

# Texas Register

Volume 14, Number 42, June 9, 1989

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The *Texas Register* (ISSN 0362-4781) is published twice each week 100 times a year except March 7, 1989, June 2, 1989, July 7, 1989, November 28, 1989, and December 29, 1989. Issues will be published by the Office of the Secretary of State.

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POSTMASTER: Please send Form 3579 changes to the *Texas Register*, P.O. Box 13824, Austin, Texas 78711-3824.

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Attorney General—summaries of requests for opinions, opinions, and open records decisions

Emergency Sections—sections adopted by state agencies on an emergency basis

Proposed Sections—sections proposed for adoption

Withdrawn Sections—sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date

Adopted Sections—sections adopted following a 30-day public comment period

Open Meetings—notices of open meetings

In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes accumulative quarterly and annual indexes to aid in researching material published.

**How To Cite:** Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In order that readers may cite material more easily page numbers are now written as citations. Example: on page 2 in the lower left-hand corner of the page, would be written: "14 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 14 TexReg 3."

**How To Research:** The public is invited to research rules and information; of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, Room 245, James Earl Rudder Building, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code*, sections number, or TRD number.

### Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules.

**How To Cite:** Under the TAC scheme, each agency section is designated by a TAC number. For example in the citation 1 TAC §27.15:

1 indicates the title under which the agency appears in the *Texas Administrative Code*;

TAC stands for the *Texas Administrative Code*;

§27.15 is the section number of title (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).



## Texas Register Publications

a section of the  
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P.O. Box 13824  
Austin, Texas 78711-3824  
512-463-5561

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Subscriptions—one year (96 regular issues), \$90; six months (48 regular issues and two index issues), \$70. Single copies of most issues are available at \$4 per copy.

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2915-Crime Victims Assistance Programs (VCOA)

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2923-Summary of Other State Bidding Preference Laws

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**Name: Maurice Kelly**

**Grade: 11**

**School: Holmes High, Northside**

# Adopted Sections

An agency may take final action on a section 30 days after a proposal has been published in the *Texas Register*. The section becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

If an agency adopts the section without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. If an agency adopts the section with changes to the proposed text, the proposal will be republished with the changes.

## TITLE 1.

### ADMINISTRATION

#### Part V. State Purchasing and General Services Commission

#### Chapter 115. Building and Property Services Division

#### Elimination of Architectural Barriers

##### • 1 TAC §115.62

The State Purchasing and General Services Commission adopts the repeal of §115.62, without changes to the proposed text as published in the January 20, 1989, issue of the *Texas Register* (14 TexReg 343).

Section 115.62 is repealed to allow for the adoption of new standards and specifications which will reflect revisions made by the American National Standards Institute, Inc. subsequent to the original rule in 1981. Also, the proposed new section will bring state standards more in line with federal and local governmental requirements, both in content and format.

The current section is made obsolete with the adoption of new accessibility standards and specifications. The effective date of the repeal is the same as the effective date of the new §115.62.

No comments were received regarding adoption of the repeal.

The repeal is adopted under Texas Civil Statutes, Article 6091b, §7.05, which require the State Purchasing and General Services Commission to adopt accessibility standards and specifications consistent in effect to those adopted by the American National Standards Institute, Inc. or its federally recognized successor in function.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904828

John R. Neel  
General Counsel  
State Purchasing and  
General Services  
Commission

Effective date: June 21, 1989

Proposal publication date: January 20, 1989

For further information, please call: (512) 463-3446

The State Purchasing and General Services Commission adopts new § 115.62, with changes to the proposed text as published in the January 20, 1989, issue of the *Texas Register* (14 TexReg 343).

The new section is adopted to conform to standards and specifications adopted by the American National Standards Institute, Inc. (ANSI). The following changes to the proposed text have been made for the reasons stated:

Subsection (b)(3)—The language in this paragraph has been revised to provide clarification on what set of standards is appropriate for compliance with Texas Civil Statutes, Article 601b, Article 7; and to alert developers, designers, and building owners of the possible application of other accessibility codes to which they should be cognizant.

Subsection (q)(6)(B)—This proposed provision allowed compliance with four toilet stall width options in all construction projects. The revised provision requires compliance with standard stall dimensions as set out in Figures (q)4.1 or (q)4.2 in all new construction projects and, if structurally practicable, in renovation projects. If compliance with the standard stall requirements is deemed impracticable, the dimensions set out for alternate stalls as shown in Figures (q)4.3 or (q)4.4 shall be applicable. This is in conformity with both the Uniform Federal Accessibility Standards (UFAS) and ANSI A117.1-1986.

Figure (f)2.2—This drawing showed a dimensional range of 1/4–1/2 inches. It has been revised to show 1/4–3/4 inches to reflect maximum level changes permitted by subsection (f)(9).

Figures (k)4.1–(k)4.4—These drawings showed a clear width dimension of 36 min inches. They have been revised to reflect the width dimension of 44 min inches as set out in subsection (k)(3).

Figure (r)1—This drawing showed an incorrect clear depth dimension of 66 min inches. It has been revised to show 56 min inches.

Figure (e)6.3—This drawing was taken from ANSI A117.1-1986 which shows an incorrect depth range of X=0-25. It has been revised to show X=0-20.

Figure (g)8.2—This drawing showed a reach dimension of 17 min inches from the front of the lavatory to the back wall. It has been revised to show 25 min inches from the front of the lavatory to the faucet controls to reflect the reach ranges set out in subsection (e)(5).

Other changes were made to correct misspelled words and omissions, and to add explanatory notes which should be beneficial to building owners and designers. None of these changes were substantive.

Section 115.62 is adopted to be consistent in effect to the standards and specifications published as ANSI A117.1-1986 which contains all revisions made by the American National Standards Institute, Inc., subsequent to the 1981 adoption of the commission's original rule. Also, the proposed section will bring standards more in line with federal and local governmental requirements, both in content and format.

Eight comments concerning the proposed standards and specifications were received. Four were submitted by registered architects; three by city building officials; and one by a handicapped consumer organization. There was no opposition to the adoption of the standards and specifications. One commenter requested a 90 day extension of the comment period so that they could obtain a copy of the *Texas Register* and fully review and analyze the standards. Another requested that the state follow the standards and specifications contained in the Uniform Federal Accessibility Standards. One stated that they were in agreement with the proposed standards and did not recommend or request any changes. One recommended that the state lobby the major model building code groups to incorporate accessibility standards or specifications into respective codes. Another commenter recommended a simpler format and numbering system and suggested that the commission encourage the development of life safety related standards that would require enlarged stairwell landings an two hour-rated places of refuge. Most of the non-technical concerns expressed by the commenters such as the numbering system of the rules; establishing special evacuation or other code requirements relative to emergency, and lobbying of the national building code groups, are not within the power or responsibility of the State Purchasing and General Services Commission to address through the accessibility standards and specifications. All other comments concerned technical issues pertaining to specifications and, where appropriate to comply with ANSI standards and specifications, changes to the proposed text have been made in recognition of the comment.

Names of those making comments regarding the section were White, Budd, Van Ness, Partnership; Adling Associates Architects; J. Robinson & Associates, Architects, Inc.; Jeri L. S. Morey, Architect; Dallas Center for Independent Living; City of Plano; City of Garland; and City of San Antonio, Handicapped Access Office.

Comments received which made suggestions contrary to ANSI standards and specifications could not be considered.

The new section is adopted under Texas Civil Statutes, Article 601b, §7.05, which require the State Purchasing and General Services Commission to adopt accessibility standards

and specifications consistent in effect to those adopted by the American National Standards Institute, Inc. or its federally recognized successor in function.

**§115.62. Standards and Specifications.**

(a) Purpose and authority. The purpose of this section is to implement Texas Civil Statutes, Article 601b, §7.05(c) requiring the State Purchasing and General Services Commission to adopt standards and specifications that are consistent in effect to those adopted by the American National Standards Institute, Inc. (ANSI). The standards and specifications contained in this section are considered to be consistent in effect to those contained in ANSI A117.1-1986. They are intended to make buildings and facilities accessible to and usable by people who are mobility impaired. Mobility impairment includes, but is not limited to, the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, in coordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. The specifications contained in ANSI

A117.1 standards are based on adult dimensions and anthropometrics and do not set out adjusted specifications suitable for children. Some of the standards and specifications contained in this section have been derived from human data relative to children between the ages of five and 15 and are presented in subsection (d)(1)(B) of this section by age and school grade categories.

(b) Application.

(1) Minimum requirements. The standards and specifications contained in this section shall be considered minimum guidelines for complying with the intent of Texas Civil Statutes, Article 601b, Article 7. They are common to all spaces and elements of buildings and facilities and shall have both interior and exterior application. It is not the intent of these standards and specifications to prohibit or discourage the development and use of sites with extreme conditions. However, excavation or other site modifications, even contrary to natural terrain, may be necessary to comply with the intent of the law.

(2) Equal access. The application of these standards are to further the concept of equal treatment for disabled in-

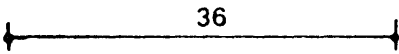
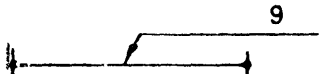
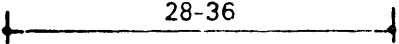

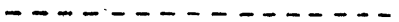

dividuals to the maximum extent possible and reasonable.

(3) Alternative standards. For purposes of complying with Texas Civil Statutes, Article 601b, Article 7, the standards and specifications set forth in this section must be followed. In state owned buildings and facilities that are constructed or renovated with federal funds, compliance with accessibility standards and specifications prescribed by the sponsoring federal agency may be required. In regard to privately funded buildings and facilities subject to Texas Civil Statutes, Article 601b, Article 7, architects, engineers, developers, and owners should be aware that other accessibility standards and specifications may also apply to their projects and should take precautions necessary to satisfy all jurisdictions.

(c) Graphic conventions and definitions.

(1) Graphic conventions. Graphic conventions are shown in Table (c)1: Dimensions that are not marked minimum or maximum are absolute unless otherwise indicated in the text or captions. All dimensions are subject to conventional building industry tolerances for field conditions.

**Table (c) 1**  
**Graphic Conventions**

Convention	Description
	Typical dimension line showing U.S. customary units (in inches) above the line
	Dimensions for short distances indicated on extended line
	Dimension line showing range of dimensions required
	Direction of approach
max	Maximum
min	Minimum
	Boundary of clear floor area
	Centerline

(2) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(A) Access aisle—Is an accessible pedestrian space between elements, such as parking spaces, seating, and desks,

that provides clearances appropriate for use of the elements.

(B) Accessible—Describes a

site, building, facility, or portion thereof that complies with this standard and that can be approached, entered, and used by physically disabled people.

(C) Accessible route—Is a continuous unobstructed path that can be negotiated by mobility impaired persons and that connects all accessible elements and spaces in a building or facility. Exterior application shall include, but is not limited to, parking access aisles, curb ramps, walks, ramps, and lifts. Interior application shall include, but is not limited to, corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures and equipment.

(D) Accessible spaces—Is space that complies with these standards.

(E) Adaptability—The capability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be altered or added in order to accommodate the needs of persons with different types or degrees of disability on an as needed basis.

(F) Addition—Is an expansion, extension, or increase in the gross floor area of an existing building or facility. New construction attached to an existing building or facility by covered walks, enclosed passageways or any other elements used for convenience or appearance, shall not be considered an addition.

(G) Alteration—As applied to a building or facility, means a change or rearrangement in the structural parts of elements, or in the means of egress, or in moving from one location or position to another.

(H) Assembly area—Is a room or space that has the capacity to accommodate 50 or more individuals for recreational, educational, political, social, or amusement purposes, or for the consumption of food and drink, including all connected rooms or spaces with a common means of ingress and egress.

(I) Automatic door—Is a door equipped with a power operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, or manual switch mounted on or near the door itself.

(J) Balcony—Is that portion of a seating space of an assembly room, auditorium, or theater that is raised at least four feet above the level of the main floor.

(K) Buildings—Includes all or any portion of structures that are roofed and walled and that are used for supporting or sheltering any function or occupancy. For purposes of complying with these rules, individual areas that are within a single structure, but are separated by firewalls, shall not be considered separate buildings.

(L) Circulation path or route—Is an exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, ramps, hallways, courtyards, stairways, and stair landings.

(M) 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, residents of a dormitory, the occupants of an office building, or the guests of such residents or occupants) rather than the public at large.

(N) Component—Is an element or space in a building or facility.

(O) Cross slope—Is a slope that is perpendicular to the direction of travel. See subparagraph (II) of this paragraph, Running slopes.

(P) Curb ramp—Is a short sloping surface (ramp) cutting through a curb or built up to it.

(Q) Dwelling unit—Is a single unit of residence which provides rooms and spaces for living, bathing, and sleeping. A single family home is a dwelling unit, and dwelling units are to be found in such housing types as townhouses, apartment buildings, nursing and retirement homes and dormitories.

(R) Element—Is an architectural or mechanical component of a building, facility, space, or site, e.g., telephone, curb ramp, door, drinking fountain, seating, water closet.

(S) Entrance—Is any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform itself, the vestibule, the entry door or gate, and the hardware of the entry door or gate.

(T) Essential features—Are those supporting elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include, but are not limited to, entrances, toilet rooms, dining areas,

accessible routes, laundry rooms, and lounges. Essential features do not include those spaces that house the major activities for which the building or facility is intended, such as classrooms and offices. See subparagraph (V) of this paragraph, Functional spaces.

(U) Facility—Is all or any portion of a building, structure, or area, including the site on which such building, structure, or area is located, wherein specific services are provided or activities performed. Facilities may also include equipment, roads, walks, parking sites, or other real property.

(V) Functional spaces—Are the rooms and spaces in a building or facility that house the major activities for which the building or facility is intended. See subparagraph (T) of this paragraph, Essential features.

(W) lbf.—Pounds force.

(X) Level—Defines a ground or floor surface or part of a surface having a slope of no more than 1:50 (2.0%) at any point, in any direction. Slopes expressed in terms of 1/4 inch per foot shall be considered 2.0% and shall be acceptable as level.

(Y) Marked crossing—Is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

(Z) Mezzanine—Is an intermediate floor having less than 33-1/3% of the entire floor area of the room in which it is located. Any such area exceeding 33-1/3% of the total floor area shall be considered a story.

(AA) Operable part—Is a part of a piece of equipment or appliance used to insert or withdraw objects, or to activate, deactivate, or adjust the equipment or appliance (for example, coin slot, pushbutton, handle).

(BB) Performing area—Is any raised or recessed floor surface of sufficient size so that the area can be used for the same purposes as a stage. See subparagraph (OO) of this paragraph, Stage.

(CC) Physically handicapped or disabled and mobility impaired—Describes an individual who has a physical impairment, including impaired sensory or manual abilities, which results in a functional limitation in accessing and using a building or facility.

(DD) Power-assisted

**doors**—Are doors that are used for human passage and that are equipped with a mechanism that helps to open them, with the mechanism designed to relieve the opening resistance upon the activation of a switch or a continued force applied to the door itself. When the switch or door is released, such doors immediately begin to close.

(EE) **Principal or primary entrances**—Are building and facility entrances that are recognized by the occupants and visitors as the main points of entry and exit and are used as such.

(FF) **Public funds (publicly funded)**—Are funds provided by any governmental entity including federal, state, city, county, or any other political subdivision of the state.

(GG) **Public use**—Describes interior or exterior rooms or spaces that are made available to the general public and that provide goods, services, or educational and employment opportunities. Public use may be provided at a building or facility that is privately or publicly owned.

(HH) **Ramp**—Is a floor or ground surface in an accessible space or route that has a running slope greater than 1:20 (5.0%).

(II) **Running slope**—Is the slope that is parallel to the direction of travel. See subparagraph (O) of this paragraph, Cross slope.

(JJ) **Service entrance**—Is an entrance intended primarily for delivery of goods and services to a building or facility, rather than ingress/egress by people on foot.

(KK) **Signage**—Is verbal, symbolic, tactile, and pictorial information.

(LL) **Site**—Is one or more parcels of land which may be bounded by property lines, designated rights-of-way, or other features or elements that would distinguish the parcel(s) as a unit.

(MM) **Site improvement**—Includes landscaping, paving for pedestrian and vehicular ways, outdoor lighting, recreational facilities, and the like, added to a site.

(NN) **Space**—Is a definable area within a building or facility, e.g., toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, lobby.

(OO) **Stage**—Is a definable portion of an assembly building or assembly area which is designed or used for demonstrations or the presentation of theatrical, educational, musical, or other events. See subparagraph (BB) of this paragraph, Performing area.

(PP) **Standard**—Is any specification or other requirement set out in these rules that provides or enhances accessibility to physically disabled persons.

(QQ) **Structurally practicable**—A change to a building or facility that can be accomplished without removing or significantly altering a load-bearing structural member.

(RR) **Tactile-Perceivable** through use of the sense of touch.

(SS) **Tactile warning**—Is a standardized surface texture applied to, or built into, walking surfaces or other elements to warn visually impaired people of hazards in the path of travel.

(TT) **Vehicular way**—Is a route intended for vehicular traffic such as a street, driveway, or parking lot.

(UU) **Walk**—Is an exterior pathway with a prepared surface having a slope no greater than 1:20 (5.0%) intended for pedestrian use, including general pedestrian areas such as plazas and courts.

(d) **Scope and application:** minimum requirements.

(1) **General.**

(A) **Appropriate number and location.** The guidelines for determining the appropriate numbers contained in this section are considered minimal and the commission shall have the authority to make adjustments when it is determined that the guidelines would cause the numbers or locations to be either insufficient or excessive to adequately meet the needs of mobility impaired people based on the nature, use, and other circumstances of any particular building or facility. In determining the appropriate number and location of a particular element, space, or fixture in a building or facility, the following factors shall be considered:

- (i) population to be served;
- (ii) availability to the user;
- (iii) location relative to distance and time;
- (iv) location relative to isolation or separation;
- (v) function of the building or facility; and
- (vi) equal treatment and opportunity.

(B) **Mounting heights for children.** When children under high school age are the primary users of a building or facility, such as an elementary or middle school, mounting heights of various elements, fixtures, and equipment, shall be adjusted to meet the needs of the age group that the facility is to serve. The fixtures and equipment listed in Table (d)1 shall comply with the corresponding requirements.

**Table (d) 1**

**Ages: 5 thru 10 or 11**      **Ages: 11 thru 14 or 15**  
**Grades: K thru 5 or 6**      **Grades: 6 thru 8 or 9**

**Restrooms**

<b>Water Closet:</b> To top of seat	14" - 15"	15" - 17"
<b>Urinal:</b> Maximum to basin opening	14"	16"
<b>Grab Bars:</b> To top	28" - 30"	30" - 32"
<b>Lavatories:</b>		
<b>Frontal Approach -</b>		
<b>Min Knee Clearance</b>	26"	28"
<b>Max to top</b>	30"	32"
<b>Max to Faucets From Front of Lav</b>	18"	20"
<b>Side Approach -</b>		



Max to top	32 "	34 "
Max to Faucets From Front of Lav	16 "	18 "
Mirrors: Maximum to Bottom	34 "	37 "
Shelves and Dispensers: Maximum Height to Control Device -		
Frontal Approach	42 "	45 "
Side Approach	48 "	51 "
<u>Drinking Fountains</u> (Maximum to Spout)	32 "	34 "
<u>Switches and Controls</u>		
Frontal Approach - Maximum	42 "	45 "
Side Approach - Maximum	48 "	51 "
<u>Telephones</u> (Maximum to top Device)		
Frontal Approach	42 "	45 "
Side Approach	48 "	51 "

(C) Mixed use buildings and facilities. When facilities are designed for use by various age groups and have no characteristics that reflect a predominant group, mounting heights are optional but may not exceed those set out for adults.

(D) Special use areas, components, and spaces. Areas of buildings and facilities not otherwise covered or referenced in these standards but which are considered essential for use by disabled persons, shall be accessible by complying with the standards and specifications which are appropriate and applicable to the particular space or element. Such special areas may include, but are not limited to, play areas, dining areas, check-out counters, service aisles, food serving lines, exercise rooms, laboratories, darkrooms, swimming pools, concession stands, atriums, fishing piers, hike and bike trails, picnic areas,

amphitheaters, courtyards, and plazas.

(2) Accessible sites and exterior facilities: new construction.

(A) Accessible routes—on-site elements. At least one accessible route complying with subsection (f) of this section shall be provided from accessible parking spaces, passenger loading zones, adjacent public transportation stops, public streets, and sidewalks to buildings and facilities they serve.

(B) Accessible routes—buildings and facilities. At least one accessible route complying with subsection (f) of this section shall connect accessible buildings, facilities, elements, and spaces that are on the same site.

(C) Protruding objects. All objects that protrude from surfaces or posts

into circulation paths shall comply with subsection (g) of this section.

(D) Ground and floor surfaces. Ground and floor surfaces along accessible routes and in accessible spaces shall comply with subsection (h) of this section.

(E) Parking. If parking spaces are provided for employees (occupants) or visitors, or both, then accessible spaces complying with subsection (i) of this section shall be provided for each group. If more than one parking area is provided, each area, including attached garages and separate parking structures and lots, shall have the minimum number of spaces set out in Table (d) 2.

**Table (d) 2**

**Total Parking**

1 to 50  
 51 to 100  
 101 to 350  
 351 to 500  
 Over 500

**Required Minimum  
 Number of Accessible  
 Spaces**

1  
 2  
 3  
 5  
 1% of total spaces

**Exception.** The total number of accessible parking spaces may be distributed disproportionately among parking areas if equitable and if better accessibility is achieved.

**Exception.** Where parking for both residents and visitors is provided at accessible housing (dwelling) units, the appropriate number of spaces shall be provided as follows.

(i) Where parking is provided for residents, one accessible parking space shall be provided for each accessible dwelling unit.

(ii) Where parking is provided for visitors, 1.0% of those spaces, but never less than one, shall be accessible.

