

Compliance – Resource Bulletin

KENTUCKY – 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)
- As of 9/1/2019 we are not aware of any additional ADA parking sign requirements in Kentucky other than those specified by the federal government in the 2010 ADAAG.

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No Smoking Signs

Overview:

The State of Kentucky bans smoking in all state owned or operated workplaces including government buildings, universities, hospitals, nursing homes, and correctional facilities. The law became effective on 7/15/2010. Numerous municipalities in Kentucky have adopted smoking bans for privately owned workplaces. (61.165)

Resources:

Kentucky Regulation: (Free)

<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=22897>

Design of No Smoking Signs:

- As of 9/1/2019 we are unaware of any requirements for the posting of “No Smoking” signs in workplaces owned or operated by the state. 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 both in state buildings as well as in commercial workplaces located in municipalities having smoking bans in force.

Kentucky Swimming Pool Signs

Overview:

The “Kentucky Public Swimming and Bathing Facilities Administrative Regulation” stipulates the rules governing the use of public swimming pools and spas. The code became effective in 1988 and requires the posting of signs at public swimming pools and spas. (902 KAR 10:120)

Resources:

Kentucky Regulation: (Free)

<http://www.lrc.ky.gov/kar/902/010/120.pdf>

NSP Foundation: (Free)

http://nspf.org/en/Resources/News_StateCodes.aspx

Design of Swimming Pool Signs:

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

- A sign stating various pool rules. 902 KAR 10:120 Sec.15 (1)
- A “CAUTION” sign stating various spa rules. 902 KAR 10:120 Sec.15(3)
- A sign stating the location of the nearest telephone and indicating the emergency telephone numbers. 902 KAR 10:120 Sec.15(4)

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Concealed Weapon Signs

Overview:

The State of Kentucky allows residents of the state to carry a concealed firearm (CCW) provided they have been issued a permit granted by the local sheriff in the county 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, is not addicted to any controlled substance, does not have a documented mental illness, and has completed an approved firearms safety course. There are certain places such as, schools, law enforcement facilities, taverns, government buildings, etc. where CCW is forbidden even with a permit. Kentucky honors the CCW permits of all other states. (KRS 237.110)

Resources:

Kentucky Regulation: (Free) <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=47039>
Handgunlaw.com/Kentucky: (Free) <http://www.handgunlaw.us/states/kentucky.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. Kentucky 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 Kentucky 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 forbidden from using hand-held cell phones for voice communication as well. The law, HB415, became effective on 1/1/2011 (KRS 189.292)

Resources:

Kentucky Regulation (Free) <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=39750>
Handsfreeinfo.com: (Free) <http://handsfreeinfo.com/kentucky-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 Kentucky.
- 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.

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(Cell Phone Signs Continued)

- 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:

Kentucky Regulation: (Free) http://www.nationalsafehavenalliance.org/maps/Kentucky_Safe_Haven_Law.pdf

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

Design of Baby Surrender Signs:

- Kentucky 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 hospital, fire station, EMS provider, or police station when a staff person is on duty. As of 9/1/2019 we are unaware of any requirement in the law for the posting of signs. (KRS 405.075)

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