



## Common Myths and Mix-Ups: Accessible Parking



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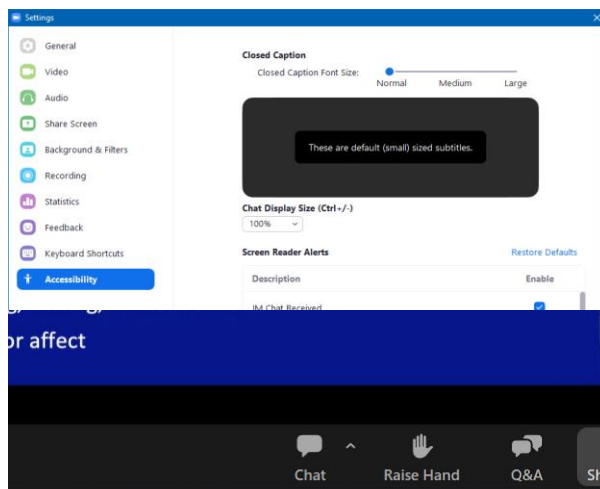
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Common Myths and Mix-Ups  
**Accessible Parking**





- ♿ Title II and Title III of the ADA
- ♿ ADA Standards
- ♿ Parking in the Public Right-of-Way
- ♿ Parking as an Individualized Accommodation
- ♿ State and Local Law

## A Few Common Myths to Get Us Started ...

- **Myth:** The ADA applies to all buildings in the United States
- **Myth:** Parking must be provided for people with disabilities even where parking is not provided for others
- **Myth:** People with disabilities who have accessible parking permits are allowed to park in any space designated as accessible and cannot be subject to any parking restrictions, such as time limits or “customers only”

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## Where and How Does the ADA Apply to Parking?

- Parking **provided** for employees and/or visitors (customers, clients, patients, etc.) by ...
  - State or local government agencies (Title II)
  - Public accommodations and commercial facilities (Title III)
    - **New construction** must meet standards; **alterations** must meet standards to the extent *technically feasible*
      - U.S. Department of Transportation (DOT) 2006 ADA Standards for Transportation Facilities
      - U.S. Department of Justice (DOJ) 2010 ADA Standards for Accessible Design

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## ADA Standards

- [ADA Standards](#) (U.S. Access Board's version combines DOJ and DOT standards)
  - Parking space scoping (how many spaces) in [Section 208](#) and technical specifications (what accessible spaces look like) in [Section 502](#)
- **What about existing facilities?**
  - **Title II:** Program accessibility (meaningful access to programs, services, activities)
  - **Title III:**
    - Public accommodations: Readily achievable barrier removal
    - Commercial facilities: No obligation to improve access in existing buildings not undergoing alterations

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## How Many Accessible Spaces Are Required? (Scoping)

Total Number of Spaces (Lot, Garage, Structure)	Total Required Accessible Spaces	Number of Total Accessible Spaces Required to be Van Accessible
1 – 25	1	1
26 - 50	2	1
51 - 75	3	1
76 - 100	4	1
101 - 150	5	1
151 – 200	6	1
201 – 300	7	2
301 – 400	8	2
401 – 500	9	2
501 - 1000	2% of total	1 of every 6 or fraction of 6
1001 and over	20, plus 1 of every 100 or fraction of 100 over 1000	1 of every 6 or fraction of 6

### Example:

A parking lot with  
**350 total** spaces  
needs:

**2 van** accessible  
spaces +

**6 standard**  
accessible spaces =

**8 total accessible  
spaces**

## Scoping: Medical Facilities

### Certain types of medical facilities need more accessible parking:

- Hospital outpatient facilities
  - **10%** of **patient/visitor** spaces
- Outpatient physical therapy facilities and rehabilitation facilities that specialize in treating conditions that affect mobility
  - **20%** of **patient/visitor** spaces
- Van accessible space requirements are the same as other types of facilities
  - **1 of every 6, or fraction of 6**, accessible parking spaces must be van accessible