(F) Passenger loading zones. If passenger loading zones are provided, they shall comply with subsection (i) of this section.

(G) Toilet facilities. If toilet facilities are provided on a site, then each such public or common use toilet facility shall comply with subsections (q) and (r) of this section if applicable.

**Exception.** These provisions are not mandatory for all units clustered at a single location. However, at least one toilet unit per sex and one bathing unit per sex complying with subsections (q) and (r) of this section if applicable, shall be installed at each location.

(H) Drinking fountains and water coolers. If drinking fountains or water coolers are provided, an appropriate number, but never less than 50% of those provided, shall be on an accessible route and shall comply with subsection (p) of this section. The appropriate number of accessible units shall be based on the total number provided and their location with respect to distance and availability. The accessible units shall be distributed strategically and equitably throughout the site and there should not be more than 250 feet between

accessible units or from any point of the site if units are provided within that distance. If only one drinking fountain or water cooler is provided within a site, it shall comply with subsection (p) of this section.

**Exception.** If water fountains are located in groups, only one in each group need comply.

(I) Elements, spaces, common, and special use areas. If elements, spaces, common areas, or special use areas, as described in subsection (d)(1)(D) of this section are provided within an existing site but are not included in a subject project, then such elements, spaces, and areas shall be made accessible where practicable.

(3) Accessible buildings and facilities: new construction.

(A) Parking. If parking is provided (either new or existing) the appropriate number shall comply with subsections (d)(2)(E) and (i) of this section.

(B) Accessible routes. At least one accessible route complying with subsection (f) of this section shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility and with other essential support facilities on the same site.

(C) Protruding objects. All objects that overhang circulation paths shall comply with subsection (g) of this section.

(D) Ground and floor surfaces. Ground and floor surfaces along accessible routes and in accessible rooms and spaces shall comply with subsection (h) of this section.

(E) Stairs. Stairs connecting levels that are not connected by an elevator shall comply with subsection (1) of this section.

(F) Elevators. Elevators or other means of vertical transportation suitable for wheelchair use shall be provided in buildings and facilities having more than one level. All passenger elevators within a building or facility required to provide vertical access shall be on accessible routes, shall serve all levels normally used by the occupants and visitors, and shall comply with the standards and specifications contained in subsection (m) of this section.

**Exception.** Ramps complying with subsection (k) of this section may be used in lieu of elevators in buildings having less than three levels.

**Exception.** Elevator pits, elevator penthouses, mechanical rooms, piping or equipment areas, and catwalks are excepted from this requirement.

**Exception.** With the approval of the commission, exemptions may be allowed for mezzanines, balconies, porches, galleries, verandas, basements, penthouses, and other areas having insignificant functions that are unrelated to the buildings purpose when such areas: contain less than 2,000 square feet of floor space; do not contain activities and functions involving the sale of goods or services; and do not contain educational or employment opportunities not available in accessible locations within the same building or facility.

(G) Doors. Buildings and facilities subject to these standards shall have doors complying with subsection (n) of this section as follows:

- (i) at each accessible entrance;
- (ii) an appropriate number, but never less than one, at each space required to be accessible within a building or facility;
- (iii) each door that is an element of an accessible route; and
- (iv) each door required by subsection (f)(11) of this section.

(H) Entrances. At least 50%

but never less than one, of grade level entrances of a building shall comply with subsection (n) of this section. When a building or facility has entrances which normally serve any of the following functions: transportation; passenger loading and unloading; accessible parking; taxi stands; public streets and sidewalks; or accessible intercity vertical access, then at least one of the entrances serving each such function shall comply with subsections (n) and (o) of this section. Because entrances also serve as emergency exits whose proximity to all parts of buildings and facilities is essential, it is preferable that all exits be accessible.

(I) Drinking fountains. If drinking fountains or water coolers are provided, approximately 50% of those provided on each floor or grade level, shall comply with subsection (i) of this section and shall be on an accessible route. The accessible units shall be distributed strategically and equitably and there should not be more than 250 feet between accessible units or from any point in a building or facility if units are provided within that distance. If only one drinking fountain or water cooler is provided on any floor or level, it shall comply with subsection (j) of this section.

Exception. If water fountains are located in groups, only one in each group need comply.

(J) Toilet facilities. If toilet facilities are provided, then each public and common use toilet room shall be on an accessible route and shall comply with subsection (q) of this section.

Exception. No more than one accessible restroom per sex per floor, or level, is required if there is at least one accessible restroom for each sex within 250 feet horizontal distance from any point of the building or facility.

(K) Bathing facilities. If bathing facilities are provided, then at least one per floor, or level, of public and common use bathing facilities shall be on an accessible route and shall comply with subsection (r) of this section.

(L) Controls and operating mechanisms. Controls and operating mechanisms which are expected to be operable by occupants, visitors, or other users of a building or facility, shall be on accessible routes and shall comply with subsection (s) of this section. Such mechanisms may include, but are not limited to, thermostats, light switches, alarm activating devices, ventilators, and electrical outlets.

(M) Emergency warning systems. If emergency warning systems are provided, then they shall include both audible and visual alarms complying with subsection (t) of this section.

Exception. Compliance shall not be required in buildings and facilities where special alarm systems are provided, such as commonly found in hospitals or other health care facilities, places of detention, theaters, auditoriums, and other places of assembly.

(N) Tactile warnings. Tactile warnings shall be provided at hazardous conditions as specified in subsection (v) of this section.

(O) Signage. Signage at toilet rooms shall comply with subsection (v)(1) of this section. Signage for elevators shall comply with subsection (m)(5) and (11) of this section.

(P) Telephones. If public telephones are provided, then accessible telephones complying with subsection (w) of this section shall be provided as shown in Table (d)3.

Table (d) 3

<u>Number Provided on Each Floor</u>	<u>Number Required to be Accessible</u>
1 or more single units	1 unit per floor
1 bank*	1 unit per floor
2 or more banks*	1 unit per bank**

\* A bank consists of two or more adjacent public telephones, often installed as a unit.

\*\* The accessible telephone may be a single unit in proximity (either visible or with signage) to the bank.

(Q) Tables, work surfaces, and seating. If fixed or built-in seating, tables, or work surfaces are provided in accessible spaces, a minimum of (2.0%), but at least one of each, shall comply with

subsection (x) of this section.

(R) Places of assembly. If places of assembly are provided, they shall comply with subsection (y) of this section. The appropriate number of seating spaces

usable by persons in wheelchairs shall be based on building or facility function and the configuration of the assembly areas as a whole, but shall never be less than the numbers specified in Table (d)4.

Table (d) 4

**Capacity of Seating  
in Assembly Areas**

**Number of Required  
Wheelchair Locations**

50 thru 100  
101 thru 300  
301 thru 600  
Over 600

2  
4  
6  
1.0% of total

(4) Accessible buildings and facilities: additions. Each addition to an existing building or facility subject to these rules, shall comply with subsection (d)(3) and (4) of this section, as applicable.

Exception. Mechanical rooms, storage areas, and other such minor additions which normally are not frequented by the occupants or visitors of the building or facility are excepted from this paragraph.

(A) Entrances. If a new addition to a building or facility does not have a principal entrance, then at least one principal entrance in the existing building or facility shall comply with subsection (o) of this section.

(B) Accessible route. If the only accessible entrance to the addition is located in the existing building or facility, then at least one accessible route shall comply with subsection (f) of this section and shall provide access through the existing building or facility to all rooms, elements, and spaces in the new addition.

(C) Toilet and bathing facilities. If there are not toilet rooms and/or bathing facilities in the addition and such facilities are provided in the existing building, then at least one facility of each type for each sex in the existing building or facility shall comply with subsection (q) and/or (r) of this section. Modified restrooms should be as near to the addition as is reasonably possible.

(D) Elements, spaces, common areas, and essential features. If elements, spaces, common areas, or special use areas as described in subsection (d)(1)(D) of this section are located in the existing building or facility and they are not provided in the addition, then consideration shall be given to making those elements, spaces, and common areas accessible in the existing building or facility. Any such element or space considered to be essential to the occupants or users of the building or facility shall be on an accessible route and

shall be made accessible by complying with applicable specifications. Spaces considered essential include, but are not limited to, dining rooms, food service areas, and medical treatment facilities.

(5) Accessible buildings and facilities: alterations. This provision is applicable to existing buildings and facilities that are subject to these rules because of previous construction activities; and to existing buildings and facilities that may not otherwise be subject to these rules but that are remodeled, modified, or altered using public funds. Where buildings and facilities are vacated and totally altered (e.g., the demolition and new finish out of interior of a building), then it shall be considered new construction and shall comply as prescribed in subsection (d)(3) of this section. Where substantial alteration (as defined in §115.52 of this title (relating to Definitions)) occurs to a building or facility, then each element, space, feature, or common area that is altered or added shall comply with the applicable provisions of subsection (d) of this section to the maximum extent considered by the commission to be structurally practicable. Except to the extent where it is impracticable (see §115.56 of this title (relating to Submission of Compliance of Intent)), the altered building or facility shall comply with the following.

(A) Accessible routes. Provide sufficient accessible routes complying with subsection (f) of this section to meet the minimum requirements contained in this paragraph.

(B) Entrances. Provide sufficient entrances complying with subsection (o) of this section to meet the minimum requirements contained in this paragraph.

(C) Toilet facilities. Provide at least one toilet facility complying with subsection (q) of this section for each sex on each substantially altered floor where such facilities are provided. A minimum of one toilet facility complying with subsection (q) of this section per sex per altered building or facility is required.

(D) Elements, spaces, common use areas, and essential features. If existing elements, spaces, essential features, or common use areas are altered, then each such altered element, space, feature, or area shall comply with applicable standards.

(E) Elevators and other vertical access equipment. If power-driven vertical access equipment (e.g., elevator, escalator, etc.) is installed or replaced, or if new stairs (other than stairs installed to meet emergency exit requirements) requiring major structural changes are installed where none existed previously, then a means of accessible vertical access shall be provided. Where existing shaft or structural elements prohibit strict compliance with subsection (m) of this section, compliance to the maximum extent considered practicable is required. The minimum clear floor area of an elevator cab may not be less than 48 inches by 48 inches.

Exception. When alteration work is limited to plumbing, electrical, mechanical, repair and maintenance, or cosmetic, then the building or facility is excepted from these requirements.

Exception. No new accessibility alterations will be required of existing elements or spaces previously constructed or altered in compliance with earlier standards issued pursuant to Texas Civil Statutes, Article 601b, Article 7, except when accessibility features are being altered and compliance with current standards is reasonable.

Exception. Mechanical rooms and other spaces, which by nature of their use, normally are not frequented by the general occupants or visitors of a building or facility, are not required to comply with accessibility standards.

(6) Accessible dwelling units.

(A) Multi-unit facilities. When 10 or more dwelling units are provided in a multi-unit facility, the appropriate number of units required to be

accessible shall not be less than 10% for housing projects designated for the exclusive use of the disabled or elderly, and not less than 5.0% for all others. Accessible dwelling units shall comply with the requirements of subsections (e)-(u) of this section except as modified or exempted by subsection (z) of this section.

(B) **Single-unit facilities.** Single-family type dwelling units constructed or remodeled with public funds as described in Texas Civil Statutes, Article 601b, §7.02, shall be considered subject to the requirements of subsections (e)-(z) of this section except as modified or exempted by subsection (z) of this section. Residential facilities subject to this rule may include, but are not limited to, park ranger residences, student housing at state senior colleges, and other public housing units provided to public employees or officials.

(7) Accessible buildings and facilities: historic preservation.

(A) As a general rule, accessibility provisions shall be applicable to qualified historic buildings and facilities. Qualified historic buildings and facilities are those that are listed, or are eligible for listing, in the National Register of Historic Places, and such properties designated, or are eligible to be designated, by the Texas Historical Commission or the Texas Antiquities Committee as having either historic or archaeological significance under the provisions of their respective statutes.

(B) The commission with the cooperation of the Texas Historical Commission and the Texas Antiquities Committee shall determine, on a case-by-case basis, whether provisions required by these standards would damage or destroy the historic significance of a building or facility.

(C) If it is determined that any of the minimum accessibility requirements would damage or destroy the historic significance of a building or facility, then compliance shall be achieved to the maximum extent considered by the commission to be reasonable and practicable.

(8) Accessible health care facilities.

(A) **General.** Health care facilities shall include general hospitals, psychiatric treatment facilities, nursing homes, hospices, and other facilities licensed by the Texas Department of Health or the Texas Department of Mental Health and Mental Retardation. Health care facilities regulated under Texas Civil Statutes, Article 601b, §7.02(a) and (d) shall comply with standards appropriate to meet the accessibility requirements per subparagraphs (B) and (C) of this paragraph.

(B) **Long term care facilities.** Facilities that provide long term care (such as nursing homes, hospices, and intermediate care facilities) shall provide accessibility in;

(i) 50% of patient toilets and bedrooms;

(ii) all public and common use areas; and

(iii) all areas which may provide employment opportunities for disabled persons.

(C) **Outpatient facilities.** Facilities that provide outpatient services (such as minor emergency treatment centers, minor surgery centers, dialysis, and radiology treatment facilities), shall provide accessibility in;

(i) at least one room for each type of treatment;

(ii) all patient rooms;

(iii) all public use areas and spaces;

(iv) all common use areas; and

(v) all areas which may provide employment opportunities for disabled persons.

(D) **General purpose hospitals.** Accessibility shall be provided in;

(i) at least 10% of patient bedrooms;

(ii) public toilets as provided in subsection (d)(3), (4), or (5) of this section, whichever is applicable;

(iii) all public use areas and spaces;

(iv) all common use areas; and

(v) all areas which may provide employment opportunities for disabled persons.

(e) **Space allowances and reach ranges.**

(1) **General.** The wheelchair is considered the basic vehicle for nonambulatory persons. Its specifications establish the fundamental design requirements for making buildings and facilities accessible to disabled persons. The dimensional specifications listed herein and as shown in Figures (e)1.1 and (e)1.2 represent the standard collapsible model wheelchair.

(A) Length: 42 inches.

(B) Width: 26 inches.

(C) **Height of seat from floor:** 19 inches.

(D) **Height of armrests from floor:** 30 inches.

(2) **Wheelchair passage width.** The minimum clear width for single wheelchair passage is 32 inches at a point and 36 inches continuously. See Figure (e) 2. The minimum width for two wheelchairs to pass is 60 inches. See Figure (e) 3.

(3) **Wheelchair turning space.** The space required for a wheelchair to make a 180-degree turn is a clear space of 60 inches in diameter (see Figure (e)4.1), or a T-shaped space as shown in Figure (e)4.2.

(4) **Clear floor or ground space for wheelchairs.**

(A) **Size and approach.** The minimum clear floor or ground space required to accommodate a single, stationary wheelchair and occupant is 30 inches by 48 inches. See Figure (e)5.1. The minimum clear floor or ground space for wheelchairs may be positioned for forward or parallel approach to an object. See Figures (e)5.2 and (e)5.3. Clear floor or ground space for wheelchairs may be part of the knee space required under some objects.

(B) **Relationship of maneuvering clearances to wheelchair spaces.** One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route or adjoin another wheelchair clear floor space. If a clear floor space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearances shall be provided as shown in Figures (e)5.4-(e)5.7.

(C) **Surfaces of wheelchair spaces.** Clear floor or ground spaces for wheelchairs shall have surfaces complying with subsection (h) of this section

(5) **Forward reach.** If the clear floor space allows only forward approach to an object, the maximum high forward reach allowed shall be 48 inches and the minimum low forward reach shall be unobstructed and no less than 15 inches above the floor. See Figures (e)6.1 and (e)6.2. If the high forward reach is over an obstruction, reach and clearances shall be as shown in Figures (e)6.3 and (e)6.4.

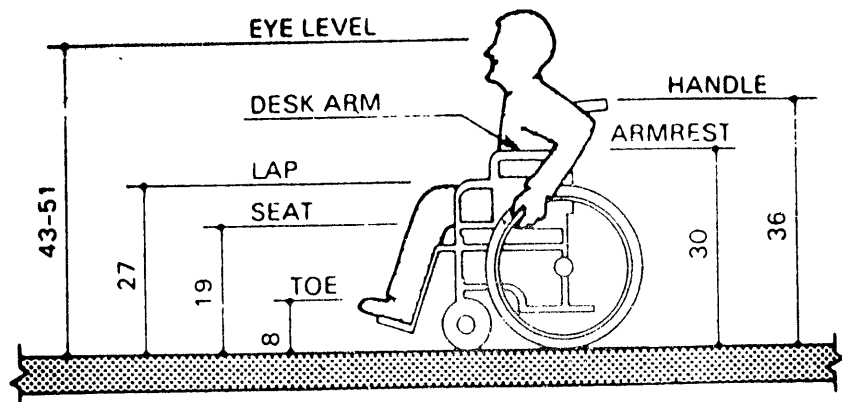
(6) **Side reach.** If the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 54 inches and the low side reach shall be no less than nine inches above the floor. See Figures (e)7.1 and (e)7.2. If the side reach is over an obstruction, the reach and clearances shall be as shown in Figure (e)7.3.

(f) Accessible routes.

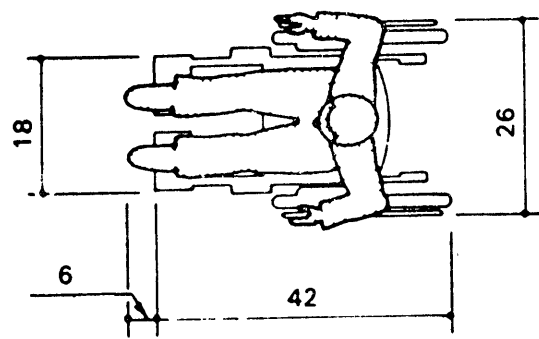
(1) General. All walks, halls, corridors, aisles, general circulation routes, and other spaces that are part of accessible routes shall comply with this subsection.

(2) Location.

(A) Accessible routes shall be provided from adjacent public transportation stops, accessible parking, passenger loading and unloading zones, and adjacent public streets or sidewalks to the appropriate entrances to the buildings or facilities.



(e) 1.1



(e) 1.2

FIGURE (e) 1

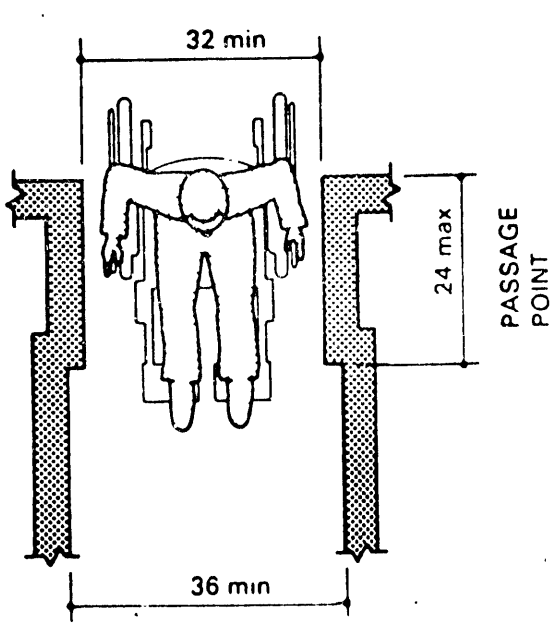


FIGURE (e) 2

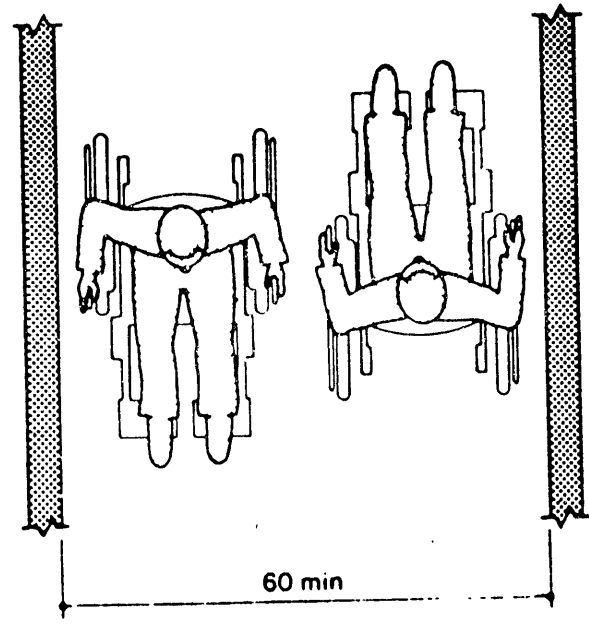
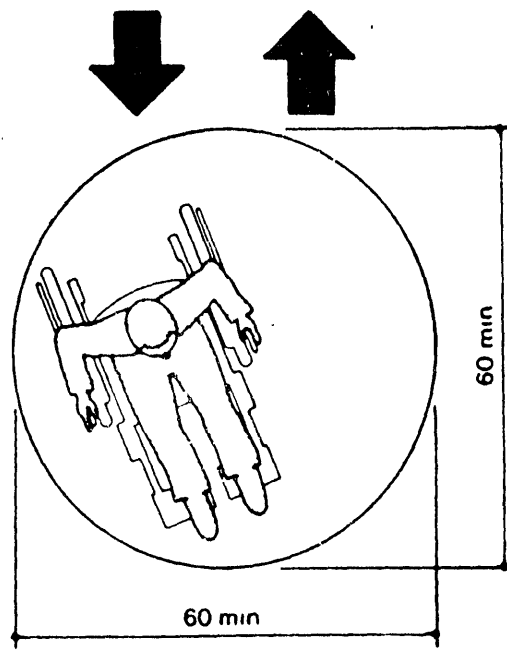
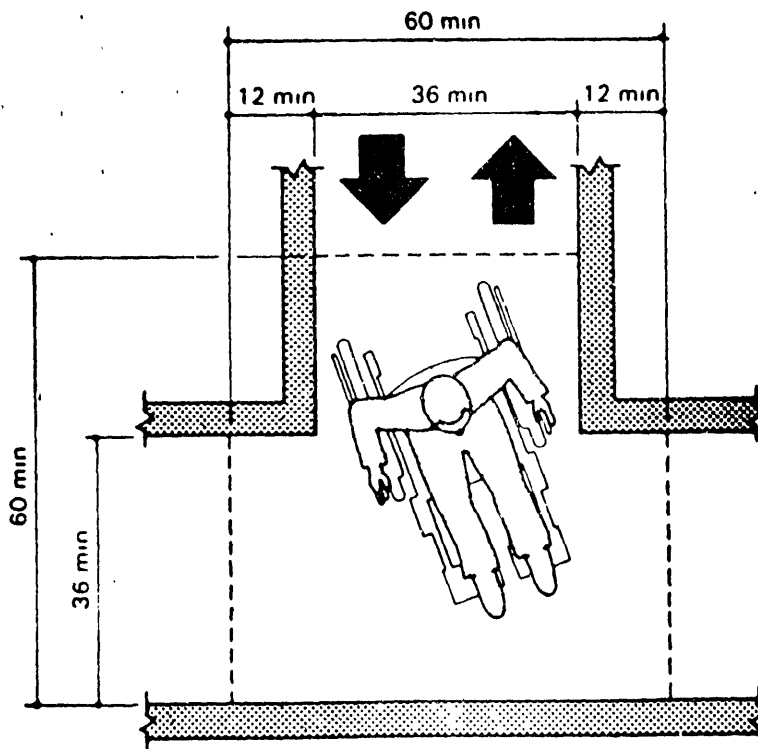


FIGURE (e) 3



(e) 4.1

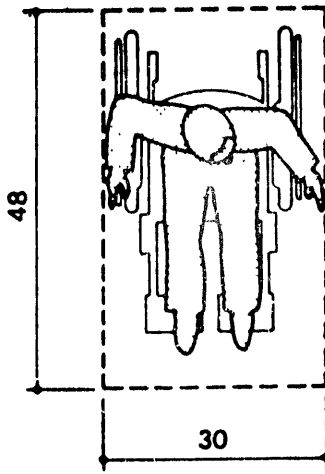


(e) 4.2

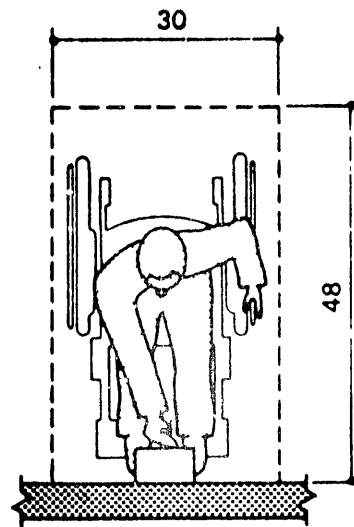
FIGURE (e) 4

NOTE: Dashed lines indicate minimum length of clear space required on each arm of the T-shaped space in order to complete the turn.

