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Architectural Barriers Rules

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§ 68.1. **Authority.**

These rules are promulgated under the authority of Texas Government Code, Chapter 469, **Elimination of Architectural Barriers, and Texas Occupations Code, Chapter 51.**

§ 68.10. **Definitions.**

The following words and terms, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

- (1) **Act**--Texas Government Code, Chapter 469, Elimination of Architectural Barriers (the Texas Architectural Barriers Act).
- (2) **Building**--Any structure located in the State of Texas that is used and intended for supporting or sheltering any use or occupancy.
- (3) **Commencement of Construction**--The date of placement of engineering stakes, delivery of lumber or other construction materials to the job site, erection of batter boards, formwork, or other construction related work.
- (4) **Common Use**--Refers to those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people (for example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants).
- (5) **Completion of Construction**--The date when a construction project results in occupancy or the issuance of a certificate of occupancy. For public roadway projects, completion of construction occurs upon final payment and release of the contractor performing the work or, if the work is performed by public employees, removal of barricades and opening of all traffic lanes for use.
- (6) **Construction Documents**--Documents used for the construction of a building or facility, including working drawings, plans, specifications, addenda, change orders, and other supplemental documents issued for the purpose of construction.
- (7) **Contract Provider**--The state agency or political subdivision under contract with the department to perform plan reviews, inspections, or both.
- (8) **Crosswalk**--That part of a roadway where motorists are required to yield to pedestrians crossing, as defined by state and local regulations, whether marked or unmarked.
- (9) **Curb Line**--A line that represents the extension of the face of the curb and marks the transition between the sidewalk and the gutter or roadway at a curb ramp or flush landing.
- (10) **Designated Agent**--An individual designated in writing by the owner to act on the

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owner's behalf.

(11) **Detention and Correctional Facilities**--Facilities where occupants are under some degree of restraint or restriction for security reasons including, but not limited to, state prisons, county jails, city jails, detention centers, and substance abuse centers.

(12) **Element**--An architectural or mechanical component of a building, facility, space, or site, e.g., telephone, curb ramp, door, drinking fountain, seating, or water closet.

(13) **Employee Work Area**--An area designated for employee use only and used only for work. Corridors, toilet rooms, kitchenettes and break rooms are examples of areas that are not employee work areas.

(14) **Facility**--All or any portion of buildings, structures, site improvements, complexes, equipment, roads, walks, passageways, parking lots, or other real property subject to the Act.

(15) **Issue**--To mail, deliver, transmit, or otherwise release plans or specifications to an owner, lessee, contractor, subcontractor, or any other person acting for an owner or lessee for the purpose of construction, applying for a building permit, or obtaining regulatory approval after such plans have been sealed by an architect, interior designer, landscape architect, or engineer. In the case of a state-funded or other public works project, it is the time at which plans or specifications are publicly posted for bids, after such plans or specifications have been sealed by an architect, interior designer, landscape architect, or engineer.

(16) **Overall Responsibility**--The level of responsibility held by an architect, interior designer, landscape architect or engineer who prepares construction documents and coordinates the various aspects of the design of a building or facility.

(17) **Owner**--The person or persons, company, corporation, authority, commission, board, governmental entity, institution, or any other entity that holds title to the subject building or facility. For purposes under these rules and the Act, an owner may designate an agent.

(18) **Pedestrian Access Route**--An accessible route for pedestrian use within the public right-of-way.

(19) **Pedestrian Elements**--Components that make up a pedestrian access route including, but not limited to walking surfaces, ramps, curb ramps, crosswalks, pedestrian overpasses and underpasses, automated pedestrian signals, elevators, and platform lifts.

(20) **Public Right-of-Way**--The land or property provided for public roadways, including the roadway itself and the areas between the roadway and adjacent properties.

(21) **Registered Building or Facility**--For the purposes of § 469.102 of the Act, a registered building or facility is a construction project that has been assigned a project registration number by the department.

