

Accessible Parking in Texas Fast Facts

GENERAL INFORMATION ON ACCESSIBLE PARKING IN TEXAS

Definitions of disability for parking

“Disability” means a condition in which a person has:

- a mobility problem that substantially impairs a person’s ability to ambulate (walk); or
- visual acuity of 20/200 or less in the better eye with correcting lenses; or
- visual acuity of more than 20/200 but with a limited field of vision in which the widest diameter of the visual field subtends an angle 20 degrees or less.

[\(Transportation Code §681.001\(2\)\)](#)

A “mobility problem that substantially impairs a person’s ability to ambulate (walk)” means that the person:

- cannot walk 200 feet without stopping to rest; or
- cannot walk without the use of or assistance from an assistance device, including a brace, a cane, a crutch, another person, or a prosthetic device; or
- cannot ambulate without a wheelchair or similar device; or
- is restricted by lung disease to the extent that the person’s forced respiratory expiratory volume for one second, measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest; or
- uses portable oxygen; or
- has a cardiac condition to the extent that the person’s functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- is severely limited in the ability to walk because of arthritic, neurological or orthopedic condition; or
- has a disorder of the foot that, in the opinion of a person licensed to practice podiatry in this state or in a state adjacent to this state limits or impairs the person’s ability to walk; or
- has another debilitating condition that, in the opinion of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, limits or impairs the person’s ability to walk.

[\(Transportation Code 681.001\(5\)\)](#)

Contact: Texas Governor’s Committee on People with Disabilities at 512-463-5739.

<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

What is required to get a placard or plate for accessible parking?

The [Texas Department of Motor Vehicles \(DMV\)](#), which opened for business in 2009, is responsible for vehicle registration and titling. [County Tax Assessor Collectors' Offices](#) are still responsible for distribution of accessible license plates and placards.

You can make an application for an accessible parking placard and/or plate by submitting a form called a [VTR-214](#) that you can download. Then take the form to one of the following professionals for a signature:

- (1) a physician licensed to practice medicine in Texas or an adjacent state (Arkansas, Louisiana, New Mexico, or Oklahoma); or
- (2) a physician's assistant licensed to practice in Texas; or
- (3) a physician practicing medicine in the U.S. military on a military installation in Texas; or
- (4) a physician practicing medicine in a hospital or other health facility of the Department of Veterans Affairs; or
- (5) a person licensed to practice podiatry or optometry in Texas or an adjacent state (Arkansas, Louisiana, New Mexico, or Oklahoma).

The above signature must be notarized, unless a written prescription from the physician or authorized professional is attached.

You then submit your [VTR 214](#) to your [county tax assessor-collector's office](#).

New Parking Laws: (revised after the 82nd Legislative Session – 2011 and the 83rd Legislative Session – 2013)

[House Bill 1514](#) (2013) adds vehicles with “World War II Veteran” specialty license plates to those vehicles that may be exempt from the payment of a parking fee collected through a parking meter charged by a governmental authority other than the federal government

[House Bill 559](#) (2011) creates specialty license plates with parking privileges for recipients of the Bronze Star Medal and the Bronze Star Medal with Valor.

[House Bill 1473](#) (2011) penalizes production and use of counterfeit accessible parking placards.

[Senate Bill 1755](#) (2011) creates specialty license plates with parking privileges for recipients of the Distinguished Service Medal.

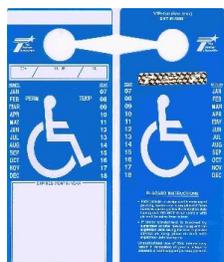
[House Bill 2080](#) (2011) provides that Physicians' Assistants (PAs) may prescribe accessible parking placards in any county in Texas.

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[House Bill 2928](#) (2011) creates specialty license plates with parking privileges for recipients of the Silver Star Medal.

[House Bill 3580](#) (2011) provides for a specialty license plate, without accessible parking privileges, for the surviving spouse of a veteran with a disability.



What kinds of placards and plates are available?

Blue placards

BLUE Disabled Parking Placards are issued to persons with a permanent disability. **BLUE** Placards issued for a permanent disability are valid for a maximum of four years. A Blue Placard can be replaced or renewed upon request of the person with the disability without presentation of evidence of eligibility.