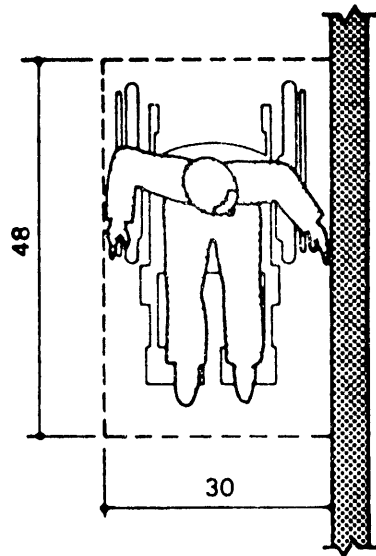




(e) 5.1

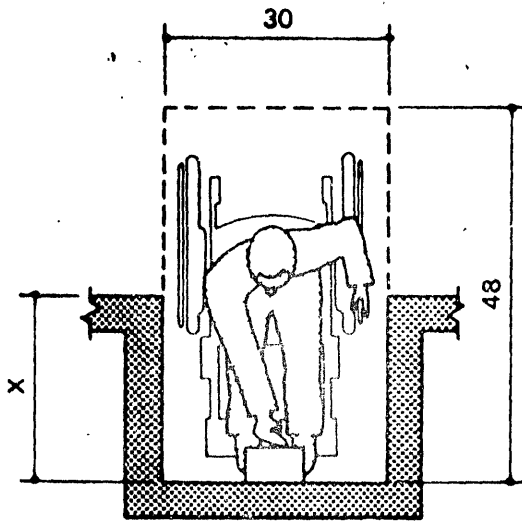


(e) 5.2



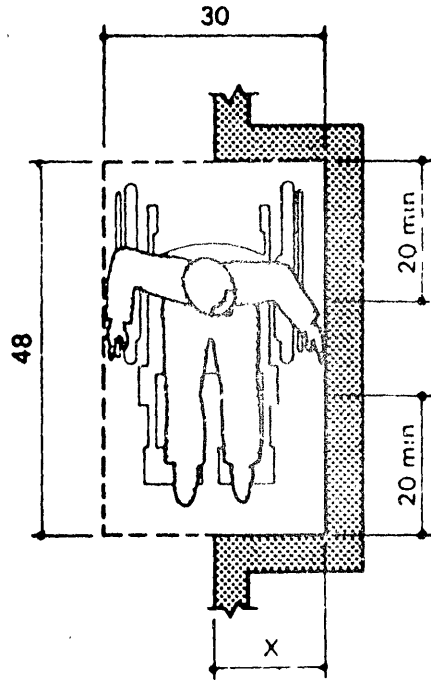
(e) 5.3

FIGURE (e) 5



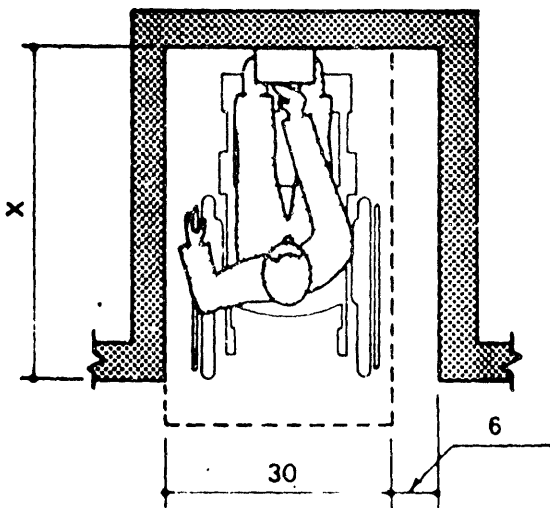
NOTE: x is less than or equal to 24 in.

(e) 5.4



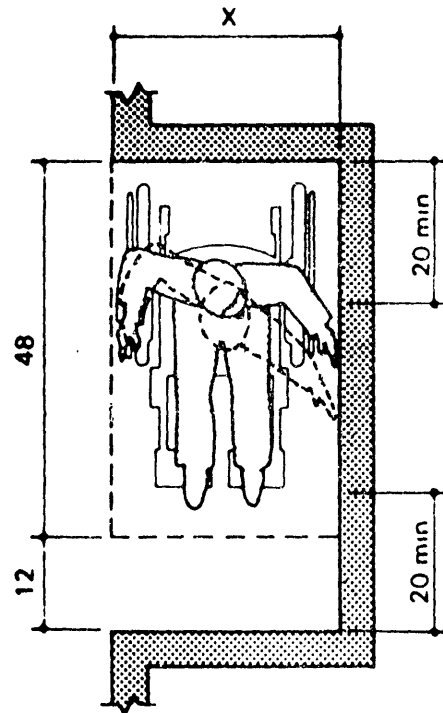
NOTE: x is less than or equal to 15 in

(e) 5.5



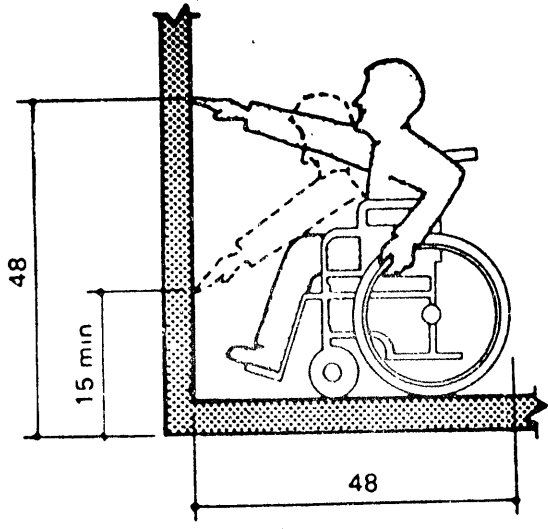
NOTE: If x is greater than 24 in, then an additional maneuvering clearance of 6 in shall be provided as shown.

(e) 5.6

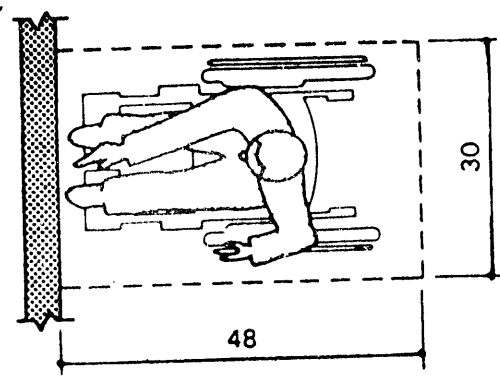


NOTE: If x is greater than 15 in, then an additional maneuvering clearance of 12 in shall be provided as shown.

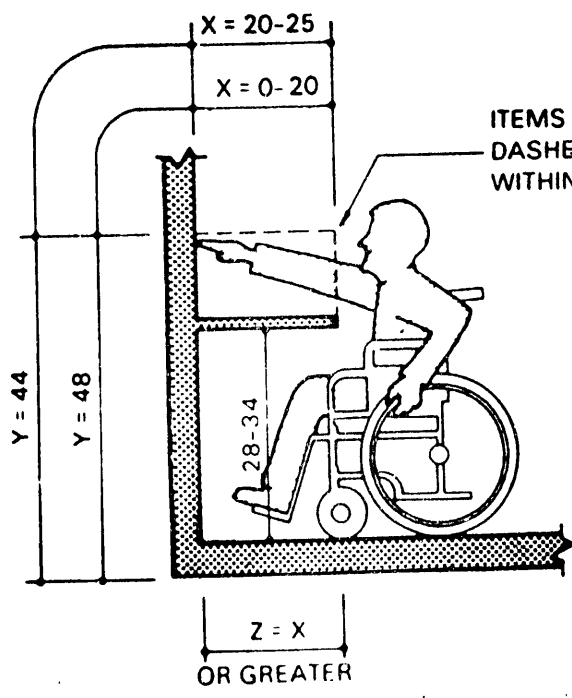
(e) 5.7



(e) 6.1

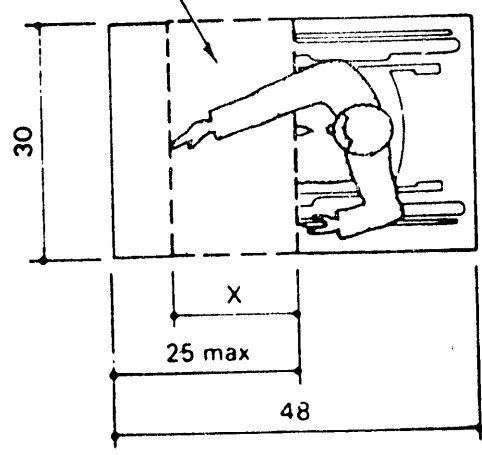


(e) 6.2



(e) 6.3

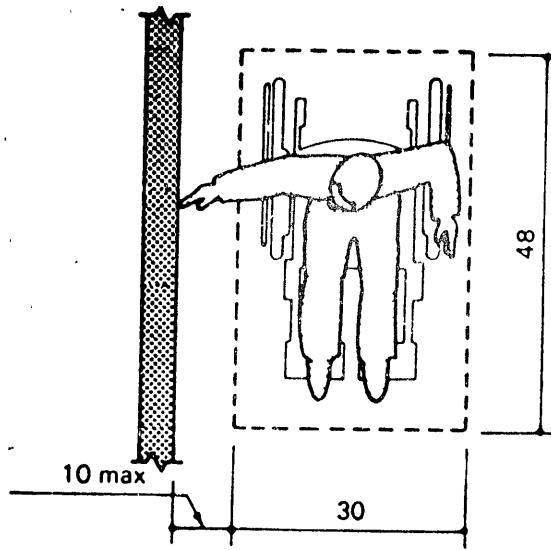
CLEAR FLOOR OR  
GROUND SPACE  
SHALL EXTEND NO  
MORE THAN 25 in  
UNDER THE  
OBSTRUCTION



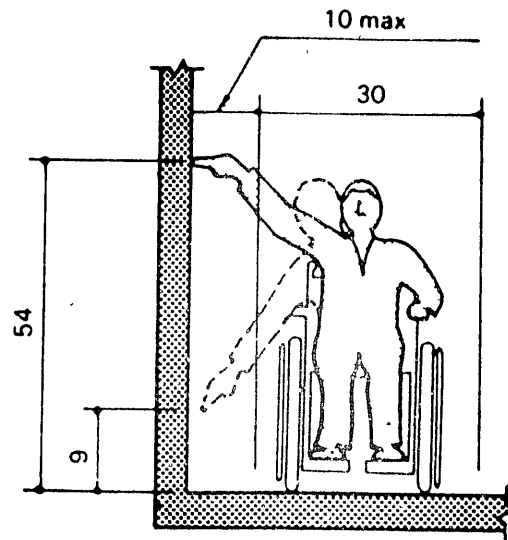
(e) 6.4

NOTE: x = Reach distance, y = Maximum height,  
z = Clear knee space. z is the clear space  
below the obstruction which shall be at least  
as deep as the reach distance x.

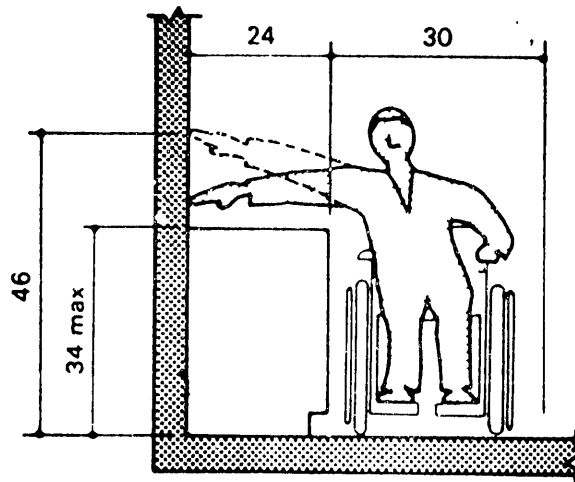
FIGURE (e) 6



(e) 7.1

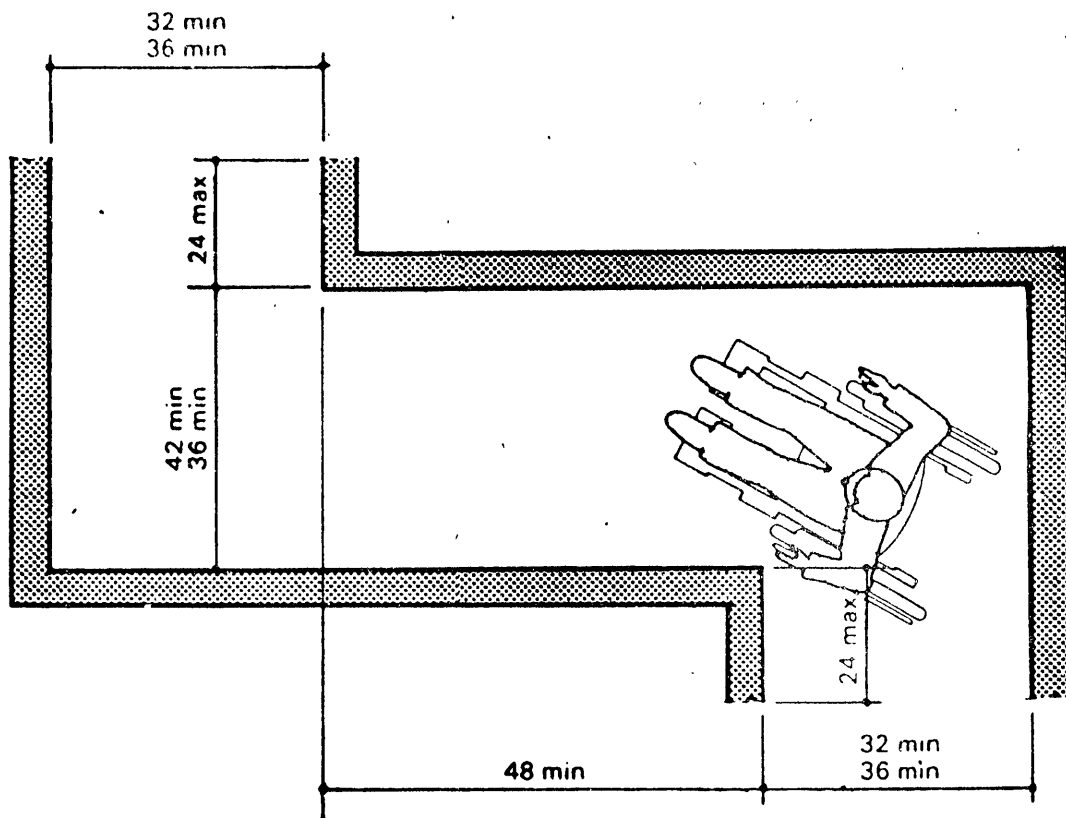


(e) 7.2

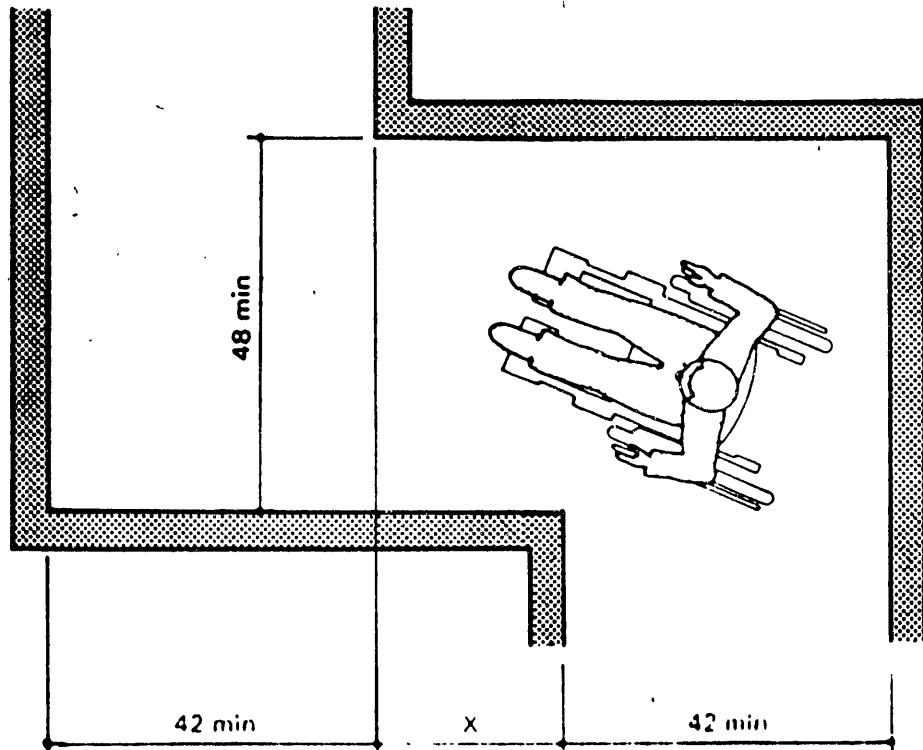


(e) 7.3

FIGURE (e) 7



(f) 1.1



NOTE: Dimensions shown apply when x is less than 48 in.

(f) 1.2

FIGURE (f) 1

(B) Accessible routes shall connect all accessible buildings, facilities, elements, and spaces that are on the same site.

(C) Accessible routes shall connect accessible building or facility entrances with all accessible spaces and elements within a building or facility.

(D) Accessible routes shall connect accessible entrances of each accessible dwelling unit with those exterior and interior spaces and facilities that serve the accessible dwelling unit.

(3) Width. The clear width at any point of an accessible route shall never be less than 36 inches. Other clear width minimum requirements shall be as follows.

(A) For clear widths at doors see subsection (n)(3) of this section.

(B) Sidewalks, halls and corridors serving all applicable spaces and elements of a building or facility shall be considered part of an accessible route and shall have a minimum width of 44 inches. For places where turns are required, see Figures (f)1.1 and (f)1.2.

Exception. A clearance of no less than 36 inches is allowed for distances of less than 30 feet provided all intersecting passageways, doors, door openings, and maneuvering clearances comply with subsections (n) and (o) of this section.

(4) Passing space. If an accessible route has less than 60 inches clear width, then passing spaces at least 60 inches by 60 inches shall be located at reasonable intervals not to exceed 250 feet. An intersection of two corridors or walks shall also be considered a passing space.

(5) Headroom. Walks, halls, corridors, aisles, circulation spaces, and all other passageways shall have at least 80 inches clear headroom. See Figure (g)1.1. If vertical clearance of an area adjoining an accessible route is reduced to less than 80 inches nominal dimension, a guardrail or other barrier having its leading edge at or below 27 inches above the walking surface shall be provided. See Figure (g)1.6.

(6) Surface texture. The surface of an accessible route shall comply with subsection (h) of this section.

(7) Slope. An accessible route with a running slope greater than 1:20 (5.0%) shall be considered a ramp and shall comply with subsection (k) of this section.

Exception. An accessible route with a slope greater than 5.0% but not exceeding 6.0% may be exempted if the length does not exceed 30 feet.

