

## Compliance – Resource Bulletin

# NEW YORK – State Specific Signs

## New York ADA Parking Signs

### Overview:

All states must comply with The Americans with Disabilities Act of 1990. It is a federal wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability. The 2010 ADA Standards for Accessible Design (ADAAG) stipulates design standards for accessible parking spaces. Section 502.6 of ADAAG and The Department of Transportation Standard for Highway Signs (MUTCD) both address design standards for the required signs.

### Resources:

**2010 ADAAG Standards:** (Free)

[http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)

**MUTCD Standard for Highway Signs:** (Free)

[https://mutcd.fhwa.dot.gov/SHSe/shs\\_2004\\_2012\\_sup.pdf](https://mutcd.fhwa.dot.gov/SHSe/shs_2004_2012_sup.pdf)

**New York DMV Brochure:** (Free)

<http://www.dmv.ny.gov/broch/c34.htm>

### Design of Parking Signs:

- Accessible parking spaces must have a sign that includes the international symbol of accessibility and state “RESERVED PARKING.” Spaces designed for van parking must also have a sign stating “VAN ACCESSIBLE.” (ADAAG 502.6), (MUTCD R7-8)
- The sign should be 12”W x 18”H with green lettering and border on a white background. The symbol of accessibility should be 4”H and be white on a blue background. The symbol is a depiction of a person in a wheel chair. (MUTCD R7-8), (ADAAG 703.7.2.1)
- If required, the van accessible sign should be 12”W x 6”H and have green lettering and border on a white background or white lettering and border on a blue background. (MUTCD R7-8a, R&-8b)
- Signs should be mounted at least 60 inches above the parking surface so as to not be obstructed by any parked vehicles.
- Signs should be constructed to withstand the elements. An aluminum substrate with a reflective surface using UV stable ink is recommended. An anti-graffiti laminate surface might also be considered.
- Of note: Federal accessibility signs avoid the use of the text “handicapped” or “disabled” as a result of the Department of Justice’s efforts to make use of up-to-date accepted terminology and avoid stereotyping of individuals. (28CFR35.104)
- As of 9/1/2019 we are not aware of any additional ADA parking sign requirements in New York other than those specified by the federal government in the 2010 ADAAG.

## Compliance – Resource Bulletin

### New York No Smoking Signs

#### Overview:

The State of New York prohibits smoking in places of employment including bars and restaurants. Exemptions to the statewide ban are granted to hotel/motel rooms, retail tobacco shops, and private clubs. The Clean Indoor Air Act (CIAA) became law on 3/30/2003 and is administered by the Department of Health. New York City passed the Smoke Free Air Act of 2002 (SFAA 2002) that was very similar to the state statute until 5/23/2011 when it expanded prohibition to parks, beaches, pools, and other outdoor venues. (DOH 1399-o) (SFAA 2002)

#### Resources:

**New York Regulation:** (Free)

<https://www.health.ny.gov/publications/3402/>

**NY CIAA Website:** (Free)

[http://www.health.ny.gov/prevention/tobacco\\_control/clean\\_indoor\\_air\\_act/](http://www.health.ny.gov/prevention/tobacco_control/clean_indoor_air_act/)

**NYC Smoke Free Parks & Beaches:** (Free)

<http://www.nycgovparks.org/facility/rules/smoke-free>

#### Design of No Smoking Signs:

- The state statute defines a place of employment as any indoor area where one or more persons engage in work. “No Smoking” signs or the international no smoking symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, must be posted by the owner or other person in control of facilities where smoking is prohibited. Suggested graphics for the signs are viewable at the CIAA website. (1399-p.1)
- Owners of facilities that are exempt from the smoking ban must post “Smoking Permitted” signs. Suggested graphics for the signs are viewable at the CIAA website. (1399-p.1)
- New York City has the same requirements for posting signs, but it has adopted its own graphics for these signs. They are viewable at the CIAA website. (SFAA 17-506)

### New York Swimming Pool Signs

#### Overview:

Title 10, chapter I, section 6-1 of the New York Codes, Rules & Regulations (NYCRR) stipulates the rules governing the use of public swimming pools and spas. The code became effective on 5/15/1993 and requires the posting of signs at public swimming pools and spas.

#### Resources:

**New York Regulation:** (Free)

<https://regs.health.ny.gov/content/operation-supervision-and-maintenance>

**NSP Foundation:** (Free)

[http://nspf.org/en/Resources/News\\_StateCodes.aspx](http://nspf.org/en/Resources/News_StateCodes.aspx)

## Compliance – Resource Bulletin

### (Swimming Pool Signs Continued)

#### *Design of Swimming Pool Signs:*

Below are the required New York swimming pool and spa signs. See the NYCRR regulation for more specific posting and design information.