Red placards

RED Accessible Parking Placards are issued to persons with a temporary disability. **RED** Placards issued for a temporary disability are valid for six months from the date of issuance or until the end of the disability, whichever comes first. A Red Placard may be renewed at the end of that period if the disability remains, as evidenced by a doctor's letter or prescription.

Can I get both placards and plates?

- ★ [Disabled Person license plates](#) displaying the International Symbol of Access (ISA) are available for people with a permanent disability. Most applicants are eligible for one [1] Disabled Person License plate, but a person can be eligible for more, if that person has more than one vehicle with special equipment that allows for use of the vehicle by a person who cannot use one or both legs. [Transportation Code 504.201\(g\)\(1\)-\(2\)](#)
- ★ Qualifying persons without any Disabled Person license plates are eligible for two [2] Disabled Person parking placards.
- ★ Qualifying persons with one [1] Disabled Person license plate are eligible for one [1] Disabled Person parking placard.
- ★ Qualifying persons with two [2] Disabled Person license plates are eligible for two [2] Disabled Person parking placards.
[Transportation Code 681.004](#)

Rules for veterans regarding placards and plates

Disabled Veterans Plates: Submit a [VTR-214](#) to your County Tax Assessor-Collector. You must:

- be a Texas resident;

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<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

- be a veteran of the United States Armed Forces;
- have a service-connected disability of at least 50 percent or at least 40 percent due to the amputation of a lower extremity;
- receive compensation from the Federal Government as a result of the disability;
- have a vehicle titled in your name.

Qualifying veterans can receive Disabled Veteran Plates for every vehicle registered to them. They can also receive parking placards for every vehicle for which they received a Disabled Veteran license plate. [Transportation Code 504.202\(b\) and \(g\)](#).

Rules for institutions regarding placards and plates

[Nursing homes, retirement communities, institutions](#) and other facilities that transport people with disabilities may obtain blue parking permits for their vehicles, including vans and buses. These permits can only be used when transporting people with disabilities.

How much do placards and plates cost?

Cost to general public:

- ✪ Parking placards may be issued to persons with a permanent or temporary disability. There is no fee for a placard issued to a person with a permanent disability, and a \$5 fee (per placard) if issued to a person with a temporary disability.
- ✪ The fee for Disabled License Plates is the regular registration fee for the vehicle as prescribed by law.
- ✪ Disabled License Plates may be personalized for an additional annual fee of \$40.

Cost to veterans:

- ✪ The cost for the first set of Disabled Veteran License Plates is \$3. The cost for any additional set of license plates is the regular registration fee for the vehicle.
- ✪ A person entitled to a Disabled Veteran License Plate may choose to receive a *standard* license plate at the same cost to him or her as the Disabled Veteran License Plate.

What are the laws regarding who can park in accessible parking spaces?

General parking privileges:

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In a parking space:

Texas law provides that a vehicle may be parked for an unlimited period in a **parking space** that is designated specifically for persons with disabilities if the vehicle is being operated by or for the transportation of a person with a disability, and if the vehicle displays the appropriate plate or placard.

At a parking meter:

Accessible parking privileges exempt the owner of the vehicle from having to pay a fee or penalty for **parking at a meter**, if a) the vehicle is being operated by or for the transportation of a person with a disability, and b) a valid accessible parking plate or placard is displayed on the vehicle. (Note: qualified veterans have additional parking privileges at meters; see discussion below in “Veteran’s additional parking privileges”).

This exemption from fees does not apply to a fee or penalty imposed by:

- (1) a branch of the United States government, or
- (2) a governmental unit for parking at a meter, in a parking garage or lot, or in a space located *within the boundaries of a municipal airport*.

State and local governments may choose to pass laws exempting people with accessible parking plates or placards from fees or penalties imposed by the government at structures or lots. [Transportation Code 681.006](#).

Texas law allows parking placards to be displayed in any vehicle used for transportation of a person with a disability. People with disabilities can apply for placards even if they do not own a car.