(8) Cross slope. At no point of an accessible route shall a cross slope exceed 1:50 (2.0%).

(9) Changes in level. Changes in level at doorways shall comply with subsection (n)(8) of this section. Changes in level up to 1/4 inch may be without edge treatment. Changes in level between 1/4 inch and 3/4 inch, except at doorways, shall be beveled with a slope no greater than 1:2.

See Figures (f)2.1 and (f)2.2. If an accessible route has level changes greater than 3/4 inch, then curb ramps, ramps, elevators, or platform lifts complying with subsections (j), (k), or (m) of this section shall be provided.

(10) Doors. Doors that are part of an accessible route shall comply with subsection (n) of this section.

(11) Egress. Accessible routes serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an accessible place of refuge if provided.

(g) Protruding objects.

(1) General. Potentially hazardous objects are detectable by vision impaired persons using long canes if the objects fall within the detection ranges illustrated in Figures (g)1.1-(g)1.9. Objects projecting from walls, posts, or any vertical surface, with their leading edge between 27 inches and 80 inches above ground or floor surfaces shall protrude no more than four inches into walks, halls, corridors, passageways, aisles, or any defined pedestrian way. See Figure (g)1.1. Objects mounted with their leading edge at or below 27 inches above ground or floor surfaces may protrude any amount. See Figure (g)1.2. Freestanding objects mounted on posts or pylons may overhang 12 inches maximum from 27 inches to 80 inches above the ground or floor surface. See Figures (g)1.7 and (g)1.8. Protruding objects shall not reduce the clear width required for an accessible route or maneuvering space. See Figure (g)1.9.

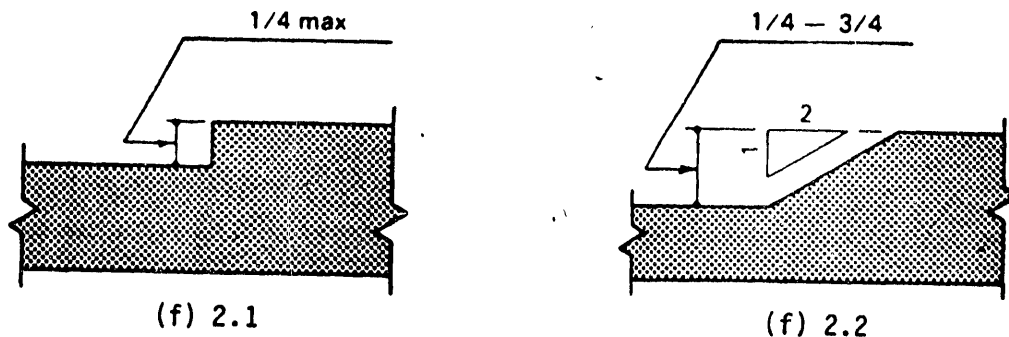
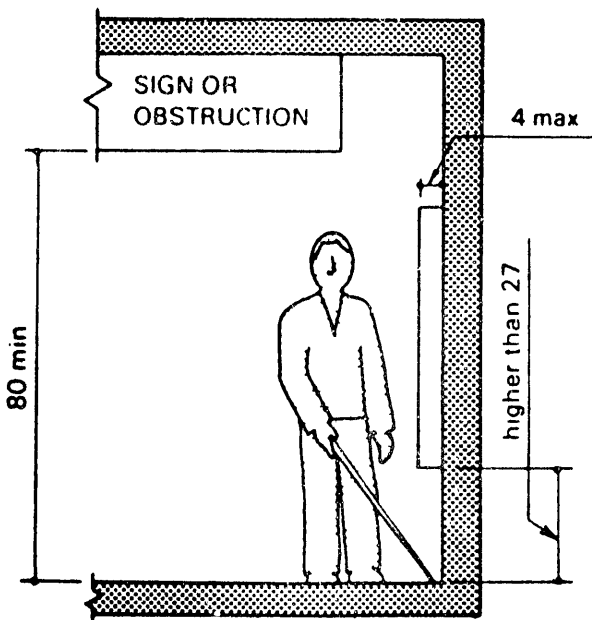
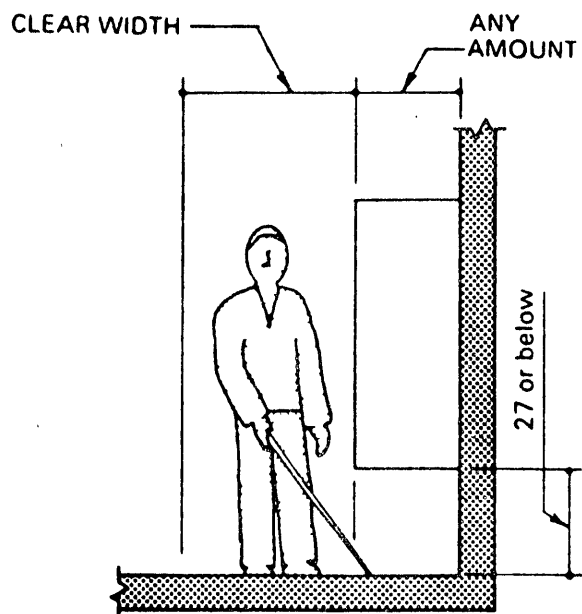


FIGURE (f) 2



(g) 1.1



(g) 1.2

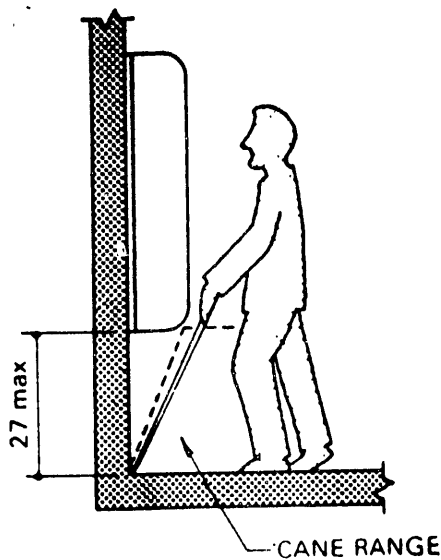
(2) Headroom. Walks, halls, corridors, passageways, aisles, and other circulation spaces shall have 80 inches minimum clear headroom. See Figure (g)1. 1. If vertical clearance of an area adjoining an accessible route is reduced to less than 80 inches, a guardrail or other barrier having its leading edge at or below 27 inches

above the ground or floor level shall be provided. See Figure (g) 1.6.

(h) Ground and floor surfaces.

(1) General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces, including floors, walks, ramps, stairs, and curb ramps shall be stable, firm, reasonably smooth, and slip

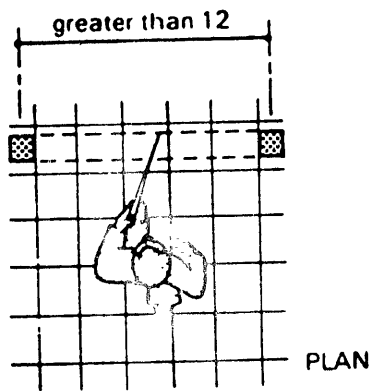
resistant under most weather conditions and shall comply with this subsection. Soft or loose surface materials such as sand, gravel, bark, mulch, or wood chips are not suitable in spaces required to be accessible or as part of an accessible route. Cobblestone and other irregular surfaces such as improperly laid flagstone and brick pavers shall not be part of accessible routes, spaces, and elements.



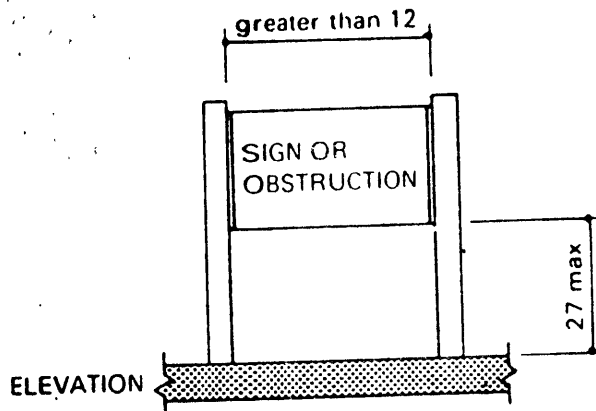
(g) 1.3

FIGURE (g) 1

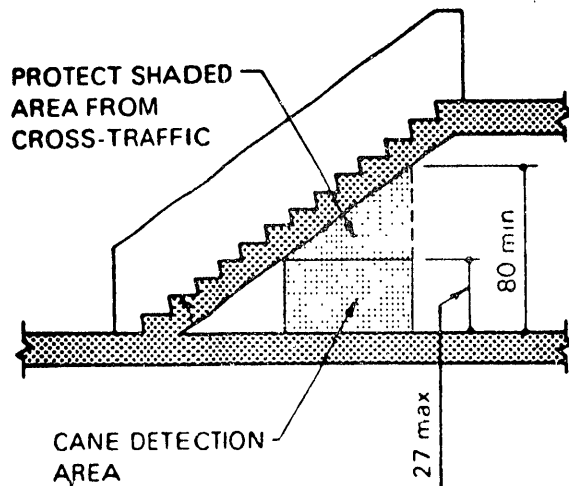




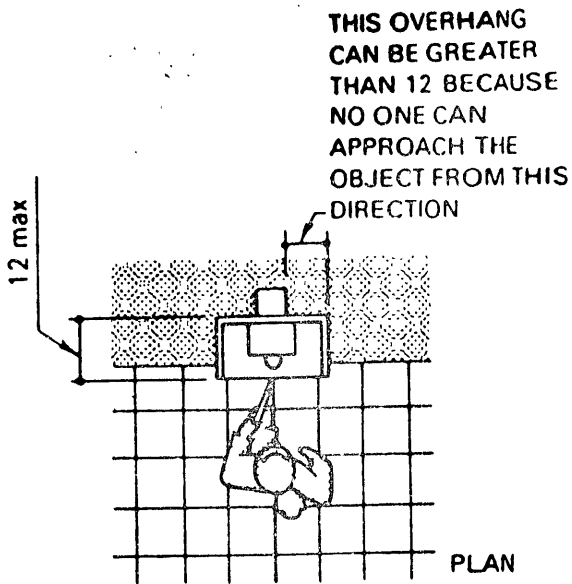
(g) 1.4



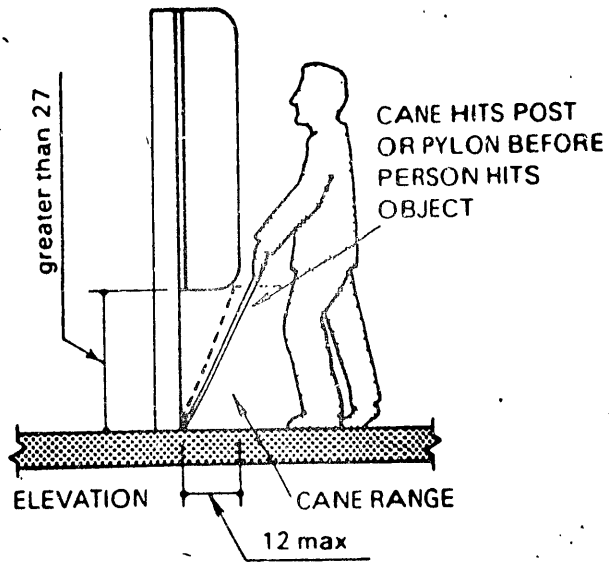
(g) 1.5



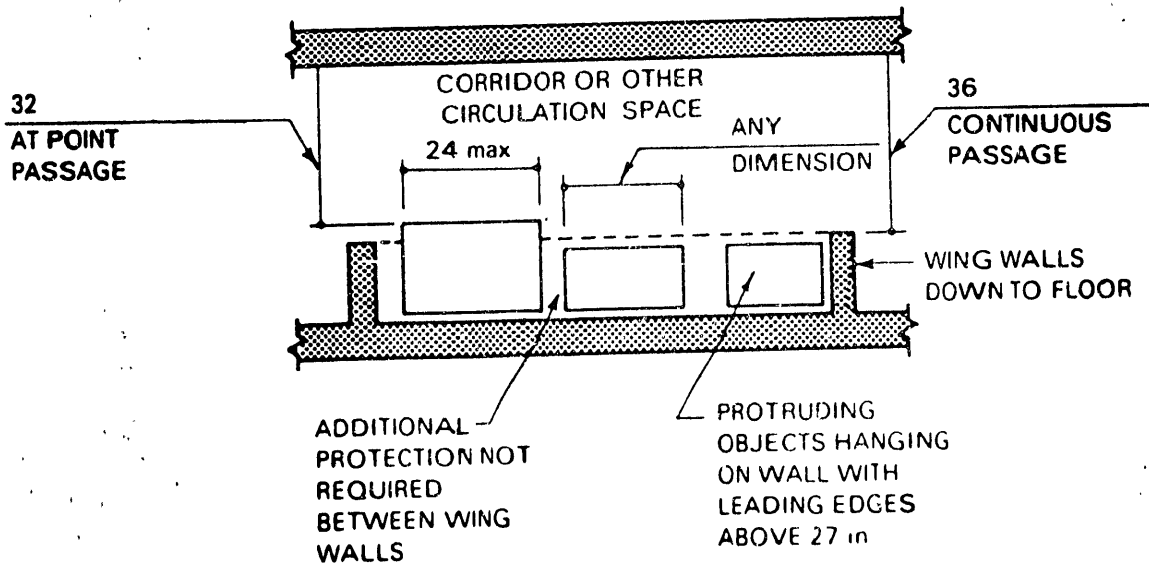
(g) 1.6



(g) 1.7



(g) 1.8



(g) 1.9

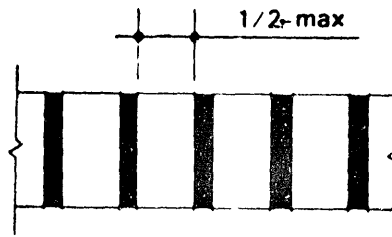
(2) Changes in level. Changes in level in excess of 1/4 inch shall comply with subsection (f)(9) of this section.

(3) Surface slopes. Any accessible space or route having a running slope greater than 1:20 (5.0%) shall be considered a ramp and shall comply with subsection

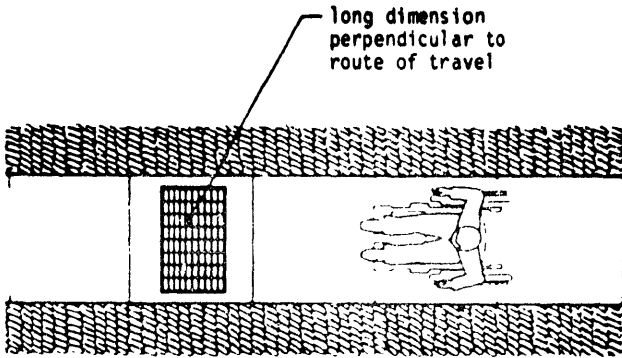
(k) of this section. Cross slopes in accessible spaces and routes shall not exceed 1:50 (2.0%). Slopes expressed in terms of 1/4 inch per foot shall be considered acceptable.

(4) Carpet. If carpet or carpet tile is used on a ground or floor surface, then it should be securely attached; and have a firm cushion, pad, or backing or no

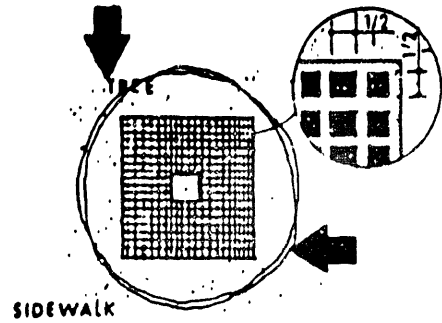
cushion or pad. The pile height should not exceed 1/2 inch. Exposed edges of carpet should be fastened to floor surfaces and have trim along the entire length of the exposed edge complying with subsection (f)(7) of this section.



(h) 1.1



(h) 1.2



(h) 1.3

FIGURE (h) 1

(5) Gratings. If gratings are located along accessible routes, then they shall have spaces no greater than 1/2 inch wide in one direction. If gratings have elongated openings, then they shall be placed so that the long dimension is perpendicular to the dominant direction of travel. See Figures (h)1.1-(h)1.3.

(i) Parking spaces and passenger loading and unloading zones.

(1) General. It is not the intent of this subsection to require parking structures to exceed the minimum vertical clearance provisions of local building codes. However, because high-top vehicles are commonly used by disabled persons and by public transit systems for transporting disabled persons, parking spaces and passenger loading zones that can accommodate such vehicles, shall be provided wherever practicable. At least one passenger loading zone and at least one parking space serving the building or facility shall comply with paragraph (6) of this subsection.

Exception. Where buildings and facilities are constructed under zero property line provisions of local building codes or ordinances, and no other real property that is suitable for parking and that is under the control of the building or facility owner is available and in proximity, this requirement does not apply.

(A) If both garage and surface parking spaces are provided, both shall comply with this subsection and subsection (d)(2)(E) of this section. Compliance with the vertical clearance specification contained in paragraph (6) of this subsection at either location is acceptable, provided the horizontal distance to an accessible primary entrance to the building or facility is within 250 feet or the average distance imposed on nondisabled persons whichever is less.

(B) If only garage parking is provided, the appropriate number per subsection (d)(2)(E) of this section shall comply with this subsection and at least one space that complies with paragraph (6) of this subsection shall be provided either within the structure or at an exterior location that is within 250 feet horizontal distance from an accessible primary entrance or does not exceed the average distance imposed on nondisabled users of the garage whichever is less.

(2) Location. Parking spaces designated for physically disabled people and accessible passenger loading and unloading zones that serve a particular building or facility shall be located on the shortest possible accessible circulation routes to the accessible primary entrances of the building or facility. In separate parking structures or lots that do not serve a particular building or facility, accessible

parking spaces shall be located on the shortest possible circulation routes to the accessible pedestrian entrances of the parking facility. Accessible parking spaces should never be located further than 250 feet from accessible entrances unless there are no parking spaces within that distance.

(3) Parking spaces. An accessible parking space is one that is open on at least one side and which allows room for individuals in wheelchairs, crutches, or braces to safely get in and out of a vehicle onto a level surface suitable for wheelchair users and walking and should be located so users are not required to wheel or walk behind parked vehicles or in traffic lanes.

(A) Head-in or diagonal spaces shall provide a minimum width of 13 feet. Spaces may be 96 inches wide with an adjacent aisle or clear space of at least 60 inches wide. The aisles shall be part of the accessible route to the building or facility entrance and shall comply with subsection (f) of this section. Two accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible circulation route. See Figures (i)1.1-(i)1.4 for minimum specifications and examples of acceptable parking spaces.

(B) Parallel parking is discouraged except when it can be situated in such a manner that persons entering and exiting vehicles will be out of the flow of traffic. If parallel parking is located on a street, driveway, or any other area where vehicular traffic exists, the space shall be designed and located so that users are out of the flow of traffic. See Figure (i)1.5 for an example of a well designed parallel parking space.

(C) Parking surfaces and access aisles shall not have a slope in any direction in excess of 1:50 (2.0%).

(D) Accessible parking spaces shall be identified and reserved for the disabled by vertically mounted signs incorporating the symbol of accessibility and placed so that they will not be obscured by parked vehicles. There shall be a sufficient number of signs so that each space is clearly identified. The signage shall be of such size that it is legible from a distance that would be reasonable for the condition. Signs may be mounted on posts, walls, fences, columns, or other permanent vertical surfaces. They should be mounted between 48 inches and 80 inches above the ground or floor surface unless they are part of an accessible route and must comply with subsection (f) of this section. See Figures (i)2.1-(i)2.8 for examples of acceptable signage.

(4) Parking structures and of-

site lots. In separate parking structures or lots that do not serve a particular building, parking spaces for physically disabled persons shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility and shall comply with this subsection and subsection (d)(2)(E) of this section. In instances where parking garages, basements, or off-site lots are used to serve a particular building or facility, parking spaces and conditions shall conform to the following criteria in addition to the requirements contained in this subsection and in subsection (d)(2)(E) of this section.

(A) Parking spaces shall be located adjacent, or in proximity, to the accessible point of egress by an accessible route including elevators.

(B) There shall be an accessible route from the point of egress to the nearest accessible primary entry into the building or facility. The maximum distance of travel shall comply with paragraph (2) of this subsection.

(C) Elevators in multi-level structures shall comply with subsection (m) of this section.

(D) If overhead or below grade walkways are provided, an appropriate number, but never less than one, shall be accessible by conforming to applicable standards and specifications required for accessible routes.

(5) Passenger loading zones. Passenger loading zones shall provide an access aisle at least 60 inches wide and 20 feet long adjacent and parallel to the vehicle pull-up space. See Figure (i)3. If there are curbs between the access aisle and the vehicle space, then a curb ramp complying with subsection (j) of this section shall be provided.

(6) Vertical clearance. Minimum vertical clearances of 114 inches shall be provided at accessible passenger loading and unloading zones; applicable parking areas including garages; and vehicle access routes to such areas from site entrances.

(j) Curb ramps.

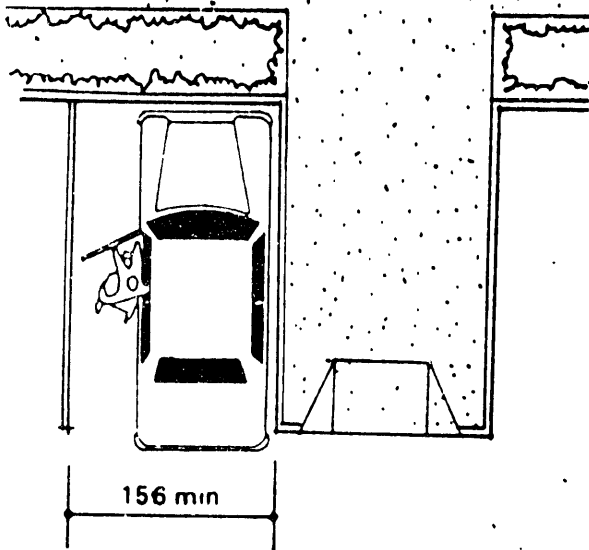
(1) Location. Curb ramps complying with this subsection shall be provided wherever an accessible route crosses a curb. Curb ramps shall be placed so that they are not obstructed by parked vehicles.