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- (22) **Registered Accessibility Specialist**--An individual who is certified by the department to perform review and inspection functions of the department.
- (23) **Religious Organization**--An organization that qualifies as a religious organization as provided in Texas Tax Code, Chapter 11, § 11.20(c).
- (24) **Renovation, Modification, or Alteration**--Any construction activity, including demolition, involving any part or all of a building or facility. Cosmetic work and normal maintenance do not constitute a renovation, modification, or alteration.
- (25) **Rules**-- Title 16, Texas Administrative Code, Chapter 68, the administrative rules of the Texas Department of Licensing and Regulation promulgated pursuant to the Act.
- (26) **Sidewalk**--That portion of an exterior circulation path that is improved for use by pedestrians and usually paved.
- (27) **Space**--A definable area, such as a room, toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby.
- (28) **State Agency**--A board, commission, department, office, or other agency of state government.
- (29) **TAS**--The Texas Accessibility Standards which were adopted by the Commission December 17, 1993 and became effective April 1, 1994.
- (30) **Variance Application**--The formal documentation filed with the department, by which the owner requests that the department waive or modify accessibility standards.

§ 68.20. Buildings and Facilities Subject to Compliance with the Texas Accessibility Standards.

- (a) A building or facility used by the public is subject to compliance with the Texas Accessibility Standards (hereinafter "TAS") if it is constructed, renovated, or modified, in whole or in part, on or after January 1, 1970, using funds from the state or a county, municipality, or other political subdivision of the state.
- (b) A building or facility leased for use or occupied, in whole or in part, by the state under a lease or rental agreement entered into on or after January 1, 1972, is subject to the TAS except as modified under § 68.101.
- (c) The following private buildings and facilities constructed, renovated, or modified on or after January 1, 1992 and defined as a "public accommodation" by Section 301, Americans with Disabilities Act of 1990 (42 U.S.C. Section 12181), and its subsequent amendments, are subject to the TAS:
- (1) an inn, hotel, motel, or other place of lodging except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually

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occupied by the proprietor of such establishment as the residence of such proprietor;

- (2) a restaurant, bar, or other establishment serving food or drinks;
- (3) a motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
- (4) an auditorium, convention center, lecture hall, or other place of public gathering;
- (5) a bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
- (6) a laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
- (7) a terminal, depot, or other station used for specified public transportation;
- (8) a park, zoo, amusement park, or other place of recreation;
- (9) a museum, library, gallery, or other place of public display or collection;
- (10) a nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
- (11) a day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment; and
- (12) a gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.

(d) Commercial facilities are subject to the Act if they are intended for non-residential use and if their operations will affect commerce. Such application shall not include railroad locomotives, railroad freight cars, railroad cabooses, railroad cars described in the Americans with Disabilities Act (ADA) § 242, or covered under the ADA, Title III, railroad rights-of-way, or facilities that are covered or expressly exempted from coverage under the federal Fair Housing Act of 1968.

(e) Buildings or facilities of a religious organization are subject to the Act except for areas exempted under § 68.30.

(f) Buildings or facilities not subject to the Act may be registered, reviewed, and/or inspected upon request and payment of the applicable fee(s) in accordance with § 68.54.

§ 68.30. Exemptions.

The following buildings, facilities, spaces, or elements are exempt from the provisions of the Act:

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- (1) *Federal Property*. Buildings or facilities owned, operated, or leased by the federal government;
- (2) *Construction Sites*. Structures and sites directly associated with the actual processes of construction, including, but not limited to, scaffolding, bridging, materials hoists, materials storage, construction trailers, and portable toilet units provided for use exclusively by construction personnel on a construction site;
- (3) *Raised Areas*. Areas raised primarily for purposes of security, life safety, or fire safety, including, but not limited to, observation or lookout galleries, prison guard towers, fire towers, or lifeguard stands;
- (4) *Limited Access Spaces*. Spaces accessed only by ladders, catwalks, crawl spaces, or very narrow passageways;
- (5) *Machinery Spaces*. Spaces accessed primarily by service personnel for maintenance, repair, or occasional monitoring of equipment. Machinery spaces include, but are not limited to, elevator pits, elevator penthouses, mechanical, electrical, or communications equipment rooms, piping or equipment catwalks, water and sewage treatment pump rooms and stations, petroleum and chemical processing and distribution structures, electric substations and transformer vaults, environmental treatment structures, and highway and tunnel utility facilities;
- (6) *Single Occupant Structures*. Single occupant structures accessed only by passageways below grade or elevated above standard curb height, including but not limited to, toll booths that are accessed only by underground tunnels;
- (7) *Restricted Occupancy Spaces*. Vertical access (elevators and platform lifts) is not required for the second floor of two-story control buildings located within a chemical manufacturing facility where the second floor is restricted to employees and does not contain common areas or employment opportunities not otherwise available in accessible locations within the same building;
- (8) *Places Used Primarily for Religious Rituals*. An area within a building or facility of a religious organization used primarily for religious ritual as determined by the owner or occupant. To facilitate the plan review, the owner or occupant shall include a clear designation of such areas with the plans submitted for review. This exemption does not apply to common use areas. Examples of common use areas include, but are not limited to, the following: parking facilities, accessible routes, walkways, hallways, toilet facilities, entrances, public telephones, drinking fountains, and exits;
- (9) *Specific Employee Work Areas*. Employee work areas, or portions of employee work areas, that are less than 300 square feet (28m²) in area and elevated 7 inches (180 mm) or more above the ground or finish floor where the elevation is essential to the function of the spaces; and dumpster pads/enclosures that are accessed exclusively by employees;