Veterans’ additional parking privileges:

Owners of vehicles displaying specialty license plates indicating one of the following statuses:

- Disabled Veteran (from Texas or another U.S. state),
- World War II Veteran (this privilege goes into effect Sept. 13, 2013)
- Distinguished Service Medal,
- Former Prisoner of War,
- Bronze Star Medal,
- Bronze Star Medal with Valor,
- Pearl Harbor Survivor,
- Congressional Medal of Honor,
- Legion of Valor (Air Force Cross, Distinguished Service Cross, Army Distinguished Service Cross, Navy Cross or Medal of Honor),
- Purple Heart Recipient,

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- Silver Star Medal, or
- Legion of Merit

are exempt from the payment of parking fees collected through a parking meter charged by a governmental authority other than a branch of the federal government. These vehicles are only exempt from the parking fees if they are being operated by or for the transportation of the person who registered the vehicle with the above mentioned license plates. [Transportation Code Section 681.008\(b\)](#). According to [Attorney General's Opinion No. H-1291](#), vehicles displaying Disabled Veteran License Plates must not be parked at meters longer than the maximum indicated time on the meters *if there is a restriction against parking at a meter in excess of that time*. In other words, if a local law prohibits “feeding the meter” beyond the maximum time indicated on the meter, then people with Disabled Veteran License plates may not disobey this local law. Local governments may choose to allow people with parking privileges to park for an unlimited time at a meter, but governments are not required to allow unlimited parking at a meter by Texas law.

Texas' reciprocity with other states

Individuals with [foreign or out-of-state parking placards or license plates](#) can park in accessible parking spaces in Texas. Texans can use their placards or license plates to park in all other states as well.

Violations of accessible parking law in Texas

It is a violation of Texas law:

- ✪ To park a vehicle in an accessible parking space without displaying the appropriate plate or placard, even if a driver or a passenger of the vehicle has a disability;
- ✪ To park a vehicle in an accessible space when neither the driver or any passenger has a disability, even if the vehicle displays the appropriate plate or placard;
- ✪ To park a vehicle with an accessible placard or plate that is expired;
 - a person cited for illegally parking a vehicle with an expired placard may have the citation dismissed if the person obtains a valid placard within 20 working days of the citation or before the person's first court appearance date, whichever is later
- ✪ To park a vehicle with an accessible placard or plate that belongs to someone who is not a driver or a passenger in the vehicle;
- ✪ To lend an accessible parking placard to an individual without a disability who uses that placard to violate state law;
- ✪ To steal an accessible parking placard or license plate;
- ✪ To produce or use a counterfeit accessible parking placard or plate;
- ✪ To park a car in such a way that it blocks access to an accessible parking space, an access aisle, or any architectural improvement that provides access for people with disabilities, such as a ramp or a curb cut.

[Transportation Code 681.011](#), [Transportation Code 681.0111](#), and [Transportation Code 681.012](#)

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<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

Penalties for violations of accessible parking law

People who park in accessible parking spaces or who misuse Disabled Parking Placards or License Plates are subject to fines of up to **\$1,250 and up to 50 hours of community service**.

A law enforcement officer may seize a Disabled Parking Placard if the law enforcement officer believes that a parking offense was committed. The person from whom the placard was seized may request a hearing. At the hearing, the department will determine if revocation of the placard should continue or if the revocation should be rescinded.

[Transportation Code 681.011](#) and [Transportation Code 681.012](#)

What rights do people with disabilities have regarding buying gas?

[Refueling services](#) are available to a driver with a disability of a vehicle that displays a Disabled Parking Placard or Disabled License Plates. The refueling service is available only at service stations or other facilities which provide both full-service and self-service pump islands and is limited to gasoline and diesel fuel. Prices charged for the fuel may not be greater than the self-service price. Complaints concerning non-compliance with this law should be directed to the local district or county attorney or to the Texas Attorney General's consumer affairs office.

How do I create an accessible parking space?

[The Texas Accessibility Standards \(TAS\)](#) regulate the size and placement of accessible parking spaces. The Texas Department of Licensing and Regulation (TDLR) is the state agency responsible for enforcing the TAS, which covers a wide range of accessible building components. The most recent version of the TAS has been submitted to the United States Department of Justice (DOJ) for review. The DOJ will determine whether the accessibility requirements found in the TAS are equivalent to those found in regulations implementing the Americans with Disabilities Act (ADA). Builders and other professionals should assume that both the TAS and the ADA apply to their projects.