(2) Slope. Where ramps are required for curbs eight inches or less, they shall comply with either this subsection or subsection (k) of this section. See Tables (j)1 and (k)1. Where ramps are required for curbs in excess of eight inches, the curb ramps shall comply with Table (k)1. Transi-

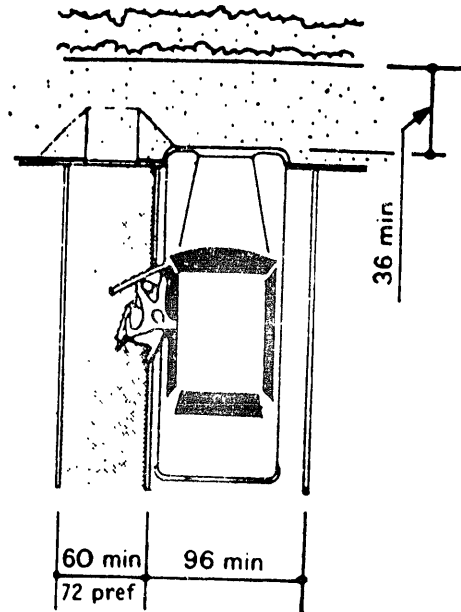
tions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes. Maximum slopes of such adjoin-

ing surfaces shall not exceed 1:20 (5.0%) and shall have a surface-to-surface angle of no less than 170 degrees. See Figure (j)1.1.

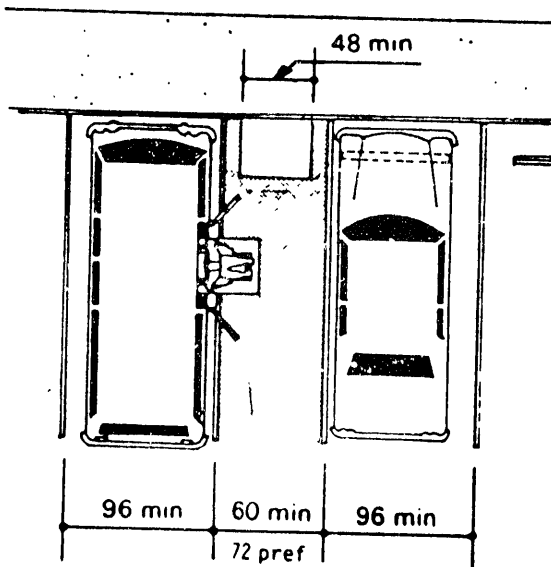
Slopes shall be measured as shown in Figure (k)2.



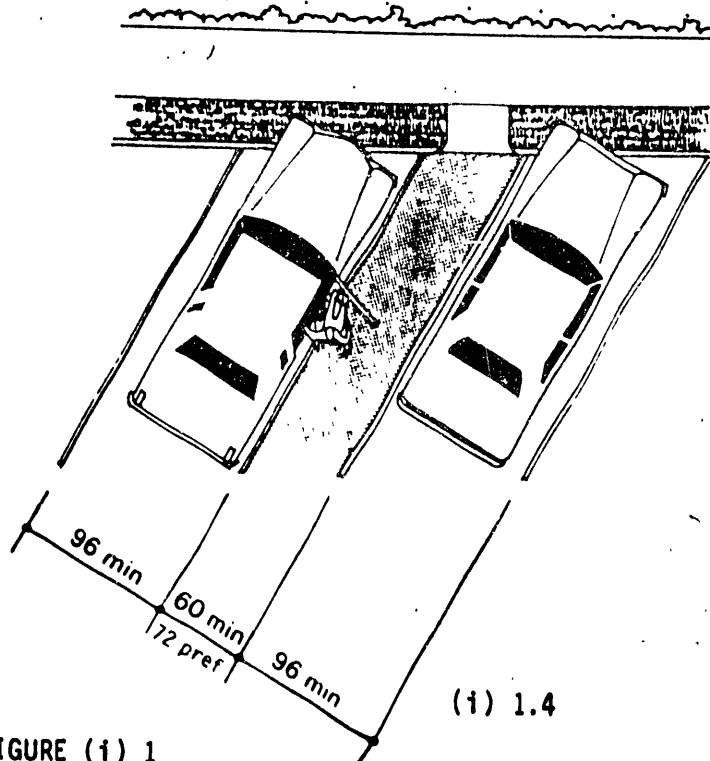
(i) 1.1



(i) 1.2

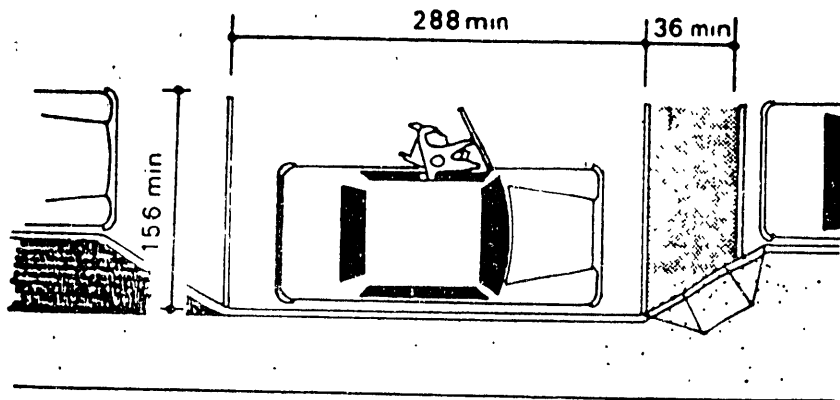


(i) 1.3



(i) 1.4

FIGURE (i) 1



(1) 1.5



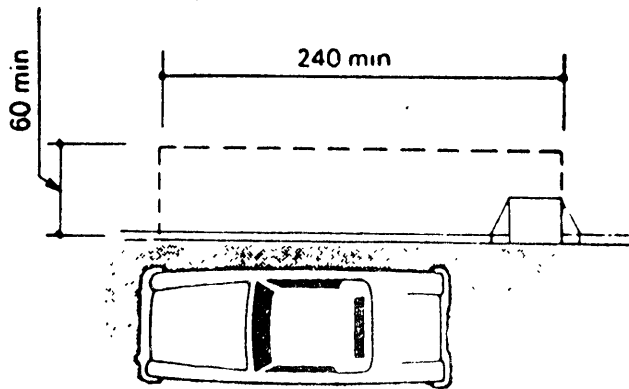
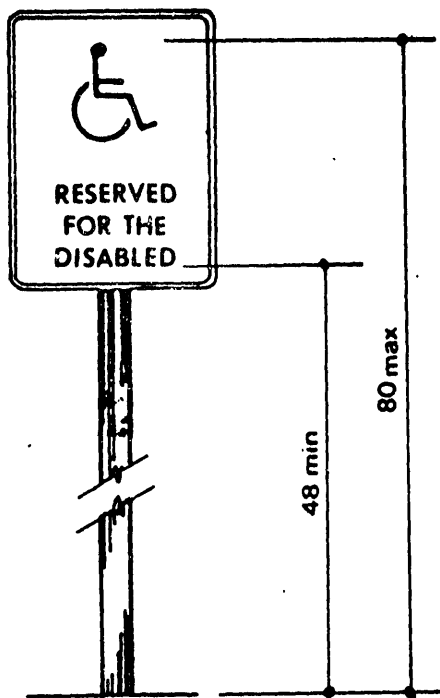


FIGURE (i) 3



(i) 2.1



(i) 2.2



(i) 2.3



(i) 2.4



(i) 2.5



(i) 2.6



(i) 2.7



(i) 2.8

(3) Width. The minimum width of curb ramps shall be 36 inches exclusive of flared sides.

(4) Surface. Surfaces of curb ramps shall comply with subsection (h) of this section. Textures may consist of exposed crushed stone aggregate, roughened concrete, rubber, raised abrasive strips, or grooves. Surfaces that are raised, etched, or grooved in such a manner that would permit water to accumulate are prohibited. Curb ramps having slopes less than 1:10 (10%) shall, for the purpose of warning, have a surface texture that significantly contrasts with that of the surrounding surfaces.

(5) Built-up curb ramps. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes or into spaces that would interfere with persons entering and exiting parked vehicles. See Figures (j)2.1 and (i)1.3.

(6) Sides of curb ramps. Curb ramps intersecting with pedestrian walkways and built-up curb ramps that are less than 48 inches wide and without side protection shall have flared sides. The maximum slope of the flares shall be 1:10 (10%). See Figures (j)2.1-(j)2.3. Curb ramps with returned curbs may be used where pedestrians would not normally walk across them. See Figure (j)2.4.

(7) Maneuvering clearance. There shall be a clear maneuvering space of at least 48 inches at the top and bottom of curb ramps. See Figure (j)2.2.

(8) Diagonal curb ramps. If diagonal (corner-type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow. If diagonal curb ramps are provided at marked crossings, the 48 inches minimum maneuvering clearance at the bottom of diagonal curb ramps should

be within the markings. See Figures (j)3.3 and (j)3.4. If diagonal curb ramps have flared sides, they should also have a segment of straight curb at least 24 inches long located on each side of the curb ramp and within the marked crossing. See Figure (j)3.3.

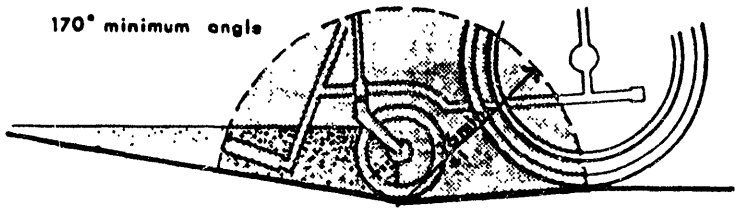
(9) Islands. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least 48 inches long in the part of the island intersected by the crossings. See Figures (j)3.1 and (j)3.2.

(k) Ramps.

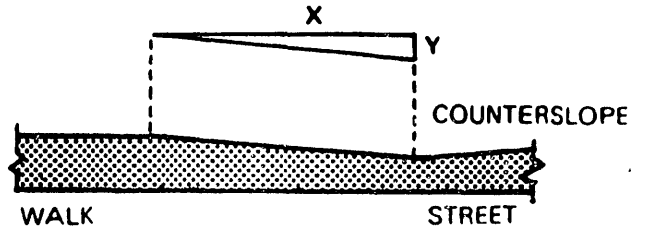
(1) General. Any part of an accessible route with a slope greater than 1:20 (5.0%) shall be considered a ramp and shall comply with this subsection. Any two or more ramp segments (runs) that are within 30 feet of each other shall be considered a single ramp. See Figure (k)1.

TABLE (j) 1

RISE	MAXIMUM HORIZONTAL PROJECTION (RUN)	MAXIMUM ALLOWABLE SLOPE
3 inches	18 inches	16.7% (1:6)
7 inches	56 inches	12.5% (1:8)
8 inches	72 inches	11.0% (1:9)



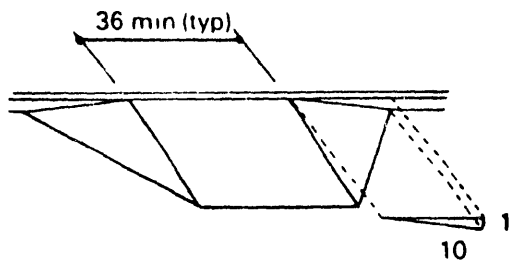
(j) 1.1



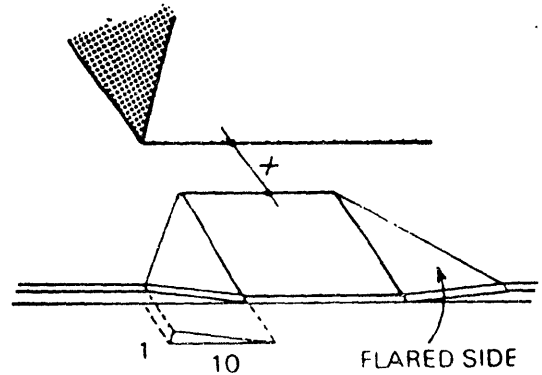
- NOTES:
- (1) Slope =  $y:x$ , where  $x$  is a level plane.
  - (2) Counterslope shall not exceed 1:20.

(j) 1.2

FIGURE (j) 1

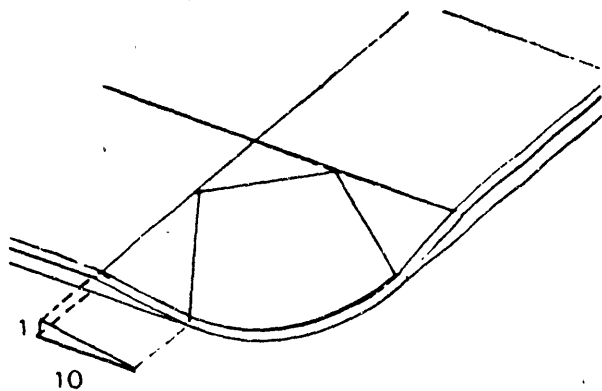


(j) 2.1

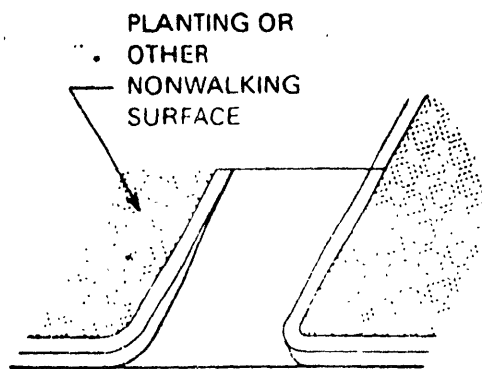


NOTE: If x is less than 46 in, then the slope of the flared sides shall not exceed 1:12.

(j) 2.2

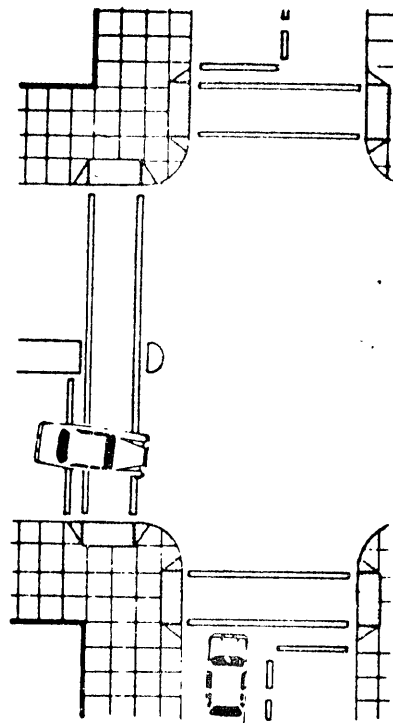


(j) 2.3

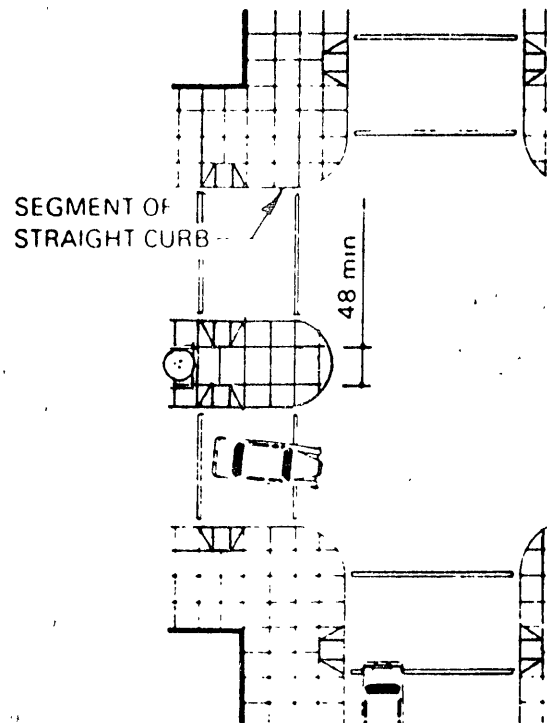


(j) 2.4

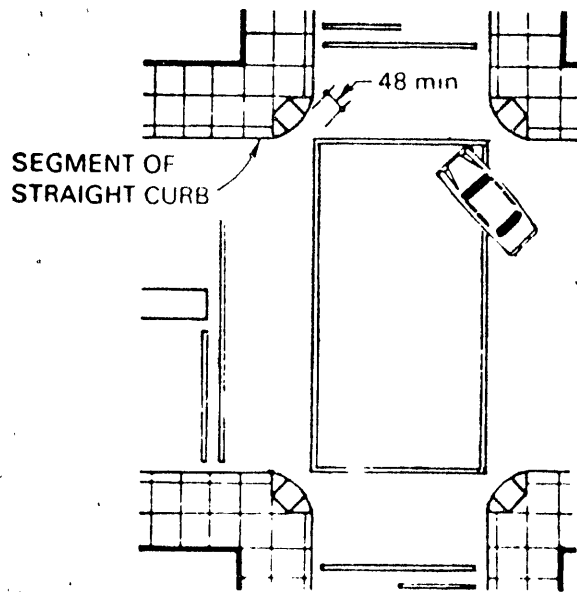
FIGURE (j) 2



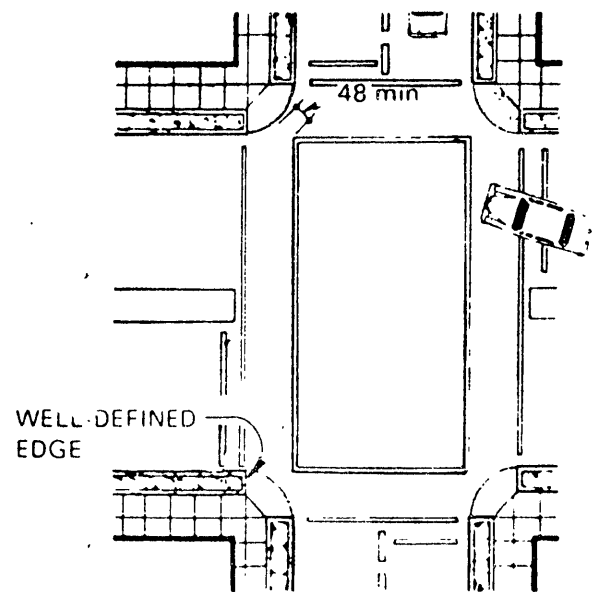
(j) 3.1



(j) 3.2



(j) 3.3



(j) 3.4

FIGURE (j) 3

**Exception.** Sloped surfaces greater than 5.0% but less than 6.0% and not exceeding 30 feet in length are exempt.

**Exception.** Aisles and floor surfaces within the seating areas of theaters and auditoriums are exempt.

(2) Slope and rise. Ramps shall not exceed the slope and rise ratios set out in Table (k)1. Slopes shall be measured and calculated as illustrated in Figure (k)2. Transitions from walks to ramps shall be flush and free of abrupt changes. Maximum slopes of adjoining surfaces shall not exceed 1:20 (5.0%), and shall have a surface-to-surface angle of not less than 170 degrees. See Figure (j)1.1.

(3) Width. Ramps in excess of 30 feet long shall have a minimum width of 44 inches in the clear. Ramps that are 30 feet or less in length may have widths of no less than 36 inches in the clear.

(4) Landings. Ramps shall have level landings at the bottom and top of each run and shall comply with the following.

(A) The landing shall be at least as wide as the widest ramp run leading to it.

(B) The landing length shall be a minimum of 60 inches in the clear.

(C) Whenever ramps change direction, there shall be a level landing of at least 60 inches by 60 inches.

**Exception.** When change of direction does not exceed 45 degrees and the intersecting surfaces are blended so that an abrupt level differential is not created, landings may be exempted.

(D) If a doorway is located at a landing, the area in front of the doorway shall comply with subsection (n) of this section.

(5) Handrails. Any ramp having a horizontal projection greater than 72 inches shall have handrails on both sides

complying with this subsection. Handrails are not required on curbs ramps complying with subsection (j) of this section. Handrails shall have the following features.

(A) Handrails shall be continuous except at landings where doorways or pedestrian crossings occur. The inside handrail on switch-back or dog-leg ramps shall always be continuous.

(B) Handrails shall extend at least 12 inches beyond the top and bottom of ramps and level landings where the handrails are not continuous. Extensions shall be parallel with the floor or ground surface. Where rail extensions would create protruding hazards, rail termination cues shall be provided. Such cues may include, but are not limited to, those illustrated in Figure (u)1.

(C) Handrails that are wall-mounted or that are formed adjacent to another surface or object shall have a clear space between the rail and adjacent surface of at least 1-1/2 inches. See Figures (u)2.1-(u)2.5. Handrails may be located in a recess if the recess is a maximum of three inches deep and extends at least 18 inches above the top of the rail. See Figure (u)2.4.

(D) Handrail gripping surfaces shall be continuous without interruption by mounting brackets, mullions, newel posts, or other construction elements or obstructions.

(E) The diameter or width of the gripping surface of handrails shall comply with subsection (u)(3)(A) of this section. See Figures (u)2.1-(u)2.5. Standard pipe sizes designated by the industry as 1-

1/4 inches to 1-1/2 inches are acceptable industry tolerances as noted in subsection (c) of this section.

(F) The structural integrity of handrails and their mountings shall comply with subsection (u)(2)(B) of this section.

(G) The top of handrail gripping surfaces shall be mounted between 30 inches and 36 inches above the ramp surface (including landings) except at locations where higher rails are required by local codes for safety considerations.

**Exception.** See subsection (d)(1)(B) of this section for handrail mounting heights appropriate for schools and other facilities used primarily by children.

(H) Handrails and any wall or other adjacent surface shall be free of sharp or abrasive elements.

