STATE OF NEW YORK

1329

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to van accessible handicapped parking

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 1203-c of the vehicle and traffic law, as added by chapter 203 of the laws of 1981, is amended to read as follows:

1. **(a)** Any person, firm or corporation owning a shopping center or facility with at least five separate retail stores and at least twenty off street parking spaces which are provided for use by the shopping public must designate as only for the handicapped and clearly mark for use by the handicapped a minimum of five percent of such parking spaces or ten such spaces whichever is less. These spaces must be located as close as reasonably practicable to the shopping center facility and reasonably distributed so as to provide convenient access for use by handicapped drivers. Such parking spaces are to be used either by handicapped drivers displaying a special municipal parking permit (as defined in section twelve hundred three-a of this [~~chapter~~] **article** and distributed by the commissioner [~~of motor vehicles~~] to local governing bodies to be issued to handicapped persons who reside in such locality) or by motor vehicles registered in accordance with section four hundred four-a of this chapter and being used for the transportation of a handicapped person.

(b) One in every eight handicap accessible spaces shall be van accessible. Where five or more parking spaces are designated handicap accessible, any space that is designated as van accessible shall be reserved for wheelchair users only. A van accessible parking space reserved for wheelchair users shall be at least nine feet wide and shall have an adjacent access aisle that is at least eight feet wide.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) Van accessible parking spaces shall be at least nine feet wide and shall have an adjacent access aisle that is at least six feet wide.

(d) An access aisle, as described in paragraphs (b) and (c) of this subdivision, shall be located on the passenger side of the parking space except that two adjacent accessible parking spaces may share a common access aisle.

(e) A van accessible parking space shall have an additional sign marked "Van Accessible" mounted below the sign. A van accessible parking space reserved for wheelchair users shall have a sign that includes the words "Wheelchair User Only."

(f) Accessible parking spaces, decals and signs shall be designed in compliance with the standards set forth by the municipality.

§ 2. This act shall take effect immediately.