Information on how many parking spaces are required to be accessible, including how many spaces must be van accessible, can be found in [TAS 208](#).

Information on the length, width, access aisles, marking, location of accessible parking spaces can be found in [TAS 502](#).

Further questions about the TAS should be addressed to TDLR's Architectural Barrier Technical Assistance Line at 877-278-0999 or by e-mail at techinfo.ab@license.state.tx.us

Contact: Texas Governor's Committee on People with Disabilities at 512-463-5739.

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[Technical assistance on restriping parking lots by the Department of Justice](#)

When a business restripes a parking lot, it must provide accessible parking spaces as required by the ADA Standards for Accessible Design. In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking lots when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases. This ADA Business Brief provides key information on how to create accessible car and van spaces and how many spaces to provide when parking lots are restriped.

Multi-family residential accessible parking

Additionally, the federal Fair Housing Act may require the owner of a [multi-family residential property to provide accessible parking](#). Tenants with disabilities may ask the owners to create accessible parking spaces so that they can access their apartments. Under the Fair Housing Act, property owners are required to provide “reasonable accommodations” to tenants with disabilities. A request for an accessible parking space would be considered a “reasonable accommodation,” unless it would be difficult or impractical to provide such a space.

How does the Americans with Disabilities Act relate to parking?

[The Americans with Disabilities Act of 1990](#) is the world’s first civil rights act for persons with disabilities. The ADA has several provisions that touch on accessible parking issues.

Employment

The ADA requires that businesses provide [“reasonable accommodations”](#) for employees with disabilities. In certain circumstances, employees with disabilities may require parking accommodations. Such accommodations could include a reserved parking space, a covered parking space, or transportation assistance from a remote parking lot. However, an employer is not required to provide an accommodation that would result in lesser access for members of the public, i.e., allowing an employee to park in an accessible space that is reserved for customers with disabilities.

Program Access

Contact: Texas Governor’s Committee on People with Disabilities at 512-463-5739.
<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

The ADA requires that state and local government entities provide [access for all their programs and services](#). In certain instances, this may require the government to provide parking spaces in excess of the ADA requirements. For example, if a city were to sponsor a wheelchair race, it may need to provide additional temporary van-accessible spaces on the day of the race.

Readily Achievable Standard

The ADA requires that buildings built before 1991 must remove architectural barriers when such removal is [“readily achievable.”](#) “Readily achievable” means that the barrier can be removed easily, and with little cost. A Department of Justice publication on parking stated that for most businesses, restriping parking lots to include accessible parking spaces was “readily achievable in most cases.”

Maintenance of accessible features and enforcement:

ADA compliance is an ongoing responsibility. Business and government entities that are required to provide accessible parking must continue to ensure access to such parking. For example, the Department of Justice required one Massachusetts restaurant chain to fix a pothole in an accessible parking space, arrange for the prompt removal of snow and debris blocking accessible parking spaces, and "police the use of the parking spaces to insure that they are available for the use of individuals with disabilities, and are not being used by other individuals."

Who has the authority to investigate violations of Texas parking law?

If a person violates the Texas law regarding parking in accessible spaces, the local law enforcement agencies have the authority to issue tickets. Additionally, some communities have volunteers who enforce parking laws.

Violation of construction law by a business, government agency, or other public accommodation

If a business, government agency, or other place of public accommodation violates the law regarding the **construction** of an accessible parking space, individuals may file complaints with the Texas Department of Licensing and Regulation, the state agency with responsibility to enforce the [Texas Architectural Barriers Act](#). To file a complaint with TDLR, please contact:

[Texas Department of Licensing & Regulation](#)
Architectural Barriers Section
PO. Box 12157

Contact: Texas Governor’s Committee on People with Disabilities at 512-463-5739.
<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

Austin, Texas 78711

(800) 803-9202

(512) 475-2886 (Fax)