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(10) *Van Accessible Parking at Garages Constructed Prior to April 1994.* Parking garages where construction was started before April 1, 1994, and the existing vertical clearance of the garage is less than 98 94, are exempted from requirements to have van-accessible parking spaces located within the garage. If additional surface parking is provided, the required van accessible parking spaces shall be located on a surface lot in closest proximity to the accessible public entrance serving the facility; and

(11) *Residential Facilities.* Those portions of public or privately funded apartments, condominiums, townhomes, and single-family dwellings used exclusively by residents and their guests.

§ 68.31. Variance Procedures.

(a) Requests to waive or modify an accessibility standard shall be submitted on the Variance Application form. A separate Variance Application form shall be submitted for each condition within a single building or facility.

(b) Variance Applications shall be submitted by the owner of the subject building or facility, and shall be accompanied by the applicable fee, plans of all affected areas, and any supporting documentation such as photos, cost analyses, and code references.

(c) Variance Applications may not be submitted more than two hundred seventy (270) calendar days after the date of the inspection report. After two hundred seventy (270) calendar days, remaining deficiencies will be addressed as an enforcement issue as provided by § 68.90.

(d) A denial of a Variance Application may be appealed to the Director of Compliance, or his designee, in writing within thirty (30) calendar days from issuance, upon payment of the applicable appeal fee. Supporting documentation such as plans of all affected areas, photos, cost analyses and code references not previously reviewed may be submitted for consideration.

(e) A denial of a Variance Appeal from the Director of Compliance may be appealed to the Executive Director of the Texas Department of Licensing and Regulation, or his designee, in writing within thirty (30) calendar days of notification of the Director of Compliance 92s decision. Supporting documentation such as plans of all affected areas, photos, cost analyses and code references not previously reviewed may be submitted for consideration.

(f) When a Variance or Variance Appeal determination has been made, the owner and the person making the submission shall be advised in writing of the determination.

(g) Variance and Variance Appeal determinations shall be based on the information and supporting documentation submitted with the application and shall be issued in accordance with § 469.151 and § 469.152 of the Act.

§ 68.50. Submission of Construction Documents.

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(a) An architect, interior designer, landscape architect, or engineer with overall responsibility for the design of a building or facility subject to § 469.101 of the Act, shall mail, ship, or hand-deliver the construction documents along with a Proof of Submission form to the department, a registered accessibility specialist, or a contract provider not later than the fifth day after the plans and specifications are issued. In computing time under this subsection, a Saturday, Sunday or legal holiday is not included.

(b) In instances when there is not a design professional with overall responsibility, the owner of a building or facility subject to § 469.101 of the Act, shall mail, ship, or hand-deliver construction documents to the department, a registered accessibility specialist, or a contract provider prior to filing an application for building permit or commencement of construction.

(c) An Elimination of Architectural Barriers Project Registration form or Architectural Barriers Project Registration Confirmation Page must be completed for each subject building or facility and submitted along with the applicable fees when the design professional or owner submits the construction documents.

§ 68.51. Review of Construction Documents.

(a) After review, the owner and the person making the submission will be advised in writing of the plan review findings.

(b) Construction documents received by the department, a registered accessibility specialist, or a contract provider shall become the property of the department.