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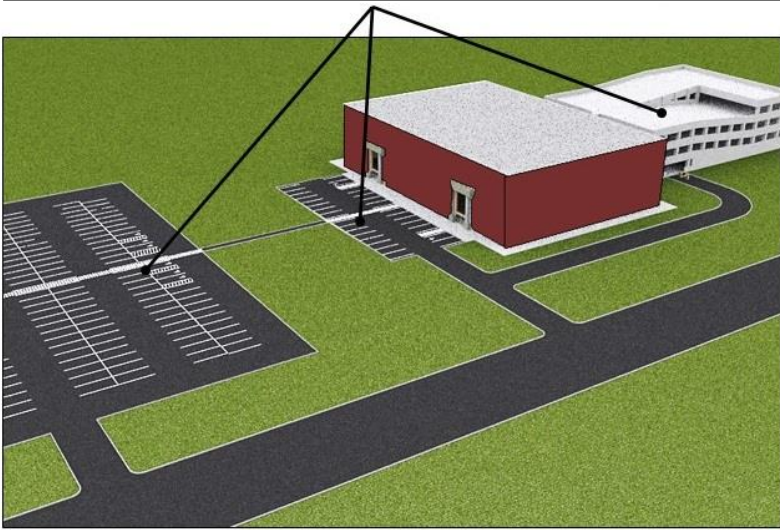
## Exceptions

- **Parking spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or vehicular impound** are not required to provide accessible spaces, as long as **lots accessed by the public (e.g., impound) have an accessible passenger loading zone**



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The number of accessible spaces must be determined separately for each separate parking facility



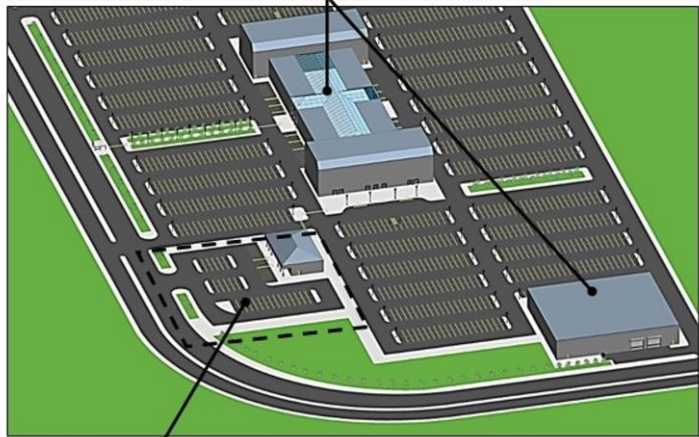
Scoping:  
Each Parking Facility

## Separate vs. Shared

What indicates a parking facility is separate?

- ❖ Different type of structure (e.g., surface lot vs. garage)
- ❖ Separated by streets, roads, guardrails, fences, or other barriers (not just drive aisles or landscaping)
- ❖ Dedicated to serving a separate building or facility

One parking lot serves two buildings with multiple accessible entrances; scoping applied to entire lot and accessible parking spaces **dispersed** to serve the different entrances



Separated parking lot dedicated to a building with one accessible entrance; scoping applied to separate lot and accessible parking spaces located on shortest accessible route to accessible entrance

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## Grouping Accessible Spaces

- When separate parking facilities serve the same building or entrance, accessible spaces for all parking facilities may be grouped together as long as ...
  - **Equivalent or better access** is provided (distance to entrances, parking fees, conveniences such as protection from weather, security features, lighting, etc.)
  - **The number of accessible spaces provided is first determined according to each separate parking facility**

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## Example of Grouping

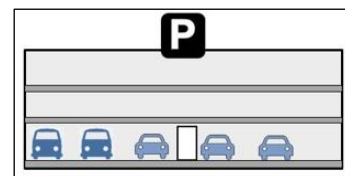
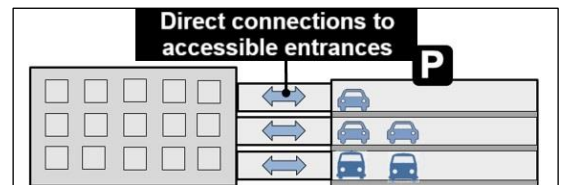
A theater has an adjacent surface parking lot with 100 spaces and a surface lot across the street with 500 spaces. The adjacent lot needs 4 accessible spaces (3 standard and 1 van accessible), and the lot across the street needs 9 accessible spaces (7 standard and 2 van accessible).

In order to provide better access (shorter travel distance to the entrance) the combined numbers of accessible spaces (10 standard and 3 van accessible, for a total of 13) are located in the lot adjacent to the theater, and the lot across the street has no accessible spaces.