File a complaint online: <https://www.license.state.tx.us/Complaints/>

Violation under the Americans with Disabilities Act

The Department of Justice also has the authority to enforce the parking provisions of the Americans with Disabilities Act. To file a complaint with the Department of Justice, please contact:

[U.S. Department of Justice](#)

Civil Rights Division

Disability Rights Section

P.O. Box 66738

Washington, D.C. 20035-6738

(800) 514-0301 (voice)

(800) 514-0383 (TTY)

(202) 307-1198 (fax)

Violation by a landlord of a multi-family residential property

If an owner of a multi-family residential property refuses to honor a request by a tenant with a disability to install an accessible parking space, the [Texas Workforce Commission Civil Rights Division](#) (TWCCRD) has the authority to investigate. TWCCRD is the state agency responsible for enforcing the Texas Fair Housing Act. To file a complaint with that office, you may wish to:

- Come to the TWCCRD office located at 1117 Trinity St., Room 144T, Austin, Texas, between the hours of 8:00 am and 5:00 pm. When you arrive at TWCCRD you will meet with an Investigator who will discuss what is required to file a complaint, how the complaint will be investigated, and will assist you in preparing the complaint.
- Call the TWCCRD office at 1-512-463-2642 or 1-888-452-4778. An Investigator will discuss what is required to file a complaint, how the complaint will be investigated, and will assist you in preparing the complaint.
- Write to TWCCRD at Civil Rights Division, 1117 Trinity St., Room 144-T, Austin, Texas 78701. Include the nature of your complaint and your contact information, including telephone number.

Violation of the Fair Housing Act

Additionally, [Fair Housing Act](#) complaints may also be filed with the [U.S. Department of Housing and Urban Development](#).

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<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

Addendum: Texas Drivers' Licenses and Identification Cards

General Information for Texans with Disabilities

You can apply for a new driver's license or identification card or renew an existing one through the Department of Public Safety (DPS). Information on fees, forms of payment, DPS office locations, and much more can be found on the DPS website at [DPS Website](#). You can also call the DPS Customer Service line at 512-424-2600 (English) or 512-424-7181 (Spanish) or send a message using this online form: [Question Form for DPS](#).

Accommodations in the Application or Renewal Process

How can I make a request for an accommodation in the application or renewal process?

You can call the DPS office that you plan to visit and request a reasonable accommodation due to your disability. You may also submit this online form several days in advance of your visit: [Accommodation Form](#). If your concerns are still not addressed, you may wish to call the DPS Customer Service Line at 512-424-2600 (English) or 512-424-7181 (Spanish).

I cannot leave my home due to my disability. Can I still receive a driver's license or identification card?

You can apply for and receive an identification card without leaving your home if your disability prevents you from applying in person. A DPS program called "Homebound" provides the necessary services, including having your photograph taken in your home.

The Homebound program is not available for driver's licenses.

To request services through the Homebound program, fill out this online form available through DPS, indicating in the "questions" field that you are requesting Homebound services: [Question Form for DPS](#).

What should I do if I believe that I was wrongfully discriminated against due to my disability during an application or renewal?

DPS has established an internal grievance policy. You can read more about it here: [DPS Grievance Policy](#).

Grievances should be submitted to:

Commander
Human Resources Bureau
5805 North Lamar Boulevard

Contact: Texas Governor's Committee on People with Disabilities at 512-463-5739.
<http://www.gov.texas.gov/disabilities>. Doc Revised 2013.

P.O. Box 4087
Austin, Texas 78773-0251
(512) 424-5901

Veterans' Information

I'm a veteran with a disability. Can I get my license or identification card free of charge?

A driver's license or identification card may be furnished to certain veterans with disabilities free of charge. To find out more about the eligibility criteria, visit: [Veterans' Exemption](#).

Further Questions

If you have further questions about applying for or renewing a driver's license or identification card, you may wish to call DPS Customer Service at 512-424-2600 (English), 512-424-7181 (Spanish), or send an online message: [Question Form for DPS](#).

Prepared by:

[The Texas Governor's Committee on People with Disabilities](#)

- Phone: (512) 463-5739
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- Fax: (512) 463-5745
- For relay services dial 711 or your relay provider of choice
- Address: 1100 San Jacinto Blvd., Austin, Texas 78701