(c) Design revisions may be made by submitting to the department, a registered accessibility specialist, or a contract provider revised construction documents, change orders, addenda, and letters.

(1) Resubmittals received prior to the recorded estimated completion of construction will be reviewed. The owner and the person making the resubmittal will be advised of the findings.

(2) Resubmittals received after completion of construction, based on the recorded estimated completion of construction, may not be reviewed but will become a matter of record.

§ 68.52. Inspections.

(a) The owner of a building or facility subject to § 469.101 of the Act shall obtain an inspection from the department, a registered accessibility specialist, or a contract provider not later than the first anniversary of the completion of construction. Request for inspection shall be made by completing the Request for Inspection form and submitting it to the department, a registered accessibility specialist, or contract provider not later than 30 calendar days after the completion of construction. If the Request for Inspection form is submitted to the Department, the form must be accompanied by the applicable inspection

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fee in § 68.80(a).

(b) The department, a registered accessibility specialist, or a contract provider shall receive the Request for Inspection form prior to proceeding with the inspection.

(c) The owner shall be advised in writing of the results of each inspection.

§ 68.53. Corrective Modifications Following Inspection.

(a) When corrective modifications are required to achieve compliance, the department, a registered accessibility specialist, or a contract provider shall:

(1) provide the owner a list of deficiencies and a deadline for completing modifications; and

(2) grant an extension, consistent with established procedures, if satisfactory evidence is presented showing that the time period specified is inadequate to perform the necessary corrections.

(b) When corrective modifications are required to achieve compliance, the owner shall provide written verification of the corrective modifications to the department, a registered accessibility specialist, or a contract provider.

§ 68.54. Review and Inspection of Buildings and Facilities with an Estimated Construction Cost of Less than \$50,000 or Not Subject to the Act.

(a) When construction documents for projects with an estimated construction cost of less than \$50,000 are mailed, shipped or hand-delivered with an Architectural Barriers Special Registration Form to the department along with the applicable fees in § 68.80(b), after review, the owner and the person making the submission will be advised in writing of the findings. A request for inspection is not considered complete until the department receives the applicable inspection fee in § 68.80(b). The owner shall be advised in writing of the results of each inspection.

(b) When construction documents for projects not subject to § 469.003 of the Act are mailed, shipped or hand-delivered with an Architectural Barriers Special Registration Form to the department along with the applicable fees in § 68.80(c), after review, the owner and the person making the submission will be advised in writing of the findings. A request for inspection is not considered complete until the department receives the applicable inspection fee in § 68.80(c). The owner shall be advised in writing of the results of each inspection.

§ 68.55. Preliminary Plan Reviews.

When preliminary construction documents are mailed, shipped or hand-delivered with an Architectural Barriers Special Registration Form to the department along with the applicable fee in § 68.80(d), after review, the owner and the person making the submission will be advised in writing of the findings.

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§ 68.60. Notice of Substantial Compliance.

The Department shall provide a Notice of Substantial Compliance to the owner, at the owner's request through submission of a Notice of Substantial Compliance Request Form, after a newly constructed building or facility has had a satisfactory inspection or verification of corrective modifications has been submitted.

§ 68.65. Advisory Committee.

(a) The Elimination of Architectural Barriers Advisory Committee shall review rules and Technical Memoranda relating to the Elimination of Architectural Barriers program and recommend changes to the Commission.

(b) Recommendations of the committee will be transmitted to the Commission by the Executive Director through the Director of the Compliance Division.

(c) Committee meetings are called by the committee chair or the Commission.

(d) Expenses reimbursed to committee members shall be limited to authorized expenses incurred while on committee business and traveling to and from committee meetings. The least expensive method of travel should be used.

(e) Expenses paid to committee members shall be limited to those allowed by the State of Texas Travel Allowance Guide and the Texas Department of Licensing and Regulation policies governing travel allowances for employees.

(f) The committee shall be composed of building professionals and persons with disabilities who are familiar with architectural barriers problems and solutions. The committee shall be composed of nine members. Persons with disabilities must make up a majority of the membership. Committee members will serve staggered three-year terms.

