

## Compliance – Resource Bulletin

# INDIANA – 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](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)

**Indiana ADA Parking Regulations:** (Free)

<http://iga.in.gov/legislative/laws/2016/ic/titles/005/articles/016/chapters/009/>

### 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 9/1/2017 we are not aware of any additional ADA parking sign requirements in Indiana other than those specified by the federal government in the 2010 ADAAG.

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# No Smoking Signs

### Overview:

The State of Indiana prohibits smoking within eight feet of public places, places of employment, and state owned vehicles. Exemptions to the statewide ban are granted to bars, casinos, horse racing facilities, retail tobacco shops, and private clubs. The Indiana Prohibition on Smoking Law became effective on 7/1/2012 and replaced the repealed 1993 statute. The law is administered by the State Department of Health. (HEA 1149)

### Resources:

**Indiana Regulation:** (Free) <http://www.in.gov/legislative/bills/2012/PDF/HE/HE1149.1.pdf>

**Smoke Free Indiana Website:** (Free) <http://www.in.gov/isdh/tpc/2684.htm>

### Design of No Smoking Signs:

- The state statute defines a public place as an enclosed area to which the public has access. The owner or other person in control of a public place or place of employment must post a sign at all entrances stating “State Law Prohibits Smoking Within 8 Feet of this Entrance” or similar language. Within facilities where smoking is banned, a sign must be posted stating “Smoking Is Prohibited By State Law” or similar language. A symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it may also be included. (1149.4{d}) (1149.7{b1})
- Owners or operators of restaurants must post a sign at the entrance informing the public that smoking is prohibited in the restaurant. (1149.7{c})
- Owners of facilities that are exempt from the smoking ban must post a sign stating “WARNING: Smoking Is Allowed In This Establishment” or other similar language. (1149.5{b})

# Swimming Pool Signs

### Overview:

The Indiana State Department of Health stipulates the rules governing the use of public swimming pools and spas. The revised code became effective on 8/26/2010 and requires the posting of signs at public swimming pools and spas. (410 IAC 6-2.1)

### Resources:

**Indiana Regulation:** (Free) [http://www.in.gov/isdh/files/410\\_iac\\_6\\_2\\_1.pdf](http://www.in.gov/isdh/files/410_iac_6_2_1.pdf)

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

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### (Swimming Pool Signs Continued)

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

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

- A sign warning “DANGER-HAZARDOUS CHEMICALS” posted at entrance to pool chemical feed and storage rooms. IAC 6-2.1-36(a)(1)
- A “Warning-No Lifeguard on Duty” sign where lifeguards are not provided. The sign must also state “No Swimming Alone. Children Under 14 Years of Age and Non-swimmers Shall Not Use the Pool Unless Accompanied by a Responsible Adult.” IAC 6-2.1-36(a)(2)
- When the pool is closed a sign stating “POOL CLOSED.” (IAC 6-2.1-36(a)(3))
- A sign stating “NO DIVING” posted at non-diving areas of the pool where the water is less than 5 feet deep. (IAC 6-2.1-36(a)(4))
- A sign stating pool rules. IAC 6-2.1-36(b)
- A sign stating spa rules. IAC 6-2.1-36(c)
- A sign stating pool slide rules. IAC 6-2.1-36(d)
- A sign stating water slide rules. IAC 6-2.1-36(e)
- A sign stating maximum bather load within pool enclosure. IAC 6-2.1-36(f)

## Concealed Weapon Signs

### *Overview:*

The State of Indiana, in IC 35-47-2 of the Indiana Code, 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. The local official is to investigate the applicant’s official records and character as well as determine if the reason for requesting the permit is proper. There are certain places such as, schools, commercial aircraft, shipping ports, riverboat casinos, etc. where CCW is forbidden even with a permit. Indiana honors the CCW permits of all other states. (IC 35-47-2-3&4)

### *Resources:*

- Indiana Regulation:** (Free) <http://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-47-2-3.html>
- Handgunlaw.com/Indiana:** (Free) <http://www.handgunlaw.us/states/indiana.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. Indiana 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 Indiana bans the use of hand-held cell phones for texting communications by all drivers of motorized vehicles. Drivers under the age of 18 are also banned from using hand-held cell phones for voice communication. The law, HB1129, became effective on 5/11/2011.

#### Resources:

- Indiana Regulation:** (Free) <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2011&session=1&request=getBill&docno=1129>
- Handsfreeinfo.com:** (Free) <http://handsfreeinfo.com/indiana-cell-phone-laws-legislation>

#### Design of Cell Phone Signs:

- As of 9/1/2017 we are unaware of any mandatory “no cell phone” sign postings required in Indiana.
- 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:

- Indiana Regulation:** (Free) [http://www.nationalsafehavenalliance.org/maps/Indiana\\_Safe\\_Haven\\_Law.pdf](http://www.nationalsafehavenalliance.org/maps/Indiana_Safe_Haven_Law.pdf)
- NSH Alliance:** (Free) <http://www.ai.org/legislative/ic/code/title31/ar34/ch2.5.html>



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(Baby Surrender Signs Continued)

### *Design of Baby Surrender Signs:*

- Indiana 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 Indiana Safe Haven Infant Protection Act, effective 7/1/2001, states an infant may be relinquished at any hospital emergency room, fire station, or police station. As of 9/1/2017 we are unaware of any requirement in the law for the posting of signs. (IC 31-34-2.5)

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