

Compliance – Resource Bulletin

VIRGINIA – State Specific Signs

Virginia 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

Virginia ADA Parking Regulations: (Free)

<https://law.lis.virginia.gov/vacode/title36/chapter6/section36-99.11/>

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)
- Virginia also requires that the reserved parking sign state “PENALTY, \$100-500 Fine, and TOW-AWAY ZONE.” (36-99-11)

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Virginia No Smoking Signs

Overview:

The State of Virginia prohibits smoking in enclosed public elevators, public school buses, primary and secondary schools, hospital emergency rooms, health department offices, polling places, indoor service lines and cashier lines, public restrooms in government buildings and hospitals, child daycare centers except where located in a private home, and public restrooms of health care facilities. The law relegates smoking in restaurants (including bars) to separately-ventilated designated smoking rooms that are structurally separated from the rest of the establishment. Exemptions to the statewide ban are granted to, tobacco stores, cigar bars, and private clubs. The Virginia Indoor Clean Air Act went into effect on 12/1/2009 and requires the posting of signs at various locations. (15.2-2824) (15.2-2825)

Resources:

Virginia Indoor Clean Indoor Air Act: (Free) <http://leg1.state.va.us/cgi-bin/legp504.exe?091+ful+SB1105S2>

Design of No Smoking Signs:

- The owner or other person in control of a facility where smoking is prohibited must post a sign stating “No Smoking” 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. (15.2-2825{D1})
- A “Smoking Permitted” sign must be displayed at facilities and areas where smoking is permitted. (15.2-2832)
- A “No-Smoking Section Available” sign must be displayed at facilities exempt from the law that have created a designated no smoking area. (15.2-2832)

Swimming Pool Signs

Overview:

The Virginia Department of Health stipulates the rules governing the use of public swimming pools and spas.

Resources:

Virginia Regulation: (Free) <http://www.vdh.virginia.gov/environmental-epidemiology/waterborne-hazards-control-program/healthy-swimming/pool-and-spa-safety/>
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, Virginia 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 are:

- A sign stating various pool rules.
- A sign stating various spa rules.
- A sign indicating emergency services contact information and the location of the emergency phone.

Concealed Weapon Signs

Overview:

Virginia allows residents of the state to carry a concealed firearm (CCW) provided they have been issued a permit granted by the sheriff of the county in which they reside. Among the requirements for issuing a permit are; the applicant must be 21 years of age, has not been convicted of a felony, does not have a serious mental illness, does not have a conviction for an offense involving a controlled substance, and has completed an approved firearm training program. There are certain places such as, schools, courthouses, houses of worship, detention facilities, etc. where CCW is forbidden even with a permit. Virginia honors the CCW of a number of other states. (18.2-308)

Resources:

Virginia Regulation: (Free) <https://vacode.org/2016/18.2/7/6.1/18.2-308/>
Handgunlaw.com/Virginia (Free) <http://www.handgunlaw.us/states/virginia.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. Virginia 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 Virginia bans the use of hand-held cell phones for texting communications by all drivers of motorized vehicles. Drivers under 18 years of age and school bus drivers are banned from using any type of cell phone for all wireless communications. The law, 46.2-1078.1, became effective on 7/1/2007.

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(Cell Phone Signs Continued)

Resources:

Virginia Regulations: (Free) <https://vacode.org/2016/46.2/III/10/10/46.2-1078.1/>

Handsfreeinfo.com: (Free) <http://handsfreeinfo.com/virginia-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 Virginia.
- 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 distracting 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:

Virginia Regulation: (Free) http://www.nationalsafehavenalliance.org/maps/Virginia_Safe_Haven_Law.pdf

NSH Alliance: (Free) <http://www.nationalsafehavenalliance.org/>

Design of Baby Surrender Signs:

- Virginia allows for the relinquishing of a new born infant (14 days old or less) by a parent who no longer wishes to have custody of the child. Virginia law states an infant may be relinquished at any hospital or EMS provider as defined by the statute. As of 9/1/2019 we are unaware of any requirement in the law for the posting of signs. (18.2-371.1)

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