§ 68.80

(b) When the estimated construction cost is less than \$50,000, and the project is registered with the department for plan review, inspection, or plan review and inspection, the following shall apply:

(1) the project filing fee and a \$200 plan review fee shall be paid for registration and review only;

(2) the project filing fee and a \$200 inspection fee shall be paid for registration and inspection only;

(3) the project filing fee, a \$200 plan review fee, and a \$200 inspection fee shall be paid for registration, plan review, and inspection; or

(4) for projects submitted to a registered accessibility specialist or a contract provider, only

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the project filing fee is required.

(c) When a project is not subject to the Act and is registered with the department for plan review, inspection, or for plan review and inspection, the following shall apply:

(1) the project filing fee and applicable plan review fee shall be paid for plan review services only;

(2) the project filing fee, and applicable inspection fee shall be paid for inspection services only;

(3) the project filing fee, applicable plan review fee, and applicable inspection fee shall be paid for plan review and inspection services; or

(4) for projects submitted to a registered accessibility specialist or a contract provider, only the project filing fee is required.

(d) When a project is registered with the department for preliminary review, the preliminary plan review fee shall be paid.

(e) When a project is registered with the department after completion of construction, the late project filing fee and other applicable fees shall apply. The late project filing fee is in addition to the plan review fee and is required to be paid to the department for projects submitted to the department, a registered accessibility specialist, or contract provider. This fee is applicable when projects are registered after the completion of construction and is in lieu of the project filing fee.

(f) Late renewal fees for registrations issued under this chapter are provided under § 60.83 of this title (relating to Late Renewal Fees).

(g) All fees are non refundable and must be paid prior to service being performed.

§ 68.90. Administrative Sanctions or Penalties.

(a) If a person violates any provision of the Act, the rules, TAS, or an order of the Executive Director or Commission, proceedings may be instituted to impose administrative sanctions, administrative penalties, or both administrative penalties and sanctions in accordance with the provisions of the Act; Texas Occupations Code, Chapter 51; and Title 16, Texas Administrative Code, Chapter 60 (relating to the Texas Commission of Licensing and Regulation).

(b) It is a violation of the Act for a person to perform a plan review or inspection function of the department, unless that person is a department employee, a registered accessibility specialist, or a contract provider. A person who is not a department employee, registered accessibility specialist or contract provider and performs a plan review or inspection function of the department is subject to administrative penalties in accordance with the Act or Texas Occupations Code, Chapter 51 and Title 16, Texas Administrative Code, Chapter

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(c) Cheating on an examination is grounds for denial, suspension, or revocation of a license, imposition of an administrative penalty, or both.

§ 68.100. Technical Standards and Technical Memoranda.

(a) The Texas Department of Licensing and Regulation adopts by reference the Texas Accessibility Standards (TAS), April 1, 1994 edition.

(b) The Texas Department of Licensing and Regulation may publish Technical Memoranda to provide clarification of technical matters relating to the Texas Accessibility Standards, if such memoranda have been reviewed by the Elimination of Architectural Barriers Advisory Committee.

§ 68.101. State Leases.

(a) State leased buildings or facilities with an annual lease expense in excess of \$12,000 shall be registered with the department by completing a State Lease Registration form and submitting it along with the applicable fee(s). This requirement applies to both initial lease agreements and lease renewals. For state leased buildings or facilities that are being constructed, renovated, or modified, an Elimination of Architectural Barriers Project Registration form or Architectural Barriers Project Registration Confirmation page shall also be completed.

(b) The agency shall, prior to advertisement for bid, submit to the department for a determination a completed Lease Evaluation Form obtained from the department. If a Lease Evaluation Form is not submitted, compliance with all applicable standards shall be required. State leases may be exempted from compliance if it is determined by the department that the space will not be used by the public and that the occasion for employment for persons with disabilities is improbable because of the essential job functions.

(c) Buildings or facilities that are leased or occupied in whole or in part for use by the state, shall meet the following requirements of TAS:

(1) New construction shall comply with TAS 4.1.2 and 4.1.3.

(2) Additions shall comply with TAS 4.1.5.

(3) Alterations shall comply with TAS 4.1.6.

(4) Historic buildings or facilities shall comply with TAS 4.1.7.

