



State of Tennessee

PUBLIC CHAPTER NO. 112

SENATE BILL NO. 46

By Massey, White, Kyle, Yarbro

Substituted for: House Bill No. 62

By Jernigan, Ramsey, Potts, Beck, Whitson, Hulsey, Carr, Littleton, Van Huss, Faison, Love, Shaw, Hawk, Freeman, Sanderson, Keisling, Moody, Calfee, Dixie, Hodges, Matthew Hill, Timothy Hill, Terry, Thompson, Parkinson, Moon, DeBerry, Windle, Hardaway, Coley, Stewart, Powell, Tillis, Hazlewood, Farmer, Crawford, Sparks, Daniel, Mitchell, Travis, Kumar, Chism, Clemmons, Gloria Johnson, Eldridge, Cepicky, Williams, Ogles, Camper, Lamar, Helton, Hurt, Hicks, Hall, Smith, Haston, Sherrell, White, Lamberth, Jerry Sexton, Carter

AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 12; Title 55 and Title 68, relative to persons with disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Dynamic Accessibility Act."

SECTION 2. Tennessee Code Annotated, Title 12, Chapter 2, Part 1, is amended by adding the following new section:

(a) The commissioner of general services shall promulgate rules for the purpose of designating the symbol of access to be used for buildings owned or operated by this state on signage indicating access for persons with disabilities. The commissioner, in promulgating rules, may collaborate and seek input from state agencies for the purpose of carrying out this section.

(b) The symbol must depict a logo with a dynamic character leaning forward with a sense of movement, be readily identifiable, and be simply designed with no secondary meaning. The symbol must signify equivalent facilitation and accessibility as the previously used international symbol of access. The symbol must be depicted in substantially the following form:



(c) The symbol must be accompanied by the adjective "Accessible," when appropriate for the signage, and must be used to designate every point of access for persons with disabilities for all state buildings, structures, or real property constructed or purchased on or after July 1, 2020. For existing state buildings, structures, and real property, signage indicating access for persons with disabilities must conform to the requirements of this section as the signage is replaced or repaired, or when the area of an existing state building, structure, or real property containing signage is renovated.

SECTION 3. Tennessee Code Annotated, Section 55-21-104, is amended by deleting subsection (a) and substituting instead the following:

(1) The department shall designate the symbol of access adopted pursuant to SECTION 2 for the issuance of registrations, placards, decals, and license plates to drivers or passengers with a disability under this part.

(2)(A) The symbol must be utilized for the issuance of all new registrations, placards, decals, and license plates under this part on or after July 1, 2020. Existing registrations, placards, decals, and license plates must conform to subdivision (a)(1) upon replacement, including upon a request for replacement by a driver or passenger with a disability. Notwithstanding any law to the contrary, if a person requests to replace an existing registration, placard, decal, or license plate in accordance with this subdivision (a)(2)(A), the person must pay the same fee otherwise due for the initial issuance of such registration, placard, decal, or license plate.

(B) Subdivision (a)(2)(A) only applies upon the exhaustion of the supply of existing registrations, placards, decals, and license plates.

(3) The department may promulgate rules for the purpose of carrying out this subsection (a).

SECTION 4. Tennessee Code Annotated, Section 55-4-209(b)(2), is amended by deleting the subdivision and substituting instead the following:

(2) Personalized plates for disabled drivers must bear the stylized wheelchair symbol or symbol of access in accordance with § 55-21-104.

SECTION 5. Tennessee Code Annotated, Section 55-21-105(b), is amended by deleting from subdivision (3) the language "wheelchair disabled sign," and substituting instead "wheelchair disabled sign or symbol of access,".

SECTION 6. Tennessee Code Annotated, Section 55-21-105(c), is amended by deleting the first sentence and substituting instead the following:

Each such parking space must be marked and maintained with the stylized wheelchair symbol designated by § 55-21-104, as that section existed on June 30, 2020; provided, that such parking spaces may, at the discretion of the owner, be marked with the symbol of access designated under § 55-21-104, to the extent that such marking complies with federal law.

SECTION 7. Tennessee Code Annotated, Section 55-21-108, is amended by deleting the language "wheelchair disabled sign" wherever it may appear and substituting instead "wheelchair disabled sign or symbol of access".

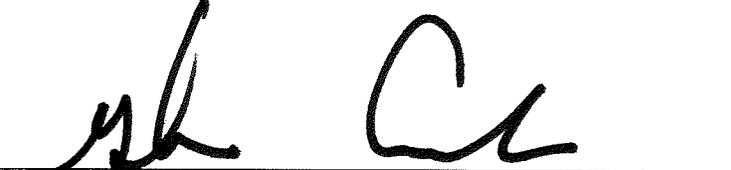
SECTION 8. A state governmental entity that receives documentation from a federal agency that compliance with a provision of this act may jeopardize federal funding or grant money for the state governmental entity is not required to comply with such provision; provided, that the state governmental entity shall comply with each provision of this act that does not jeopardize such federal funding or grant money.

SECTION 9. This act shall take effect upon becoming a law for purposes of promulgating rules and carrying out any administrative duties necessary to effectuate the provisions and intent of this act, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2020, the public welfare requiring it.

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PASSED: March 25, 2019


RANDY McNALLY
SPEAKER OF THE SENATE


GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of April 2019


BILL LEE, GOVERNOR