

## Compliance – Resource Bulletin

# MASSACHUSETTS–State Specific Signs

## Massachusetts 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)

**Massachusetts Regulation:** (Free)

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section22A>

**Massachusetts Driver's Manual:** (Free)

<https://driving-tests.org/massachusetts/ma-rmv-drivers-handbook-manual/>

### 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)
- The Massachusetts Driver's Manual recommends an additional parking sign indicating that special plates are required and unauthorized vehicles may be removed at owner's expense. (MDM Appendix E)

## Compliance – Resource Bulletin

### Massachusetts No Smoking Signs

#### Overview:

The State of Massachusetts prohibits smoking in state owned vehicles, all public places, and workplaces including bars and restaurants. Exemptions to the statewide ban are granted to designated hotel/motel rooms, retail tobacco shops, cigar and hookah bars, and designated areas in nursing homes. The Massachusetts law became effective on 1/1/2004 and is administered by the Department of Health and Human Services. (M.G.L.270-22-b)

#### Resources:

**Massachusetts Regulation:** (Free) <http://www.malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter270/Section22>

#### 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 workplace where smoking is prohibited must post a sign stating “No Smoking” and may include 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. (M.G.L.270-22-g4)
- Designated smoking areas and facilities exempt from the law, must post a sign indicating a warning that smoking may be present and that persons under the age of 18 years may not enter the premises. (M.G.L.270-22-g1-3)
- Approved signs are viewable on the Department of Health website.

### Massachusetts Swimming Pool Signs

#### Overview:

The Massachusetts Department of Public Health stipulates the rules governing the use of public swimming pools and spas. The code became effective in 1998. (105 CMR 435.00)

#### Resources:

**Massachusetts Regulation:** (Free) <http://www.mass.gov/eohhs/docs/dph/regs/105cmr435.pdf>  
**NSP Foundation:** (Free) [http://nspf.org/en/Resources/News\\_StateCodes.aspx](http://nspf.org/en/Resources/News_StateCodes.aspx)

#### Design of Swimming Pool Signs:

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

## Compliance – Resource Bulletin

### (Swimming Pool Signs Continued)

- A sign stating “WARNING – No Lifeguard On Duty.” 105 CMR 435.23(2)
- A sign stating “Children Under Age 16 Should Not Use Swimming Pool Without An Adult In Attendance.” 105 CMR 435.23(2)
- A sign stating “Adults Should Not Swim Alone.” 105 CMR 435.23(2)
- A sign stating various pool rules. 105 CMR 435.22(2),(3)
- A sign stating various spa rules. 105 CMR 435.22(4)
- A sign at water slides warning sliders not to proceed down the slide until the slider in front has passed this line. 105 CMR 435.35(9)
- A sign providing the telephone numbers of emergency services posted near the communication device used in case of an emergency. 105 CMR 435.25(2)

## Concealed Weapon Signs

### Overview:

The State of Massachusetts allows its residents to carry a concealed firearm (CCW) provided they have been issued a permit granted by a law enforcement official in the county or municipality in which they reside. Among the requirements for issuing a permit are; an applicant must be at least 21 years old, has not been convicted of a felony, has not been diagnosed with a serious mental illness or addiction to a controlled substance. There are certain places such as schools, courthouses, etc. where CCW is forbidden even with a permit. Massachusetts does not honor the CCW permits of a number of other states. (140 CMR 131)

### Resources:

**Massachusetts Regulation:** (Free)

<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section131>

**Handgunlaw.com/Massachusetts:** (Free)

<http://www.handgunlaw.us/states/massachusetts.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. Massachusetts 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 Massachusetts bans the use of hand-held cell phones for texting or internet communications by all drivers of motorized vehicles. Drivers under the age of 18 and school bus drivers may not use wireless devices for any type of communication while driving. The laws, 90 CMR 13B & 8M, became effective on 7/2/2010.

## Compliance – Resource Bulletin

(Cell Phone Signs Continued)

### Resources:

- Massachusetts Regulations:** (Free) <http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section13b>  
<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section8M>
- Handsfreeinfo.com:** (Free) <http://handsfreeinfo.com/massachusetts-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 Massachusetts.
- 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:

- Massachusetts Regulation:** (Free) [http://www.nationalsafehavenalliance.org/maps/Massachusetts\\_Safe\\_Haven\\_Law.pdf](http://www.nationalsafehavenalliance.org/maps/Massachusetts_Safe_Haven_Law.pdf)
- NSH Alliance:** (Free) <https://www.nationalsafehavenalliance.org/>

### Design of Baby Surrender Signs:

- Massachusetts allows for the relinquishing of a new born infant (7 days old or less) by a parent who no longer wishes to have custody of the child. The infant may be relinquished at any hospital, fire station, or police station as defined by the statute. As of 9/1/2019 we are unaware of any requirement in the law for the posting of signs. (Act of 2004, Chapter 227)

Visit ComplianceSigns.com to shop for related signs: <http://www.compliancesigns.com>