(5) Existing buildings and facilities are ones that have not been constructed, renovated, or modified since April 1, 1994. In an existing building or facility, where alterations are not planned or the planned alterations will not affect an area containing a primary function, the

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following minimum requirements shall apply:

- (A) If parking is required as part of the lease agreement or is provided to serve the leased area, accessible parking spaces shall comply with TAS 4.6.
- (B) An accessible route from the parking area(s) shall comply with TAS 4.3.
- (C) At least one entrance serving the leased space shall comply with TAS 4.14.
- (D) If toilet rooms or bathrooms are required by the lease agreement or are provided to serve the leased area, at least one set of men's and women's toilet rooms or bathrooms or at least one unisex toilet room or bathroom serving the leased area shall comply with TAS 4.22 or 4.23.
- (E) Signage at toilet rooms or bathrooms shall comply with TAS 4.30. Toilet rooms or bathrooms serving the leased area which are not accessible shall be provided with signage complying with TAS 4.30.1, 4.30.2, 4.30.3, 4.30.5 and 4.30.7, indicating the location of the nearest accessible toilet room or bathroom within the facility.
- (F) If drinking fountains are required by the lease agreement, or are provided to serve the leased area, at least one fountain shall comply with TAS 4.15. If more than one drinking fountain is provided, at least 50% shall comply with TAS 4.15.
- (G) If public telephones are required by the lease agreement, or are provided to serve the leased area, at least one public telephone shall comply with TAS 4.31.
- (H) If an element or space of a lease is not specified in this subsection but is present in a state leasehold, that element or space shall comply with TAS 4.1.6.

§ 68.102. Public Right-of-Way Projects.

- (a) For purposes of § 68.80, the estimated cost of construction for the project shall be based on the pedestrian elements only. Construction documents submitted for review are only required to include pedestrian elements being constructed, renovated, modified, or altered as part of the project scope.
 - (b) Application of TAS shall be limited to those pedestrian elements being constructed, renovated, modified, or altered as part of the project scope. The pedestrian elements shall comply with applicable TAS 4.1 through 4.35 except as modified by this section.
- (1) Sidewalks--At sidewalks constructed within the public right-of-way, handrails are not required; however, if provided they must comply with TAS 4.8.5. Where the adjacent roadway has running slopes of 5% or greater, the pedestrian access route shall not exceed the grade established for the adjacent roadway. EXCEPTION: The running slope of a pedestrian access route is permitted to be steeper than the grade of the adjacent roadway provided that the pedestrian access route complies with TAS 4.8.

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(2) Curb Ramps--At curb ramps constructed within the public right-of-way, handrails are not required; however, if provided they must comply with TAS 4.8.5. For purposes of this section, non-signalized driveways are not considered to be hazardous vehicular areas.

(A) At perpendicular curb ramps constructed within the public right of way, detectable warnings complying with TAS 4.29.2 at a minimum of 24 94 in depth (in the direction of pedestrian travel) and extending the full width of the curb ramp shall be provided where the pedestrian access route enters a crosswalk or other hazardous vehicular area.

(B) At parallel curb ramps constructed within the public right-of-way, detectable warnings complying with TAS 4.29.2 at a minimum of 24 94 in depth (in the direction of pedestrian travel) and extending the full width of the landing shall be provided where the pedestrian access route enters a crosswalk or other hazardous vehicular area.

(C) At diagonal curb ramps constructed within the public right-of-way, detectable warnings complying with TAS 4.29.2 at a minimum of 24 94 in depth (in the direction of pedestrian travel) and extending the full width of the curb ramp or landing, shall be provided where the pedestrian access route enters a crosswalk or other hazardous vehicular area. Additionally, the department will allow the detectable warning to be curved with the radius of the corner. The detectable warning shall be located so that the edge nearest the curb line is 6 94 minimum and 10 94 maximum from the curb line.

§ 68.103. Detention and Correctional Facilities.

For these facilities, in addition to accepting compliance with applicable TAS requirements, the department will also accept compliance with sections 231.3 and 232 of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and Facilities published by the Architectural and Transportation Barriers Compliance Board (Access Board) on July 23, 2004, at 69 Federal Register 44083.

§ 68.104. Elements, Spaces and Accessible Routes at Fire Stations.

At fire stations, common use spaces and elements accessed exclusively by fire-fighting personnel or other emergency responders are only required to be adaptable. Additionally, at multi-level fire stations, levels accessed exclusively by fire-fighting personnel are not required to be served by an accessible route. Public spaces and elements within these facilities must comply with all applicable technical standards.