(6) Edge protection. Ramps and landings with drop offs shall have curbs, walls, railings, or projecting surfaces that will prevent people from slipping off the edges. Curbs shall be a minimum of two inches high. See Figure (k)4.1. When surface projections extend less than 12 inches past the handrails, then vertical or intermediate horizontal rails shall be provided. See Figures (k)3 and (k)4.1-(k)4.4.

(7) Cross slopes and surfaces. The cross slope of ramp and landing surfaces shall be no greater than 1:50 (2.0%). The surface texture of ramps and their landings shall comply with subsection (h) of this section.

(8) Outdoor conditions. Outdoor ramps, landings, and their approaches shall be designed so that water will not accumulate on the walking surfaces.

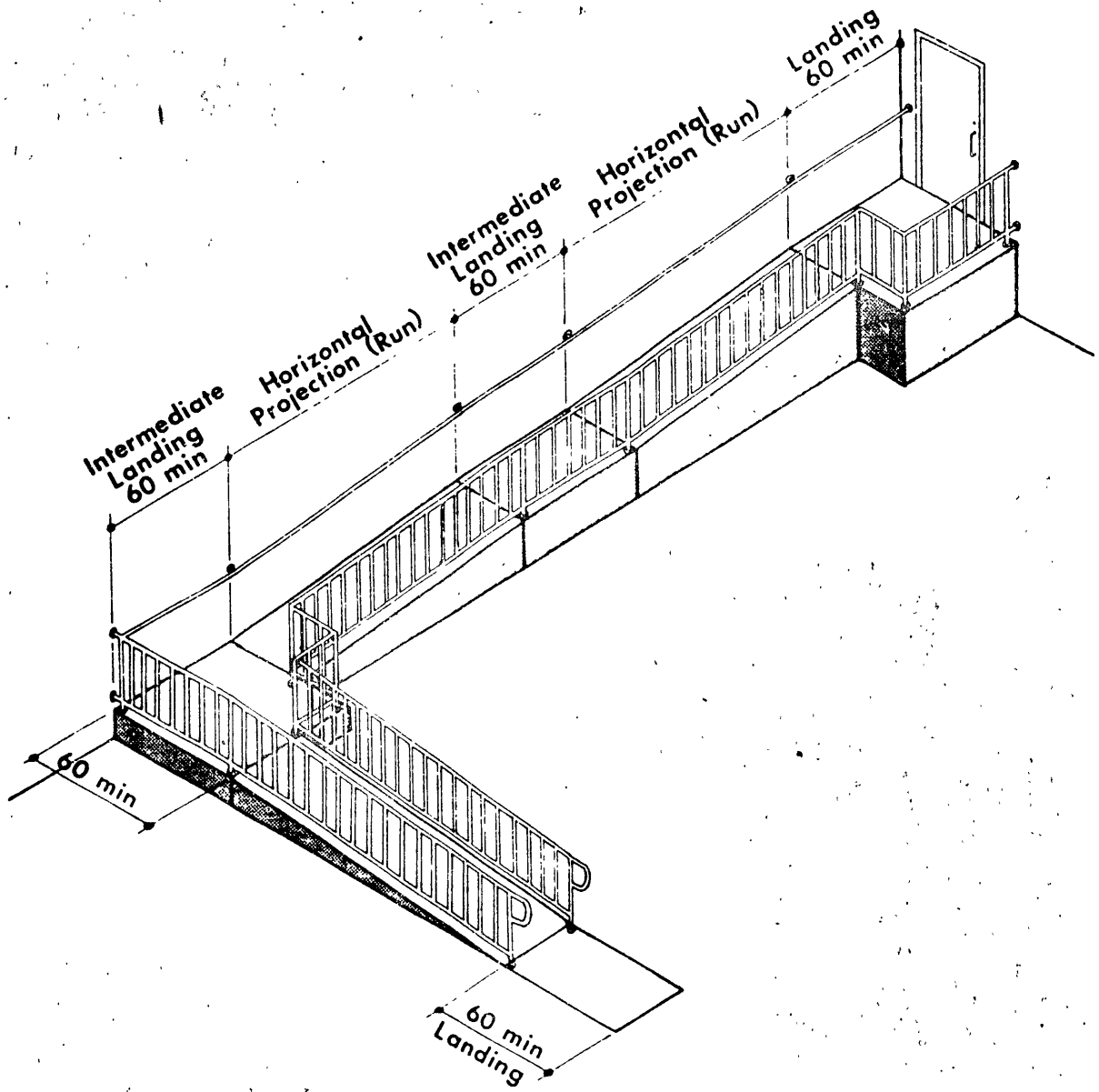
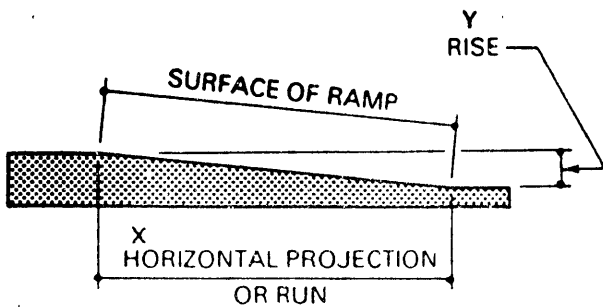


FIGURE (k) 1



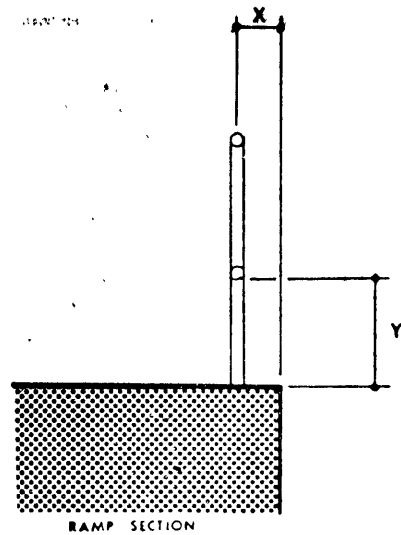
TABLE (k) 1

RISE	MAXIMUM HORIZONTAL PROJECTION (RUN)	MAXIMUM ALLOWABLE SLOPE
3 inches	18 inches	16.7% (1:6)
5 inches	35 inches	14.2% (1:7)
7 inches	56 inches	12.5% (1:8)
9 inches	96 inches	10.0% (1:10)
30 inches	30 feet	8.3% (1:12)
34 inches	40 feet	7.1% (1:14)
44 inches	60 feet	6.0% (1:16)



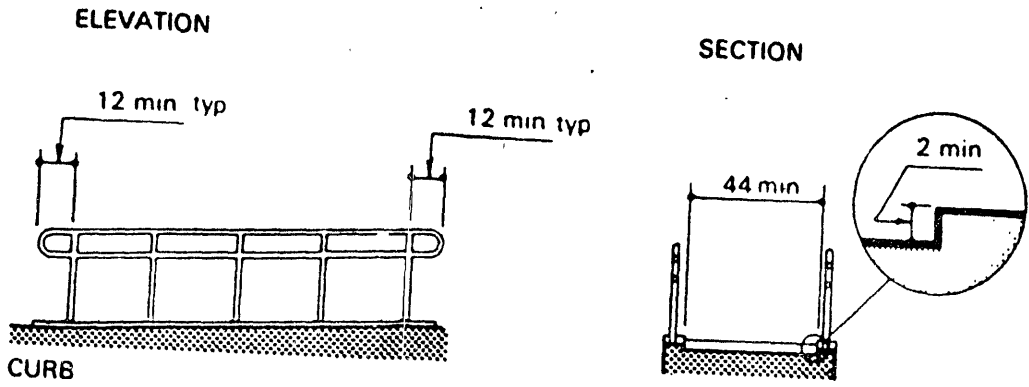
NOTES:  
 (1) Slope = y:x, where x is a level plane.  
 (2) Counterslope shall not exceed 1:20-

FIGURE (k) 2

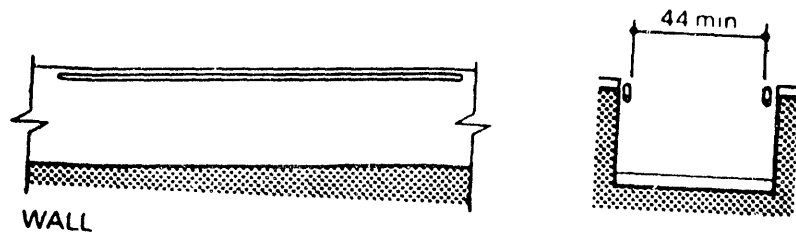


NOTE:  
 If X is:  
 0"-2"      Y shall be: 9" max  
 2"-6"      12" max  
 6"-12"     18" max

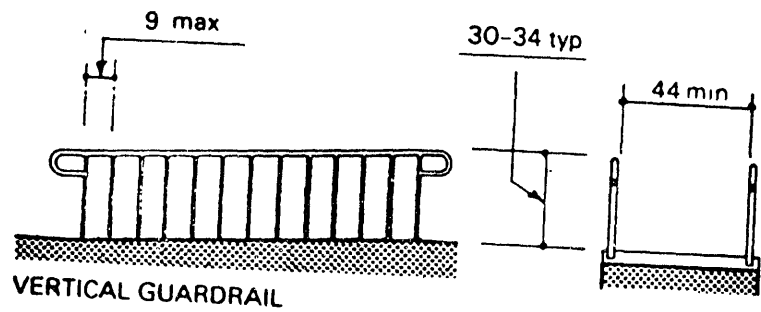
FIGURE (k) 3



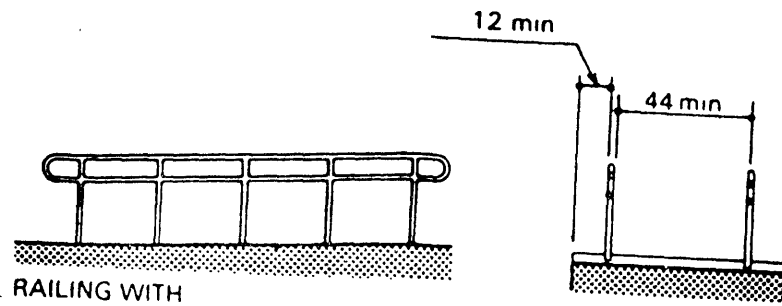
(k) 4.1



(k) 4.2



(k) 4.3



(k) 4.4

FIGURE (k) 4

**(1) Stairs.**

**(1) General.** Stairs or sets of steps, both interior and exterior that are required as a means of egress and stairs connecting levels in a building or facility that are not connected by an elevator, shall comply with this subsection.

Exception. Sets of less than five steps (risers) in a series may be exempted from this requirement.

Exception. Stairs that serve spaces not required to be accessible, e.g., mechanical rooms, loft storage, catwalks, electrical equipment spaces, and the like may be exempted from this requirement.

**(2) Treads and risers.** On any given set of stairs, all steps shall have uniform riser heights and uniform tread depths (runs). Risers should be a maximum of seven inches in height, and treads should be no less than 11 inches in depth, measured from riser to riser. See Figure (1)1.1. Open risers are not permitted on stairs subject to this rule.

**(3) Nosings.** The underside of nosings shall not be abrupt. The radius of curvature at the leading edge of the tread shall be no greater than 1/2 inch. Riser faces shall be sloped or the underside of the nosing shall have an angle not less than 60 degrees from the horizontal. Nosings shall project no more than 1-1/2 inches measured from the face of the riser. See Figures (1)1.2 and (1)1.3.

**(4) Handrails.** Stairways shall have handrails complying with this paragraph at both sides of all stairs.

Exception. Stairways of less than 44 inches in width and stairs that are secondary or auxiliary to other stairs serving the same area, level, or space may have handrails on only one side provided that no open-sided conditions exist.

Exception. The application of handrails on both sides may not be appropriate in some outdoor situations. However, exterior steps having in excess of four risers in a series shall have at least one handrail usable by persons traveling in both directions.

**(A)** The inside handrail on switch-back or dog-leg stairs shall always be continuous.

**(B)** Handrails shall extend at least 12 inches plus the depth (run) of one tread beyond the bottom riser. At the top, the extension shall be parallel with the floor or ground surface. At the bottom, the handrail shall continue to slope for a distance of the depth (run) of one tread from the bottom riser; the remainder of the extension shall be horizontal. See Figures (1)2.1-(1)2.4. Full extensions shall not be required where such extensions would create protruding hazards.

**(C)** Handrails that are wall-mounted or that are located adjacent to another surface or object shall have a clear space between the rail and adjacent surface of at least 1-1/2 inches. See Figures (u)2.1-(u)2.5. Handrails may be located in a recess if the recess is a maximum of three inches deep and extends at least 18 inches above the top of the rail. See Figure (u)2.4.

**(D)** Handrail gripping surfaces shall be continuous without interruption by mounting brackets, mullions, newel posts, or other construction elements or obstructions.

**(E)** The diameter or width of the gripping surface of handrails shall comply with subsection (u)(3)(A) of this section. Standard pipe sizes designated by the industry as 1-1/4 inches to 1-1/2 inches are acceptable industry tolerances as noted in subsection (c) of this section. See Figures (u)2.1-(u)2.5.

**(F)** The structural integrity of handrails and their mountings shall comply with subsection (u)(3)(B) of this section.

**(G)** The top of handrail gripping surfaces shall be mounted between 30 inches and 36 inches above stair nosings and landing surfaces except at locations where higher mounting heights are required by local codes for safety considerations.

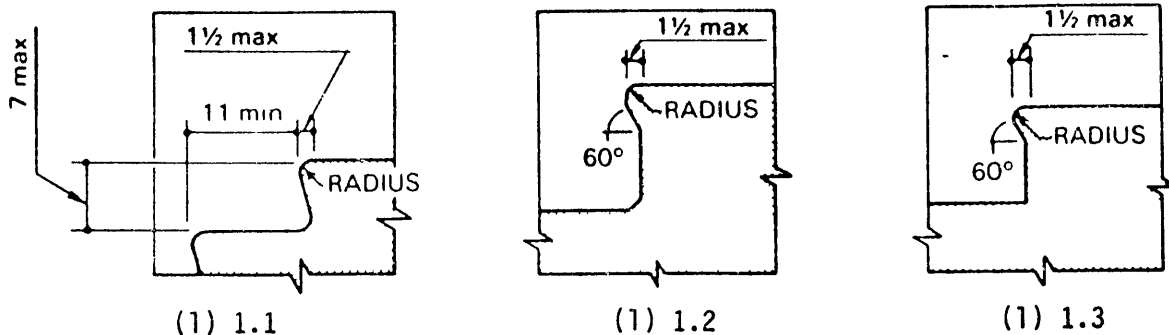
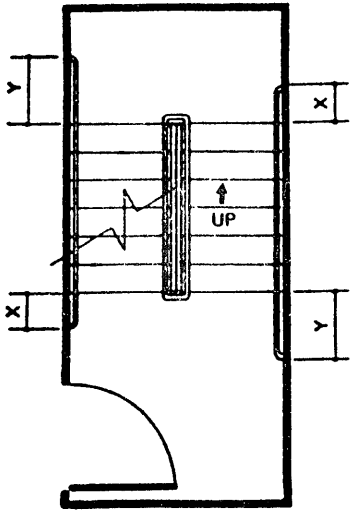
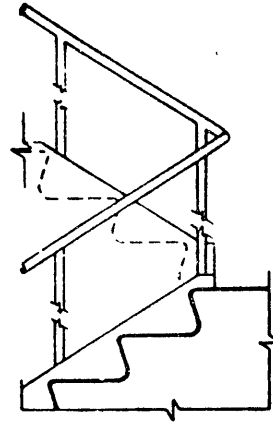


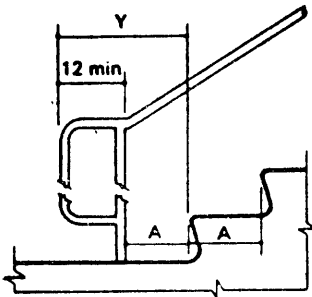
FIGURE (1) 1



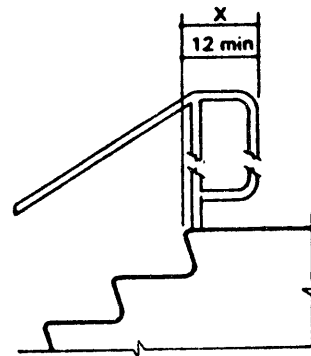
(1) 2.1



(1) 2.2



(1) 2.3



(1) 2.4

FIGURE (1) 2

(H) Handrails and any wall or other adjacent surface shall be free of sharp or abrasive elements.

(m) Elevators and platform lifts.

(1) General. Passenger elevators shall comply with this subsection and with ANSI/ASME A17.1 and A17.1a. This standard does not preclude the use of residential elevators or wheelchair lifts. However, they may be installed only when conditions and circumstances warrant their use and when approved by the State Purchasing and General Services Commission. As a general rule the use of residential elevators and wheelchair (platform) lifts shall be limited to buildings and facilities being renovated and should not be considered for installation in newly constructed buildings and facilities. Freight elevators shall not be considered as meeting the requirements of this subsection unless the only elevators provided are used as combination passenger and freight elevators and they comply with standards determined by the commission to be appropriate for the conditions.

(2) Automatic operations. If elevators are user operated, each car shall be equipped with a self-leveling feature that will automatically bring the car to floor landings within a tolerance of 1/2 inch under rated loading to zero loading conditions. This self-leveling feature shall be automatic and independent of the operating device and shall correct for overtravel or undertravel.

(3) Hall call buttons. Call buttons in elevator lobbies and halls shall be

no higher than 54 inches above the floor for side (parallel) approach and 48 inches for frontal approach. Such call buttons shall have visual signals to indicate when each call is registered and when each call is answered. Call buttons shall be 3/4 inch in the smallest dimension. When two call buttons in a set are provided, the button designating the up direction shall be on top. See Figure (m)1.

(4) Hall lanterns. A visible and audible signal shall be provided at each hoistway entrance to indicate which car is answering a call. Audible signals shall sound once for the up direction and twice for the down direction, or shall have verbal annunciators that say up and down. Visible signals shall have the following features.

(A) Hall lantern fixtures shall be mounted so that their centerline is at least 72 inches above the floor.

(B) Visual element shall be at least 2-1/2 inches in the smallest dimension.

(C) Signals shall be visible from the vicinity of the hall call buttons. In-car lanterns, visible from the vicinity of hall call buttons, and conforming to the requirements of this paragraph, shall be acceptable.

Exception. Elevators serving only two levels are exempt from complying with this paragraph.

(5) Raised characters on hoistway entrances. All elevator hoistway

entrances shall have raised floor designations provided on both jambs. The centerline of the characters shall be 60 inches from the floor. Such characters shall be two inches to four inches high and shall comply with subsection (v)(1) of this section. Applied plates are acceptable if they are permanently fixed to the jambs.

Exception. Elevators serving only two levels are exempt from complying with this paragraph.

(6) Door protective and reopening devices. Elevator doors shall open and close automatically. They shall be provided with a reopening device that will stop and reopen the car and hoistway doors automatically if they become obstructed by an object or person. The device shall be activated by sensing an obstruction passing through the door between five inches and 29 inches above the floor. It shall not require physical contact to be activated although contact may occur before the door reverses. Door reopening devices shall remain effective for at least 20 seconds. After such interval, doors may close in accordance with the requirements of ANSI/ASME A17.1 and A17.1a.

(7) Door and signal timing for hall calls. The minimum acceptable time from notification that a car is answering a call until the doors of that car start to close shall be calculated from the following equation:

$$T = \frac{D}{1.5 \text{ ft/s}}$$

where T=total time (in seconds) and D=distance (in feet) from a point in the lobby or corridor 60 inches directly in front of the farthest call button controlling that car to the centerline of the hoistway door. See Figure (m)2. The minimum acceptable notification time shall be five seconds. For cars with in-car lanterns, T begins when the lantern is visible from the vicinity of the hall call buttons and an audible signal is sounded.

(8) Door delay for car calls. The minimum time for elevator doors to remain fully open in response to a car call shall be three seconds.

(9) Floor plan of elevator cars. The floor area of elevator cars shall provide

space for wheelchair users to enter the car, maneuver within reach of controls, and exit from the car. Minimum acceptable door opening and inside dimensions shall be as shown in Figure (m)3. The clearance between the car platform sill and the edge of any hoistway landing shall be no greater than 1-3/4 inches.

(10) Illumination levels. The level of illumination at the car controls, platform, and car threshold and landing sill shall be at least five foot candles.

(11) Car controls. Elevator control panels shall have the following features.

(A) All control buttons shall be at least 3/4 inch in their smallest dimen-

sion. They may be raised, flush, or recessed.

(B) All control buttons shall be designated by raised standard alphabet characters for letters, arabic characters for numerals, or standard symbols as shown in Figure (m)4.1, and as required in ANSI/ASME A17.1 and A17.1a. Raised characters and symbols shall comply with subsection (v)(1)(D) of this section. The call button for the main entry floor shall be designated by a raised star at the left of the floor designation. See Figure (m)4.1. All raised designations for control buttons shall be placed immediately to the left of the button to which they apply. Applied plates, permanently attached, are an acceptable

means to provide raised control designations. Floor buttons shall be provided with visual indicators to show when each call is registered. The visual indicators shall be extinguished when each call is answered.

(C) No floor buttons shall be higher than 54 inches above the car floor for side (parallel) approach and 48 inches for frontal approach. The minimum space necessary for a side approach to a control device is shown in Figure (m)4. 2. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and shall have their centerlines no less than 35 inches above the floor.

(D) Controls shall be located on a front wall if cars have center opening doors, and at either the side wall or at the front wall next to the door if cars have side opening doors. See Figure (m)4.3 and (m)4.4.