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## Parking Garages and Structures

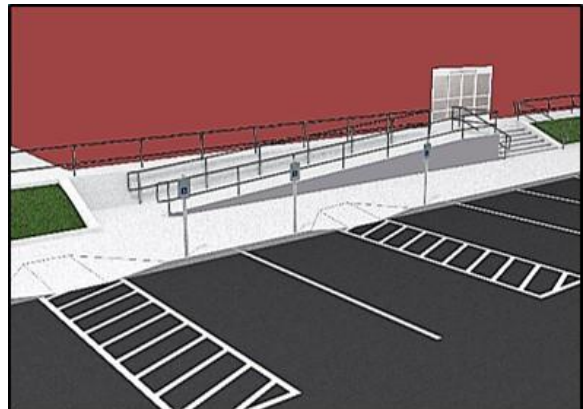
- Multi-level with direct connections to facility served
  - Accessible spaces dispersed on different levels, but van accessible spaces may be grouped on one level
- Multi-level that do not serve a specific facility
  - Accessible space located on the shortest accessible route to an accessible pedestrian entrance of the parking facility



## Location, Location, Location

**Myth:** Accessible parking spaces must be the ones located nearest to the entrance

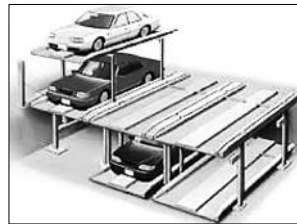
**Fact:** Accessible spaces must be located to connect to the shortest **accessible route** to the entrance or facility served



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## Passenger Loading Zones

- At least one accessible passenger loading zones **must be provided** at:
  - Licensed medical care and long-term care facilities where period of stay exceeds 24 hours
  - Valet parking service facilities
    - Accessible parking spaces still **required**
  - Mechanical access parking garages
    - Accessible spaces **not required**
- Where passenger loading zones are provided by choice, at least one must be accessible for every continuous 100 linear feet, or fraction thereof, within the loading zone space





## Accessible Parking Spaces: Technical Specifications

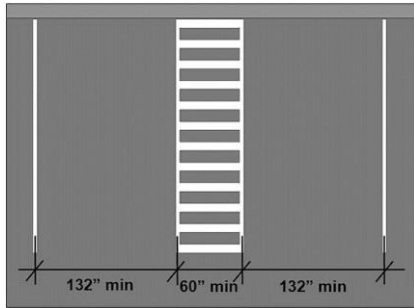
- Stable, firm, level surface
- Spaces must be marked and have minimum widths:
  - Standard accessible spaces 96" (8')
  - Van accessible spaces 132" (11')
    - Each space must have adjacent access aisle 60" (5'), marked to discourage parking in the aisle
      - Two spaces may share an aisle between them, except for *angled* van accessible spaces, which must each have an aisle on the passenger side
- Van accessible spaces, access aisles, and vehicular routes to/from must have at least 98" of vertical clearance
- Parking areas must be designed so that parked vehicles don't block minimum required clearances of adjacent accessible routes

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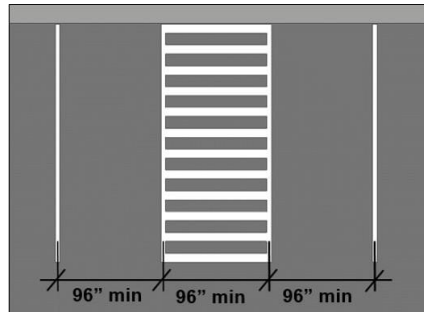


## Van Accessible Spaces

Preferred: wider space



Allowed: wider aisle



## Accessible Parking Spaces: Signs



- Signs with International Symbol of Accessibility (ISA), mounted at least 60" to bottom of sign
  - Signs for van spaces must include the phrase "van accessible"



- Exceptions from requirement for signs:
  - Lots with 4 or fewer spaces
  - Residential facilities where spaces are assigned to specific units

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## Residential Facilities

- **Myth:** All residential facilities are covered by the ADA

- **Fact:**

- Title II covers public housing provided by state or local governments
- Title III covers housing only if it is a component of a service or program offered by a public accommodation
  - *Examples:* assisted living facility, college dormitory, recovery home
  - **Remember Title III exemptions:** private membership clubs that limit services to members and religious entities