- A sign stating the maximum number of bathers and hours of operation. (6-1.20)
- A sign stating certain pool rules. (6-1.23.a.10.vi-vii)
- A sign stating certain spa rules. (6-1.29.14.13)
- A “NO DIVING” sign at movable bottom pools. (6-1.29.15.4.3)

## Concealed Weapon Signs

### *Overview:*

The New York Penal Code, article 400 (NPC 400) allows residents of the state to carry a concealed firearm (CCW) provided they have been issued a permit granted by the local city or county in which they reside. Among the requirements for issuing a permit are; an applicant must be at least 21 years old, free from a conviction of a felony, does not have a documented mental illness, and is of good moral character. There are permit categories based on the type of weapon and occupation of the applicant. In addition, any permit issued outside the five counties of New York City must also be validated by New York City before CCW is allowed in the city. There are certain places such as government buildings, schools, etc. where CCW is forbidden even with a permit. New York does not honor the CCW permits of any other states. (NPC 400.00, 1-3) (NPC 265.06)

### *Resources:*

**New York Regulation:** (Free) <http://ypdcrime.com/penal.law/article400.htm>  
**Handgunlaw.com/New York:** (Free) <http://www.handgunlaw.us/states/newyork.pdf>

### *Design of Concealed Weapons Signs:*

- Some states that allow CCW, with or without a required permit, have “opt out” laws that empower a private business to voluntarily create a “weapons free” zone by posting a “no concealed weapons allowed” sign on their premises. New York law does not empower a business to create a “weapons free” zone by posting a sign, nor does it explicitly forbid the posting of such signs at businesses or facilities where CCW is forbidden.

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### Cell Phone Signs

#### Overview:

The State of New York bans the use of hand-held cell phones for both voice and texting communications by all drivers of motorized vehicles. The law became effective 11/1/2009. (A8568-2009)

#### Resources:

**New York Regulation:** (Free) <https://dmv.ny.gov/tickets/cell-phone-use-texting>  
**Safe New York Website:** (Free) <http://www.safeny.ny.gov/phon-vt.htm>  
**Handsfreeinfo.com:** (Free) <http://handsfreeinfo.com/new-york-cell-phone-laws-legislation>

#### Design of Cell Phone Signs:

- As of 9/1/2019 we are unaware of any mandatory “no cell phone” sign postings required in New York.
- An efficient way to remind both commercial and private drivers of cell phone bans is to apply a “No Cell Phone Use While Driving” safety label or window decal to cars, taxi cabs, trucks, and buses.
- Of note: Because cell phones can be distractive by nature, it is common to see signs regulating cell phone use in public buildings such as theaters, airports, courtrooms, hospitals, buses, schools and school traffic zones.

### Baby Surrender Signs

#### Overview:

Since the first baby surrender (safe-haven) law was enacted in Texas in 1999, all U.S. states, as well as the District of Columbia, have passed safe-haven legislation. The laws allow an unharmed infant to be relinquished to the proper authorities.

#### Resources:

**New York Regulation:** (Free) [http://www.nationalsafehavenalliance.org/maps/NewYork\\_Safe\\_Haven\\_Law.pdf](http://www.nationalsafehavenalliance.org/maps/NewYork_Safe_Haven_Law.pdf)  
**NSH Alliance:** (Free) <https://www.nationalsafehavenalliance.org/>

#### Design of Baby Surrender Signs:

- New York allows for the relinquishing of a new born infant (30 days old or less) by a parent who no longer wishes to have custody of the child. The infant may be relinquished at any suitable location, hospital, fire station, police department or with an appropriate person. As of 9/1/2019 we are unaware of any requirement in the law for the posting of signs (260.0)

## Compliance – Resource Bulletin

### Truss Identification Signs

#### Overview:

Utilization of light frame roof and floor truss systems in buildings is widely accepted because it offers construction savings in material and labor. But their design can also pose a serious threat of collapse to firefighters during an emergency. The National Institute for Occupational Safety and Health (NIOSH) recommends that building owners post construction information, including the presence of roof and floor trusses, outside all buildings.

New York requires that commercial and industrial buildings utilizing truss type construction must be marked by a sign that informs firefighters and emergency responders of the existence of truss construction. The law became effective 12/29/2004. (19 NYCRR part 1264.1)

#### Resources:

**New York Regulation:** (Free)

<https://www.dos.ny.gov/dcea/pdf/Part1264.pdf>

**NIOSH Truss System Alert:** (Free)

<http://www.cdc.gov/niosh/docs/2005-132/pdfs/2005-132.pdf>

#### Design of Truss Identification Signs:

- Signs must be affixed to newly constructed buildings and existing buildings with new additions that utilize truss type construction. (1264.4c)
- The signs shall consist of a 6 inch diameter circle with a ½” stroke width. The circle and contents must be red on a white reflective background. Signs affixed directly to doors may be a decal, while those affixed elsewhere on the building must be of rigid durable construction. (1264.4d)
- The sign’s content shall display two designations:
  - The roman numeric construction type of the building, as determined by the Building Code of New York State, displayed in the circle at the twelve o’clock position. (19NYCRR part 1221, Sec 602)
  - The alphabetic truss construction type displayed at the six o’clock position, where: (1264.4e)
    - “F” means floor framing, including beams and girders
    - “R” means roof framing
    - “FR” means both floor and roof framing
- The proper sign should be placed on the building at exterior entrance doors and at fire department hose connections, where located on the building, at a height between 42 & 60 inches above grade. (1264.4f)

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