(12) Car position indicators. In elevator cars, a visual car position indicator shall be provided above the car control panel or over the door to show the position of the elevator in the hoistway. The indicator numerals shall be a minimum of 1/2 inch high. As the car passes or stops at a floor served by the elevators, the corresponding numeral shall illuminate and an audible signal shall sound. The audible signal shall be no less than 20 decibels with a frequency no higher than 1500 Hz. An automatic verbal announcement of the floor number at which a car stops or at which a

car passes may be substituted for the audible signal.

Exception. Elevators serving only two levels are exempted from this paragraph.

(13) Emergency communications. If provided, car emergency signaling devices between the elevator and a point outside the hoistway shall comply with ANSI/ASME, A17.1 and A17.1a. The highest operable part of a two-way communication system shall be a maximum of 54 inches above the floor for side (parallel) approach and 48 inches for frontal approach. If the system is located in a closed compartment, the compartment door hardware shall comply with subsection (s) of this section. It shall be identified by raised symbols and/or lettering complying with subsection (v) of this section and located adjacent to the device. If the system uses a handset, then the length of the cord from the panel to the handset shall be at least 29 inches. The car emergency signaling device shall not be limited to voice communication. If instructions for use are provided, essential information shall be presented in both tactile and visual form.

(14) Platform lifts. Platform lifts, including residential elevators, are generally not considered a satisfactory substitute for elevators in most environments and are prohibited in buildings and facilities subject to these standards unless specifically approved by the commission in accordance with variance or waiver procedures contained in §115.56 (a)(1) of

this title (relating to Submission of Compliance Intent). When lifts are considered by the commission to be the only reasonable means of vertical transportation, they shall provide independent use by disabled persons and shall comply with ANSI/ASME, A17.1 and A17.1a, in addition to the following.

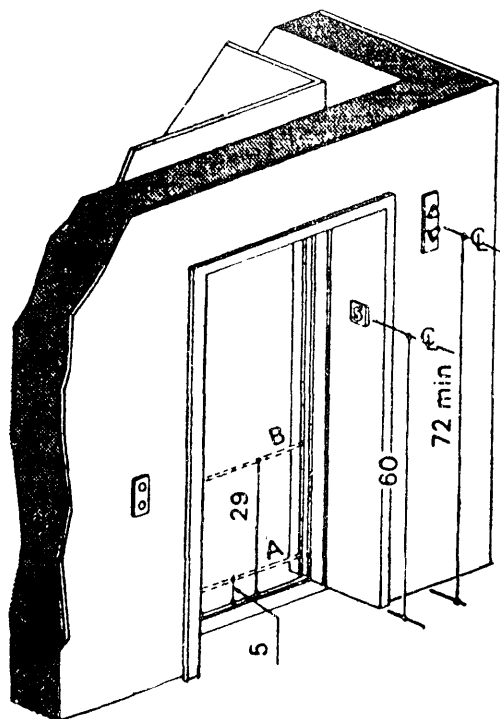
(A) Platform size. The minimum clear floor area shall be no less than 48 inches deep (in line of travel) and 30 inches wide.

Exception. A minimum depth of 40 inches is allowed if adequate protection and footrest clearances are provided.

(B) Controls. Operating mechanisms shall be located so that either a forward or side approach reach is possible from any direction of travel and shall be mounted between 28 inches and 48 inches above the platform floor. All control devices shall be operable with one hand and shall comply with subsection (s) of this section.

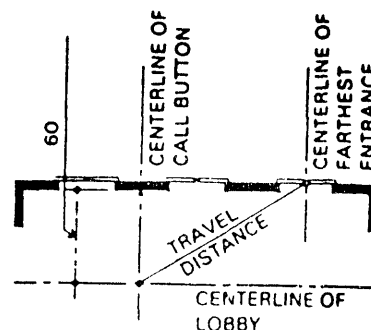
(C) Handrails. There shall be at least one handrail or other gripping surface complying with subsection (u)(3) of this section.

(D) Wheelstops and guard rails. Wheelstops and guard rails shall be provided wherever necessary to prevent wheelchairs from rolling or slipping off the platform edge.



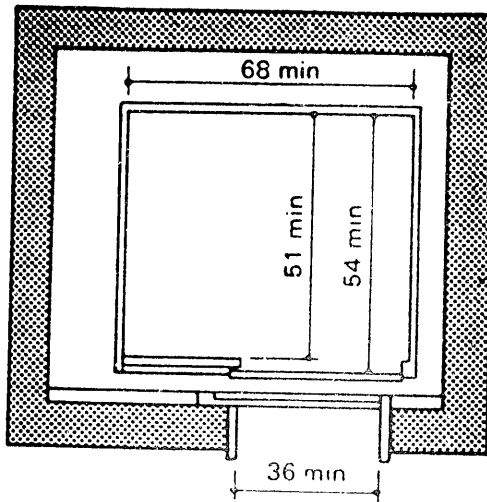
NOTE: The automatic door reopening device is activated if an object passes through either line A or line B. Line A and line B represent the vertical locations of the door reopening device not requiring contact.

FIGURE (m) 1



Travel Distance		Time (s)
ft	m	
0-7.5	0-2.3	5
10	3	7
15	4.5	10
20	6	13

FIGURE (m) 2



NOTE: Elevator cars with a minimum width less than that shown above, but no less than 54 in, are allowed for elevators with capacities of less than 2000 lb. A center opening door application necessitates increasing the 68 in dimension to 80 in.

FIGURE (m) 3

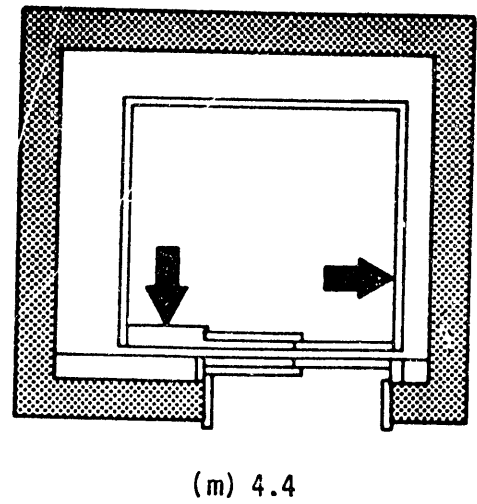
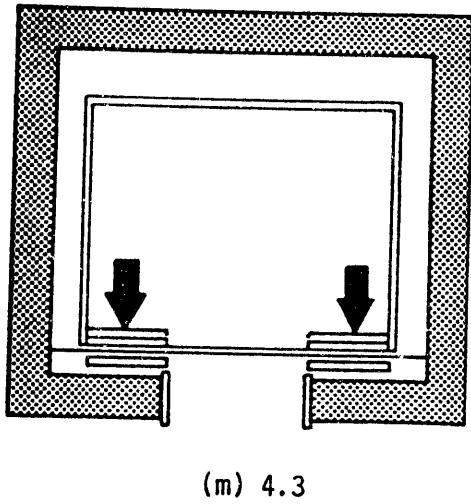
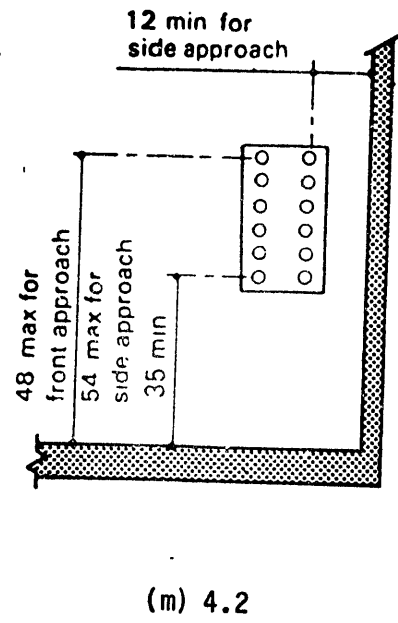
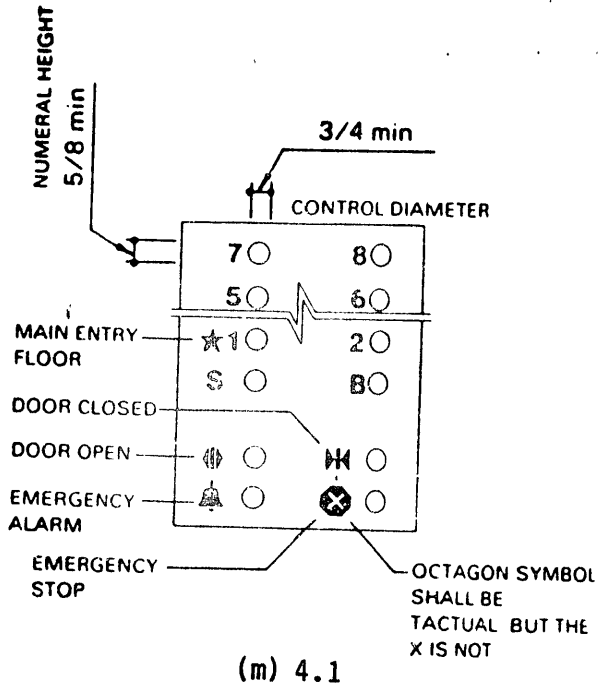
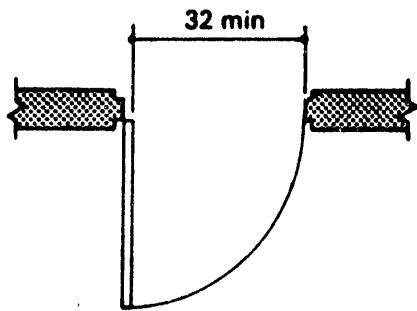
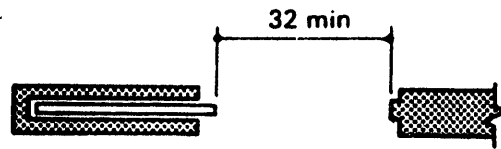


FIGURE (m) 4

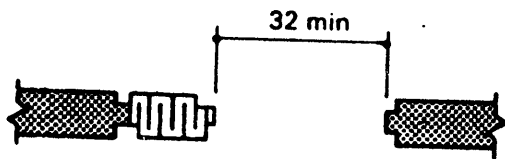




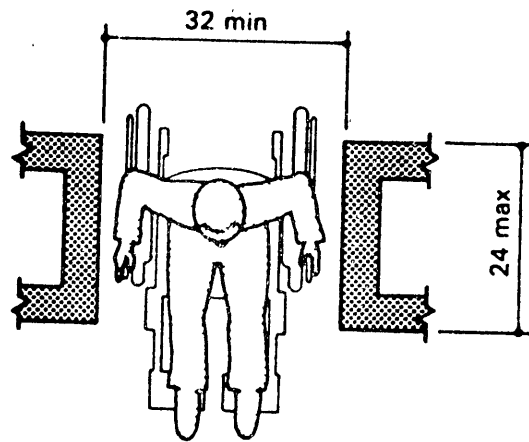
(n) 1.1



(n) 1.2



(n) 1.3



(n) 1.4

FIGURE (n) 1

(E) Approach, entry, and exit. Lifts shall be considered part of an accessible route and shall be approachable in accordance with dimensional requirements of subsections (e) and (n) of this section.

(n) Doors and door openings.

(1) General. All doors, door openings, and gates to applicable spaces and elements of buildings and facilities and along accessible routes, shall comply with this subsection.

Exception. When more than one door serves a particular room, space, or element, all of the doors are not required to comply if disabled persons are provided access equal to that provided nondisabled persons.

(2) Double-leaf doors. If doorways have two independently operated door leaves, then at least one leaf shall meet the specifications in paragraphs (3) and (4) of this subsection.

(3) Clear width. Doorways shall have a minimum clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the stop. See Figures (n)1.1–(n)1.3. Openings more than 24 inches in depth shall have minimum widths of 36 inches. See Figure (n)1.4. When turning is required at doorways, the opening widths shall be in proportion to the width of the passage leading to them. Minimum ratio requirements shall be as shown in Figures (f)1.1 and (f)1.2.

Exception. Door clearances of 30 inches are permitted if: the depth of the opening is no greater than eight inches; the door swings open in excess of 90 degrees; there are no door closers or raised thresholds; and a clear area of 60 inches by 60 inches is provided on each side of the doorway. See subsection (q) of this section for toilet stall door exceptions.

(4) Maneuvering clearances at doors. Minimum maneuvering clearances at doors that are not automatic shall be as shown as X in Figures (n)2.1–(n)2.8. The floor or ground area within the required clearances shall be level and clear.

Exception. Entry doors to acute care hospital bedrooms for inpatients shall be exempt from the requirement for space at the latch side of the door if the door is at least 44 inches wide.

(5) Two doors in series. The minimum space between two hinged or pivoted doors in series shall be 48 inches plus the width of any door swinging into the space. See Figure (n)3.1. If the space between two doors in a series is not sufficient to provide the minimum 48 inches clearance, both doors shall swing away from the space. See Figure (n)3.2.

(6) Revolving doors and turnstiles. Revolving doors or turnstiles shall not be the only means of passage at an accessible entrance or along an accessible route.

Exception. Under certain conditions and with the approval of the commission, revolving doors and/or turnstiles may be accepted as the only method of ingress/egress if they are not in conflict with local codes and ordinances and if they meet the minimum specifications shown in Figure (n)4.

(7) Gates. Gates and their openings, including ticket gates, are considered doorways and shall comply with this subsection.

(8) Sills and thresholds at doorways. The height of any floor level change plus the height of any applied threshold at doorway sills shall not exceed 1/2 inch and shall be beveled with a slope no greater than 1:2. See Figures (n)5.1–5.8.

Exception. A maximum height of 3/4 inch is permitted when doors remain open during passage such as doors without closers, sliding doors, and automatic doors. A beveled slope no greater than 1:2 is required.

(9) Door hardware. Handles, knobs, pulls, latches, locks, and other operating devices on accessible doors shall be mounted no higher than 48 inches above the floor or ground surface and shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or severe twisting to operate. The force required to activate door hardware

shall be no greater than five pound force. Preferred designs include, but are not limited to, lever-operated mechanisms, push-type mechanisms, and U-shaped handles. When sliding doors are fully open, operating hardware shall be exposed and usable from both sides. Doors to hazardous areas such as loading platforms, boiler rooms, mechanical and electrical rooms, and to other areas that might be dangerous to a blind person, shall be made identifiable to the touch by a textured surface on the door handle, knob, pull, or other operating hardware. This textured surface may be made by knurling or roughening or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

(10) Door closers. If a door has a closer, then the sweep period of the closer shall be adjusted so that from an open position of 90 degrees, the door will take at least three seconds to move to an open position of approximately 12 degrees.

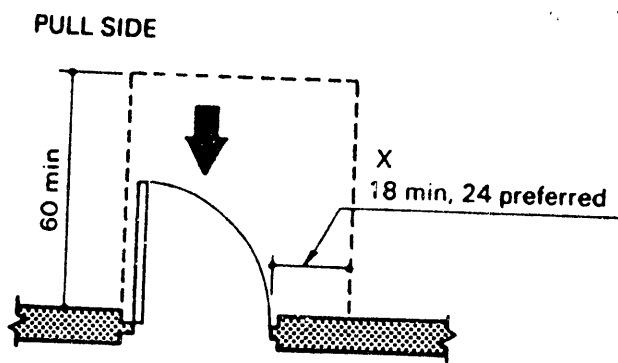
(11) Door opening force. The maximum force for pushing or pulling open a door shall comply with this paragraph. For hinged doors, the force shall be applied perpendicular to the door at the door opener or 30 inches from the hinged side, whichever is farther from the hinge. For sliding or folding doors, the force shall be applied parallel to the door at the door pull or latch.

(A) Exterior hinged doors shall not exceed eight-five pound force. Slight increases in opening force shall be allowed where eight-five pound force is insufficient to compensate for air pressure differentials.

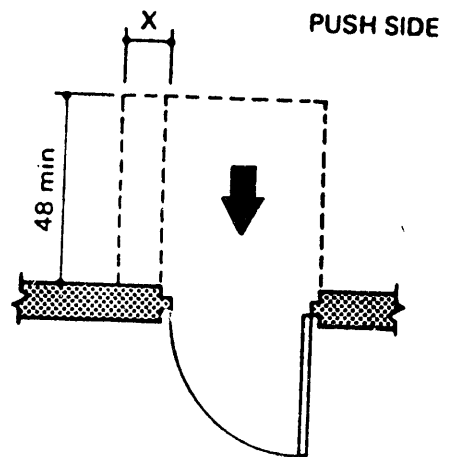
(B) Sliding doors, folding doors, and interior hinged doors shall not require a force exceeding five pound force.

(C) Fire doors may be adjusted to meet the minimum opening force allowed by the governing authority or applicable building code.

(12) Automatic and power-assisted doors. If automatic or power-assisted doors are utilized within a building or facility, they shall comply with this paragraph.

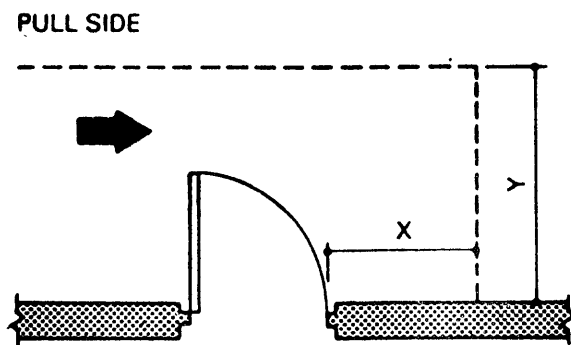


(n) 2.1



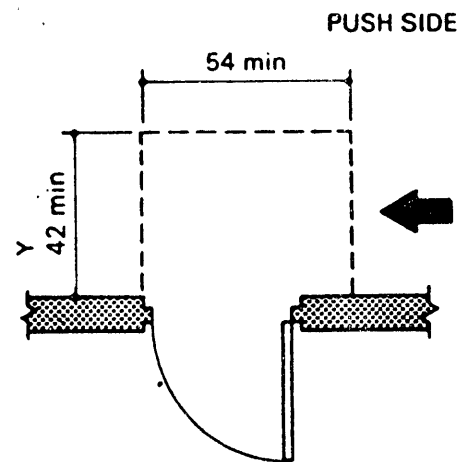
NOTE: x = 12 in if the door has both a closer and a latch.

(n) 2.2



NOTE:  $x = 36$  in minimum if  $y = 60$  in;  
 $x = 42$  in minimum if  $y = 54$  in.

(n) 2.3

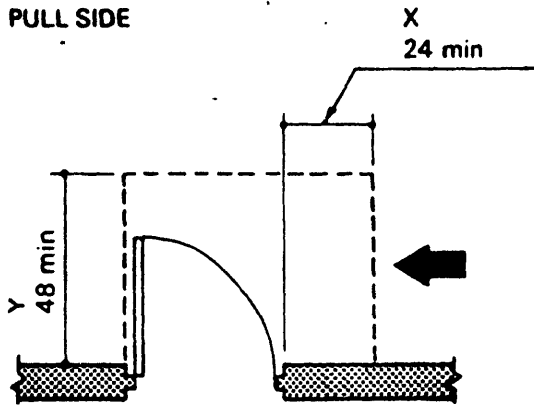


NOTE:  $y = 48$  in minimum if door has  
 both a latch and a closer.

(n) 2.4

FIGURE (n) 2

PULL SIDE

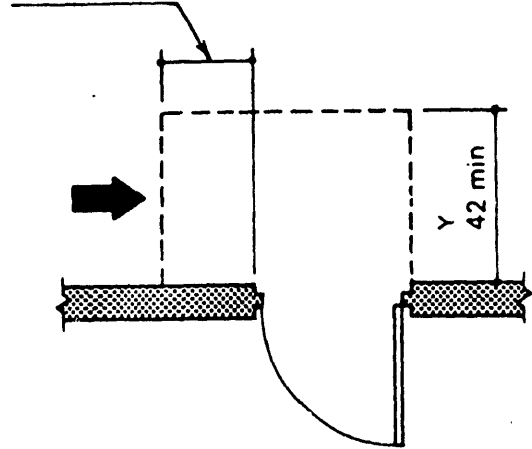


NOTE:  $y = 54$  in minimum if the door has a closer.

(n) 2.5

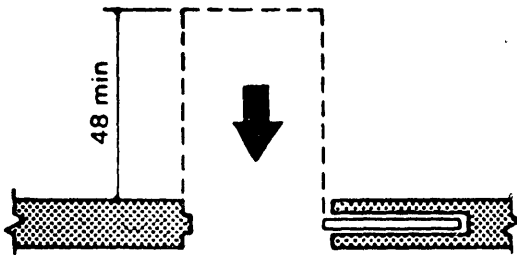
X  
24 min

PUSH SIDE



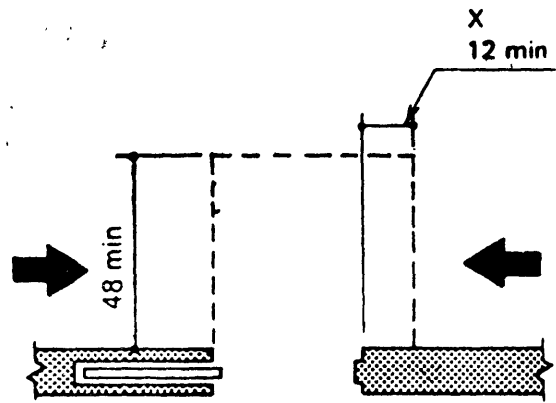
NOTE:  $y = 48$  in minimum if the door has a closer.

(n) 2.6

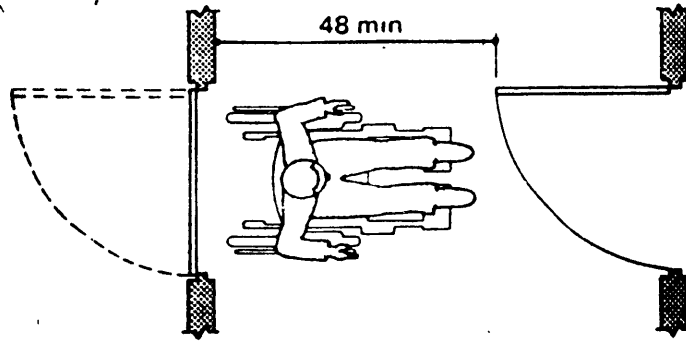


NOTE: All doors in alcoves shall comply with the clearances for front approach.

