passenger loading and unloading. Areas not so designed are not subject to this requirement even if, as a practical matter some drivers may use them for this purpose.

Both the pull-up space and adjacent access aisle are required to be level with surface slopes no greater than 2 percent in any direction. Since the 2 percent slope requirement applies to the entire aisle surface, curb ramps should be located next to—not within—the aisle, preferably at both ends. Further, there can be no obstructions, such as planters or street furniture, in the access aisle area.

Why does the vertical clearance for parking differ from that required for passenger loading zones?

Because vans used for accessible transit and paratransit may have higher roofs than those owned and used by most individuals, the minimum vertical clearance required for passenger loading zones (114 inches) is higher than the one specified for van-accessible spaces (98 inches). The minimum clearance for van-accessible spaces also applies to at least one vehicular route leading from the entrance to the space and one from the space to an exit.

Since this clearance may affect the design of multi-level parking structures, van-accessible spaces may be grouped on one level of the structure; providing van-accessible spaces outside parking structures should not be considered as an alternative if equivalent convenience is not provided. Moreover, placement of accessible spaces outside a parking structure may be considered discriminatory if it is not part of an integrated setting and if the same amenities of interior parking, such as weather protection, security, and convenience, are not provided.

More about the National AgrAbility Project

The National AgrAbility Project was authorized through the 1990 Farm Bill and was first funded in 1991. In 1993, the University of Kentucky Cooperative Extension Service and Cardinal Hill Rehabilitation Hospital were awarded an AgrAbility grant. The Kentucky AgrAbility Project provides education and technical assistance to agricultural operators and farm family members who face the challenges of a disability.

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