

Compliance – Resource Bulletin

NORTH DAKOTA – State Specific Signs

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

MUTCD Standard for Highway Signs: (Free)

https://mutcd.fhwa.dot.gov/SHSe/shs_2004_2012_sup.pdf

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)
- North Dakota accessible parking signs must also indicate that unauthorized use of the space is a nonmoving violation with a \$100 fine.



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North Dakota No Smoking Signs

Overview:

The State of North Dakota prohibits smoking in all enclosed public places and workplaces, including restaurants. Exemptions to the statewide ban are granted to designated hotel/motel rooms, retail tobacco shops, private clubs, bars, Native American spiritual and cultural ceremonies, designated areas in truck stops, and designated bar areas in restaurants. The North Dakota law became effective on 8/1/2005 and is administered by the Department of Health. (NDCC 23-12-10)

Resources:

North Dakota Regulation: (Free)	http://www.ndhealth.gov/tobacco/Laws/NorthDakotaSmoke-FreeLaw.pdf
North Dakota Department of Health: (Free)	http://www.ndhealth.gov/tobacco/smokefreelaw.htm

Design of No Smoking Signs:

- As of 9/1/2019 we are unaware of any requirements for the posting of “No Smoking” signs in public places and workplaces where smoking is prohibited. Nor does the state prohibit the posting of such signs.
- It would be common to see a “No Smoking” sign 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 displayed in facilities covered by the smoking ban, as well as “Smoking Permitted” signs in facilities exempt from the law.
- The Department of Health website posts samples of recommended signs.

Swimming Pool Signs

Overview:

The State of North Dakota stipulates rules governing the construction and use of public swimming pools and spas. The code, 33-29-01, became effective on 1/1/1993.

Resources:

North Dakota Regulation: (Free)	http://www.legis.nd.gov/information/acdata/pdf/33-29-01.pdf
N.D. First District Health Unit: (Free)	http://www.fdhu.org/documents/12868139191.pdf
NSP Foundation: (Free)	http://nspf.org/en/Resources/News_StateCodes.aspx



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Design of Swimming Pool Signs:

As of 9/1/2019 North Dakota does not have any statewide requirements for the posting of signs at public pools or spas. Consult your county or municipality for information on any required swimming pool signs. Some common signs posted at municipal swimming pools in North Dakota Are: (N.D. First District Health Unit)

- A sign stating various pool rules. (4-6G & appendix H)
- A sign stating various spa rules. (4-6G6 & appendix H)
- A “No Diving” sign posted at areas of the pool with water depth less than 5 feet. (4-6G2)
- A sign stating the maximum pool or spa capacity. (4-6G3)
- A sign stating water slide rules. (4-6G7)

Concealed Weapon Signs

Overview:

The State of North Dakota allows its residents to carry a concealed firearm (CCW) provided they have been a resident for 1 year and must have a North Dakota Driver’s License or State Issued ID Card. Among the requirements for issuing a permit are; an applicant must be at least 18 years old and has not been convicted of either a felony or offense involving alcohol or controlled substances. The applicant must also complete an approved handgun training course. There are certain places such as schools, churches, bars, casinos, etc. where CCW is forbidden even with a permit. North Dakota honors the CCW permits of a number other states. (62.1-04-02) (62.1-02-04-5)

Resources:

North Dakota Regulation: (Free)

<http://www.legis.nd.gov/cencode/t62-1c04.pdf>

Handgunlaw.com/North Dakota: (Free)

<http://www.handgunlaw.us/states/northdakota.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. North Dakota 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.

Cell Phone Signs

Overview:

The State of North Dakota bans the use of hand-held cell phones for texting communications by all drivers of motorized vehicles. Drivers under the age of 18 are prohibited from using cell phones for both voice and texting communications. The law became effective on 7/1/2009. (39-08-23&24)



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Resources:

North Dakota Regulation: (Free)

<http://www.legis.nd.gov/cencode/t39c08.pdf>

Handsfreeinfo.com: (Free)

<http://handsfreeinfo.com/north-dakota-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 North Dakota.
- 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:

North Dakota Regulation: (Free)

http://www.nationalsafehavenalliance.org/maps/North_Dakota_Safe_Haven_Law.pdf

NSH Alliance: (Free)

<https://www.nationalsafehavenalliance.org/>

Design of Baby Surrender Signs:

- North Dakota allows for the relinquishing of a new born infant (1 year old or less) by a parent who no longer wishes to have custody of the child. The infant may be relinquished at any hospital as defined by the statute. As of 9/1/2019 we are unaware of any requirement in the law for the posting of signs. (50-25.1-15)

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