- Private residential facilities are not covered by the ADA
- Many are covered by the Fair Housing Act (FHA)



## Scoping for Residential Facilities Covered by the ADA

- Parking for residents
  - Where at least one parking space is provided for each dwelling unit, at least one accessible parking space is required for each mobility-accessible dwelling unit
    - If total number of resident parking spaces is fewer than the number of units, follow general scoping table
  - Where more than one space is provided for each dwelling unit, 2% (but no fewer than one) of the additional spaces must be accessible
- Where parking spaces are provided for non-residents (visitors, employees, etc.), follow general scoping table

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# Parking in the Public Right-of-Way

## Title II of the ADA: State and Local Governments

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## Parking: Public Right-of-Way (PROW)

- U.S. Access Board's Guidelines provide excellent direction to ensure access to on-street parking in the public right-of-way
  - Scoping according to total number of parking spaces where on-street parking is provided, and is either metered or designated by signs or pavement markings
    - Where individual spaces are not marked, count as one space each 20 feet of street or block perimeter where parking is designated
  - Exceptions for on-street parking spaces designated exclusively for ...
    - Residential parking
    - Commercial or law enforcement vehicles

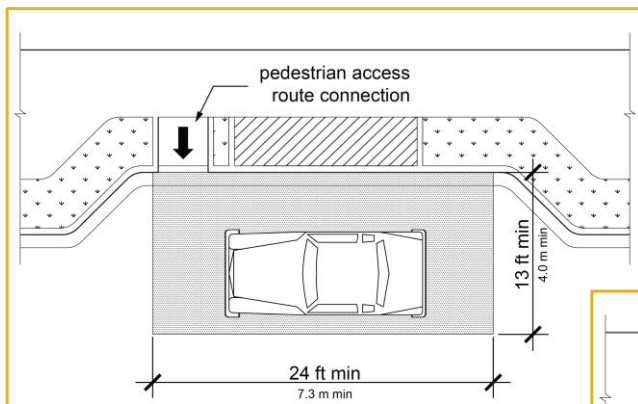
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## Scoping: On-Street Parking (PROW)

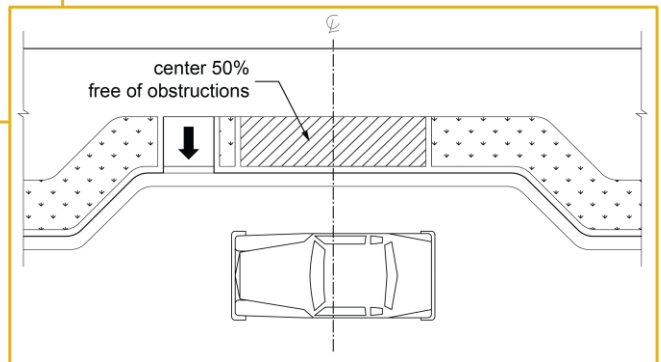
Total Parking Spaces on the Street or Block Perimeter	Minimum Number of Accessible Parking Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 and over	4% of total

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## Parallel Parking (PROW): Dimensions

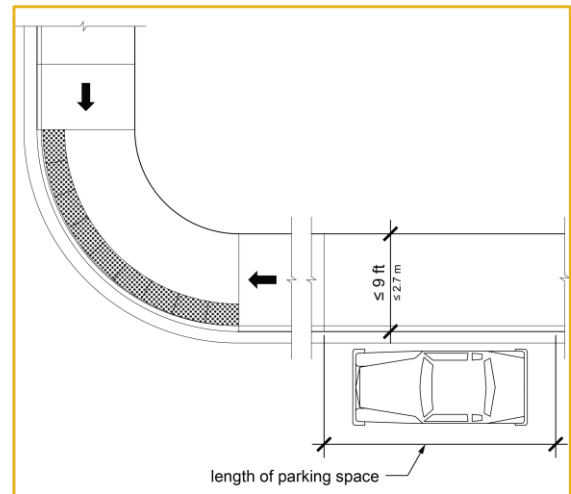


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## Parallel Parking Space Dimensions (PROW) : Exceptions for Alterations

1. Where parallel on-street parking spaces are altered but the adjacent pedestrian circulation path is not, OR
2. Where full dimensions would result in an available right-of-way width of 9 feet or less, measured from the curb line to the right-of-way line

