

SENATOR JEFF WENTWORTH

SENATE DISTRICT 25

AUSTIN

Capitol Building, Room 1E.9
P. O. Box 12068
Austin, Texas 78711
(512) 463-0125
Toll-Free (888) 824-6984
FAX (512) 463-7794
TDD 1-800-735-2989

INTERNET E-MAIL

jeff.wentworth@senate.state.tx.us

SAN ANGELO

2121-B Knickerbocker Road
San Angelo, Texas 76904
(915) 942-8522
FAX (915) 942-8621

SAN ANTONIO

1250 N. E. Loop 410, Suite 720
San Antonio, Texas 78209
(210) 826-7800
FAX (210) 826-0571



The Senate of
The State of Texas

February 11, 2000

RQ-0191-9C

COMMITTEES

Chairman, Nominations
Jurisprudence
State Affairs

COUNTIES IN
SENATE DISTRICT 25

Bandera	Llano (part)
Bexar (part)	Mason
Blanco	Medina (part)
Comal (part)	Schleicher
Gillespie	Sutton (part)
Guadalupe (part)	Tom Green (part)
Kendall	Travis (part)
Kerr	Williamson (part)
Kimble	

RECEIVED

FEB 22 2000

OPINION COMMITTEE

FILE # ML-41282-00

I.D. # 41282

The Honorable John Cornyn
Attorney General
P. O. Box 12548
Austin, Texas 78711-2548

Re: Request for Opinion

Dear General Cornyn:

I have been asked by members of the Texas Society of Professional Engineers to seek an Attorney General's opinion on the question of whether the requirements of House Bill 1032 for parking spaces would conflict with the Americans with Disabilities Act and the Accessibility Guidelines issued by the Texas Department of Licensing and Review when the latter two require only one parking space.

The above referenced question refers to Section 5 of House Bill 1032 which amends Section 681.009 of the Texas Transportation Code by adding Subsection (e) to read as follows:

“(e) A private property owner or private person who controls property used for parking and who designates one or more uncovered parking spaces for the exclusive use of vehicles transporting persons with disabilities shall assign at least half of those spaces for the exclusive use of vehicles displaying a white on blue shield disabled parking placard, except that if an odd number of spaces is designated, only the number of spaces that is the largest whole number less than half of the number of designated spaces must be assigned for the



Attorney General John Cornyn
February 11, 2000
Page Two

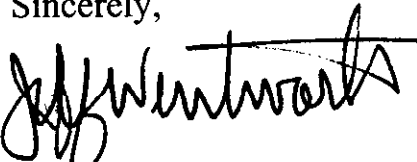
exclusive use of vehicles displaying a white on blue shield placard. Van-accessible parking spaces shall be counted as assigned spaces under this subsection. These assigned spaces must be the spaces located closest to an accessible route to an entrance accessible to a person with a disability. The remaining designated parking spaces may be used by vehicles displaying a white on blue shield disabled parking placard, a white on red shield disabled parking placard, or license plates issued under Section 502.253. This subsection applies only to property used for parking that serves a building or other facility:

“(1) that state law requires to be accessible to persons with disabilities; and

“(2) for which construction or an alteration of the building or other facility is completed on or after September 1, 1999.”

Thank you for your consideration of this matter.

Sincerely,



Jeff Wentworth

JW/dk