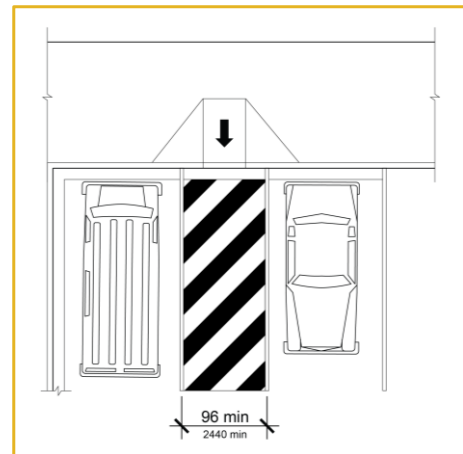
 Accessible spaces may have the same dimensions as the other on-street spaces as long as the accessible spaces are located nearest, and connected to, a crosswalk (end-of-block or mid-block)



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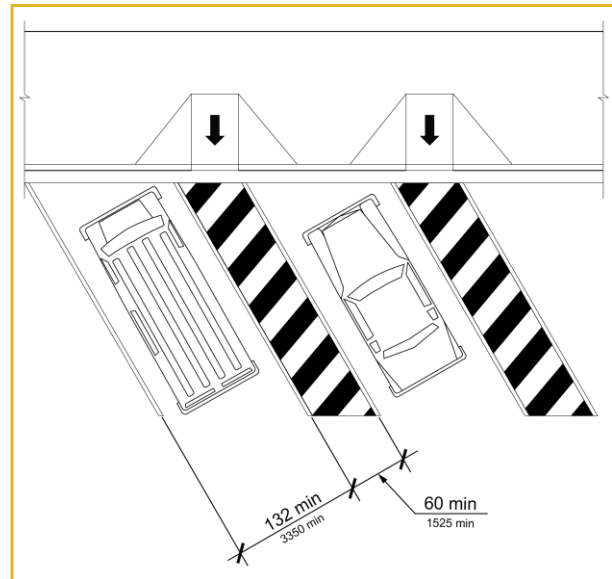
## Perpendicular Parking (PROW)

- Access aisles 96 inches wide minimum
- Two accessible parking spaces may share one access aisle where front and rear entry parking are both permitted, but ...
- Where an access aisle serves only one parking space and parking is restricted to either front or rear entry, the aisle must be on the passenger side of the vehicle



## Angled Parking (PROW)

- Width of space 132 inches
- **Each** angled space must have an access aisle
  - 60 inches wide minimum
  - Passenger side



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## Maintenance

- Title II and Title III of the ADA include obligations to **maintain** features that are required to be accessible
  - *For example*, missing or faded accessible parking signs must be replaced, faded pavement markings must be repainted, accessible surfaces must be kept in good repair and kept clear of snow, ice, or fallen leaf build-up



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# Parking as an Individualized Accommodation

## ADA and FHA

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## Title I of the ADA: Employment

- **Myth:** “Our worksite has the minimum number of accessible parking spaces required by the ADA standards in our employee parking lot, so we’re in compliance with providing parking for our employees.”
- **Fact:** Employers covered by Title I of the ADA must provide *individualized* reasonable accommodations to workers with disabilities
  - In some cases, this may mean reserving parking spaces for individual workers, increasing the number of accessible spaces in the facility, or other measures that ensure access for employees with disabilities

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## Title II of the ADA and the FHA: Residential Parking in the PROW



State or local governments that provide on-street parking in residential areas may need to consider reasonable modifications to “first-come, first-served” policies to ensure residents with disabilities can gain access to their homes

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## Parking at Private Residential Facilities



- FHA requires individualized reasonable accommodations to ensure access for residents with disabilities
  - Reasonable accommodations under the FHA are individualized adjustments in *rules, policies, or practices*
    - For example, at an apartment complex with a parking lot where spaces are generally unassigned, it may be necessary to assign a parking space to a specific resident with a disability

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## State and Local Law

- Accessible parking permits are issued by states
  - Illegal parking is also addressed in state/local law and enforced through state/local law enforcement agencies



- States and localities may also have more specific or more stringent requirements related to accessible parking spaces (e.g., colors for pavement markings, additional information or notice of penalties for illegal parking on signs)

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