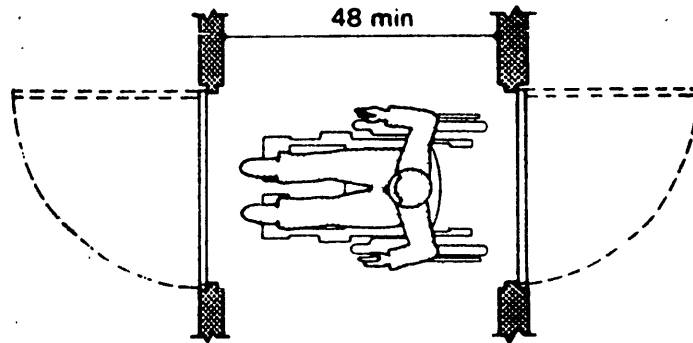
(n) 2.7



(n) 2.8



(n) 3.1



(n) 3.2  
FIGURE (n) 3

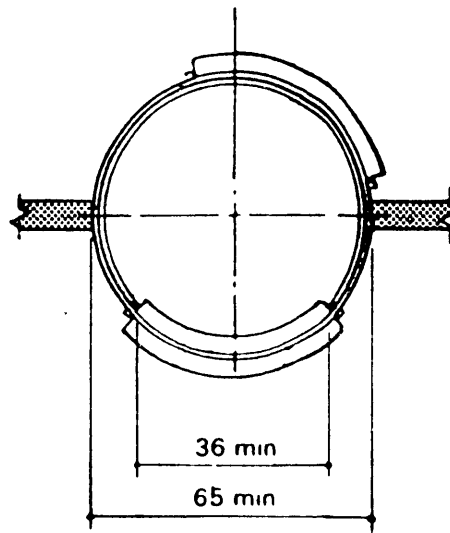
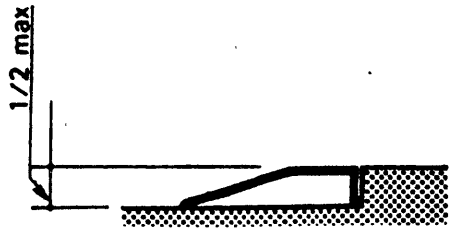
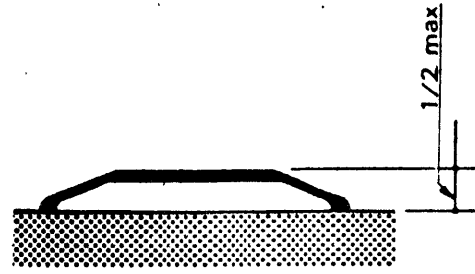


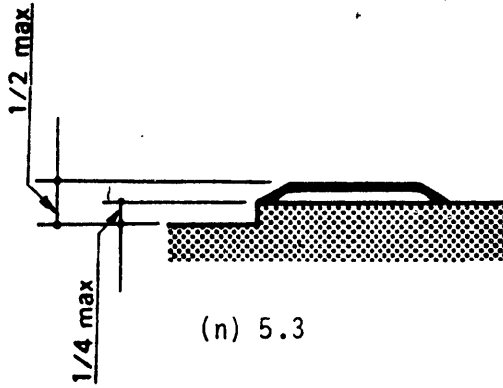
FIGURE (n) 4



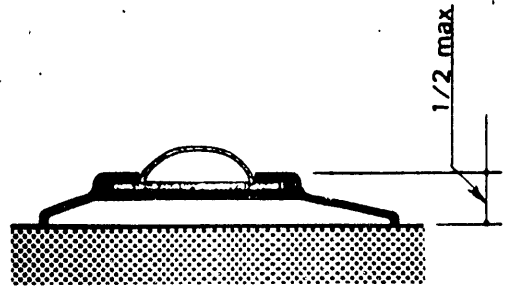
(n) 5.1



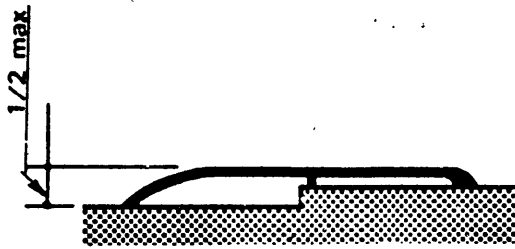
(n) 5.2



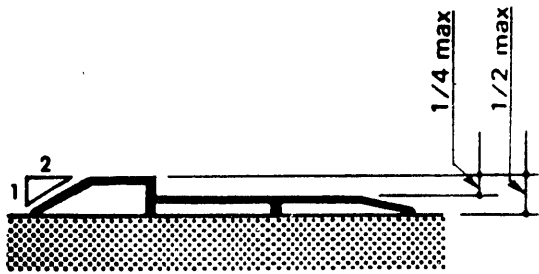
(n) 5.3



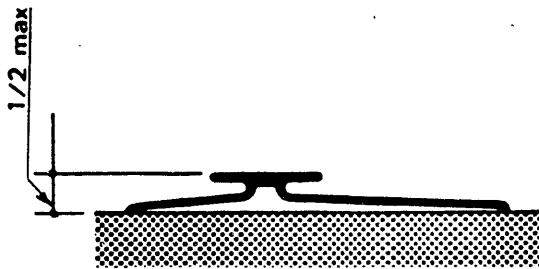
(n) 5.4



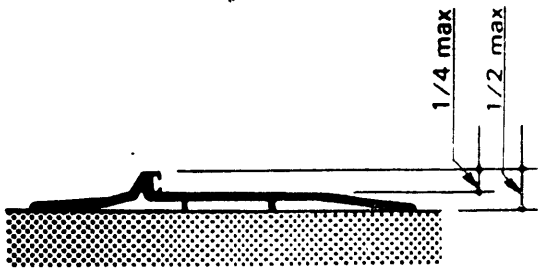
(n) 5.5



(n) 5.6



(n) 5.7



(n) 5.8

FIGURE (n) 5

(A) Automatic doors shall comply with ANSI/BHMA A156.10.

(B) Power-assisted doors shall comply with ANSI/BHMA A156.19. Such doors shall not exceed the minimum opening forces set out in paragraph (11) of this subsection; shall not open to back check faster than three seconds; and shall require no more than 15 pound force to stop door movement.

(o) Entrances.

(1) General. All entrances required to be accessible per subsection (d)(3), (4), and (5) of this section, shall have doors or door openings that comply with subsection (n) of this section. Such entrances shall be connected by an accessible route to public transportation stops, to accessible parking spaces, passenger loading zones, and to public streets or sidewalks that are contiguous to the route. They shall also be connected by accessible routes to all accessible spaces and elements within the building or facility.

(2) Service entrances. A service entrance shall not be the sole accessible entrance unless it is the only entrance to a building or facility (for example, in a factory, warehouse, and maintenance or repair facility).

(p) Drinking fountains and water coolers.

(1) General. All drinking fountains and water coolers required to be accessible per subsection (d) of this section, shall comply with subsection (p) of this section and shall be on an accessible route. The accessibility of a water dispensing unit is dependent on the combination of: the method of approach; the location of the spout and control; and the trajectory of the water flow. For mounting heights suitable in schools and other facilities used primarily by children, see subsection (d)(1)(B) of this section and Table (d).

(2) Spout height. Spouts shall be no higher than 36 inches, measured from the floor or ground surface to the spout outlet. See Figure (p)1.1.

(3) Spout location. The spouts of drinking fountains and water coolers that permit only a parallel (side) approach, shall be at the front of the unit, and shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. See Figure (p)1.3. For units that permit frontal approach by complying with the clearances prescribed in paragraph (5)(A) of this subsection, spout locations may be as permitted in Figures (p)2.1-2.6.

(4) Controls. Controls shall be located at or near the front edge of the fountain or water cooler and shall comply with subsection (s) of this section.

(5) Clearances.

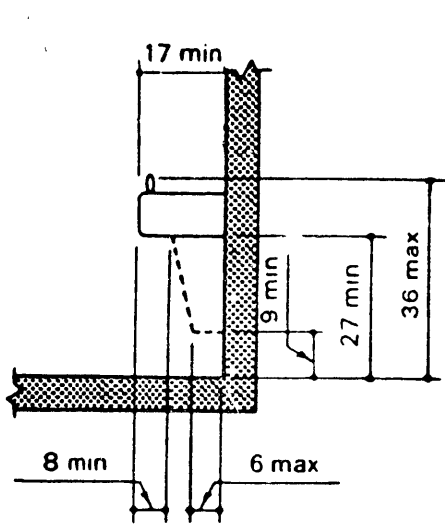
(A) Wall-mounted and post-mounted cantilevered units will permit a frontal approach if they provide a clear knee space under the unit that is at least 27 inches high and at least 17 inches deep. See Figure (p)1.1. For frontal approach, such units shall also have a minimum floor space 30 inches by 48 inches as illustrated in Figure (p)1.2. Cantilevered units shall be located and mounted in such a manner that they are not in conflict with the provisions of subsection (g)(1) of this section.

(B) Free-standing, cantilevered, or built-in units not having a clear space under them shall have a clear floor space at least 30 inches by 48 inches that allows a person in a wheelchair to make a parallel approach to the unit. See Figures (p)1.3 and 1.4. This clear floor space shall comply with subsection (e)(4) of this section.

(q) Toilet rooms.

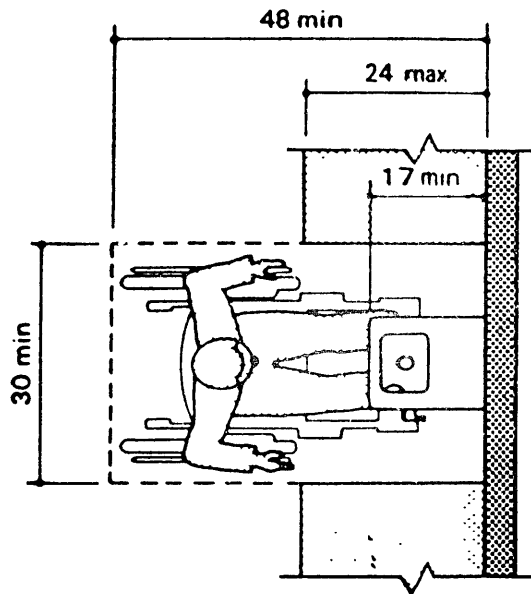
(1) General. Toilet rooms required to be accessible per subsection (d)(2)(G), (3)(J), (4)(C), and (5)(C) of this section, shall comply with subsection (q) of this section. For mounting heights suitable in schools and other facilities used primarily by children see subsection (d)(1)(B) of this section and Table (d)1.



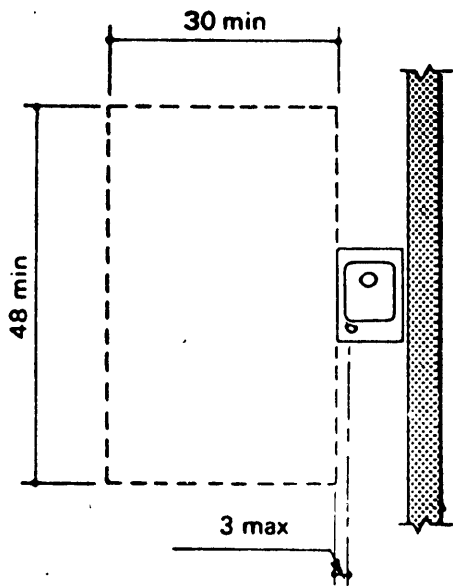


NOTE: Equipment permitted within dashed lines if mounted below apron.

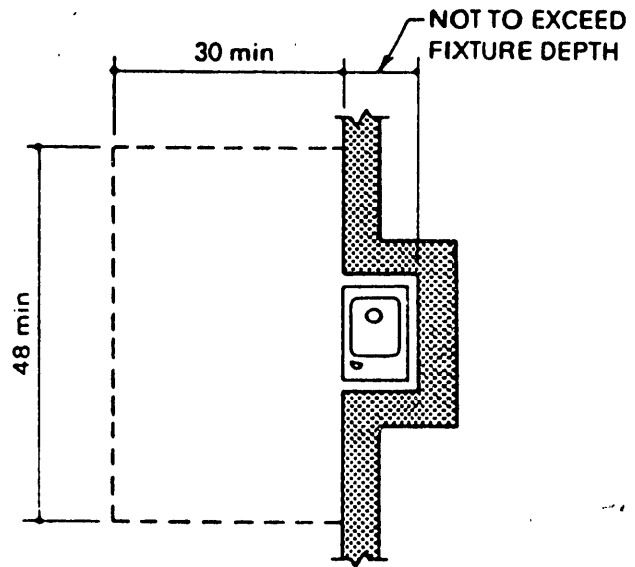
(p) 1.1



(p) 1.2

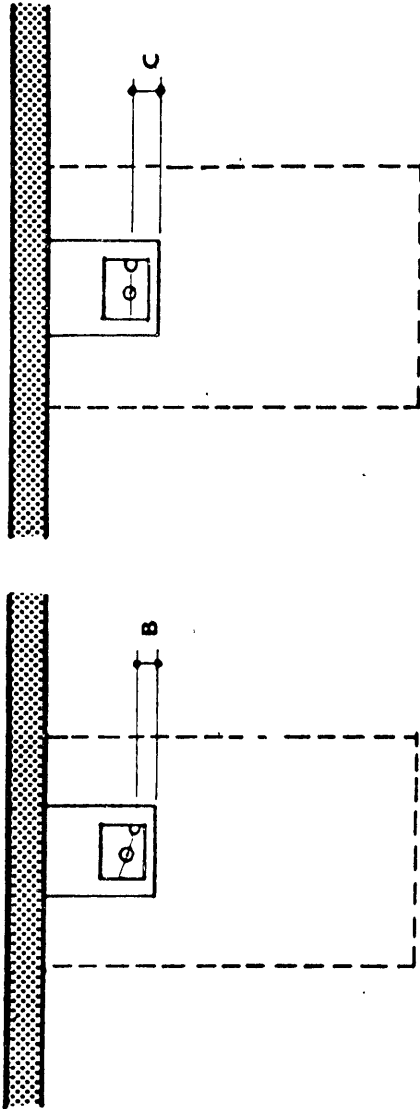


(p) 1.3

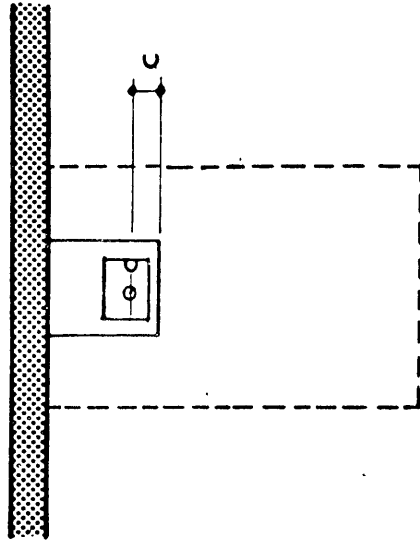


(p) 1.4

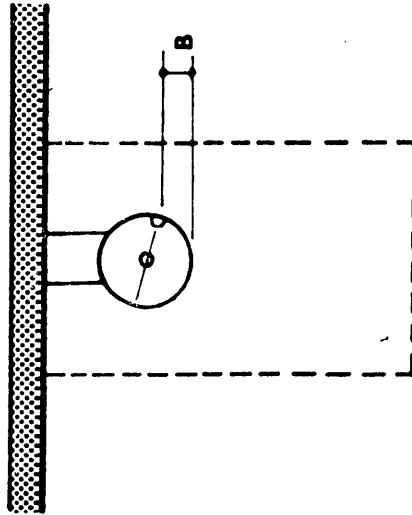
FIGURE (p) 1



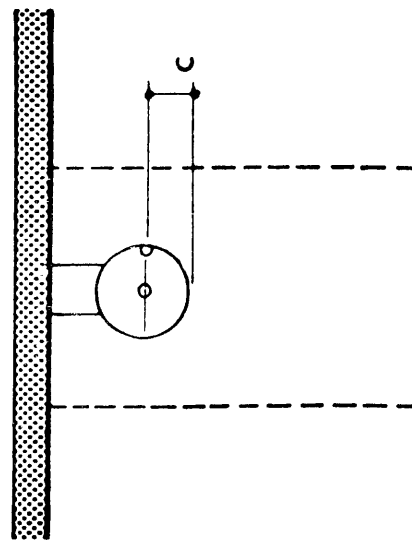
(p) 2.2



(p) 2.3



(p) 2.5

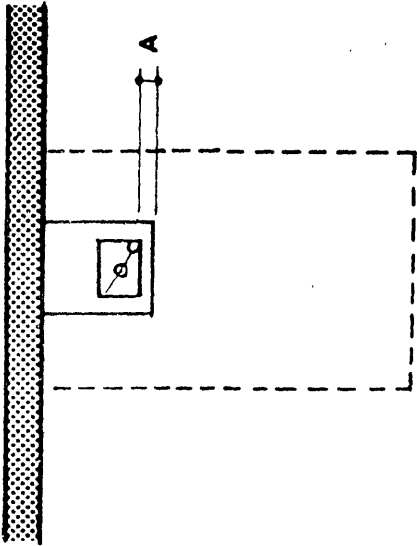


(p) 2.6

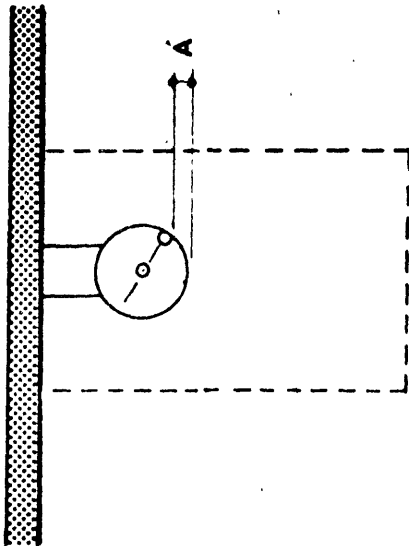
**B** Maximum trajectory shall be 15 degrees to front edge if spout is more than 3 inches but not more than 5 inches from front edge.

**C** Maximum trajectory shall be parallel to front edge if spout is more than 5 inches but not more than 7 inches from front edge.

FIGURE (p) 2



(p) 2.1



(p) 2.4

**A** Maximum trajectory shall be 30 degrees to front edge if spout is no more than 3 inches from front edge.

(2) **Doors.** All doors to toilet rooms required to be accessible shall comply with subsection (n) of this section. Doors may swing into the clear floor space required for any fixture only in toilet rooms designed for single occupant use and only when there is maneuvering space (see Figures (q)4.1 and (q)4.2) within the room sufficient for a person using a wheelchair to enter, close the door, use the fixtures, re-open the door, and exit. See Figure (q)2.4.

(3) **Signage.** Tactile signage complying with subsection (c)(1) of this section shall be provided at the location shown in Figure (v)1.

(4) **Clear floor space.** All applicable fixtures and controls required by this subsection to be accessible, shall be on an accessible route. An unobstructed turning space complying with subsection (e)(3) and (4) of this section shall be provided within the room. The clear floor spaces at fixtures and controls, the accessible route, and the turning space may overlap if the space under the fixtures provides sufficient clearances. See Figures (q)1.1-(q)1.3, and (r)1.

(5) **Water closets.** At least one water closet in each accessible toilet room shall comply with this paragraph.

(A) **Clear floor space.** Clear floor space for water closets not in stalls shall comply with Figures (q)2.1-(q)2.4. The space may be arranged to allow either a left-hand or right-hand approach.

(B) **Height.** The height of water closets shall be 17 inches to 19 inches, measured to the top of the toilet seat. See Figure (q)3.2. Thick seats or fillers (shims and pads) may be used to adapt standard fixtures to the proper heights. Seats shall not be sprung to return to a lifted position.

(C) **Grab bars.** Grab bars for water closets not located in stalls shall comply with Figures (q)3.1 and (q)3.2 and with subsection (u) of this section.

(D) **Flush controls.** Flush controls shall be hand operated or automatic, shall be located no higher than 44 inches above the floor, and shall comply with subsection (s) of this section.

(E) **Dispensers.** Toilet paper dispensers shall comply with subsection (s) of this section and shall be installed within easy reach, as illustrated in Figure (q)3.2.

(6) **Toilet stalls.** Accessible toilet stalls shall be on an accessible route and shall comply with this paragraph.

(A) **Water closets.** Water closets in accessible stalls shall comply

with the height requirement of paragraph (5)(B) of this subsection and shall be located in accordance with subparagraph (B) of this paragraph.

(B) **Size and arrangement.** The size and arrangement of toilet stalls shall comply as shown in Figures (q)4.1 and (q)4.2. Arrangements shown for stalls may be reversed to allow either a left-hand or right-hand approach.

Exception. In instances of alteration work where provision of a standard stall (Figures (q)4.1 and (q)4.2) is impracticable or where plumbing code requirements prevent combining existing stalls to provide space, an alternate stall (Figures (q)4.3 and (q)4.4) may be provided in lieu of the standard stall.

(C) **Toe clearances.** In standard stalls, the front partition and at least one side partition shall provide a toe clearance of at least nine inches above the floor. If the depth of the stall is greater than 60 inches, then the toe clearance is not required.

(D) **Doors.** Toilet stall doors shall comply with subsection (n) of this section; except that if the approach is to the latch side of the stall door, the clearance between the door side of the stall and any obstruction may be reduced to a minimum of 42 inches. See Figures (q)4.1, (q)4.3, and (q)4.4.

(E) **Grab bars.** Grab bars complying with the length and positioning shown in Figures (q)4.1-(q)4.4 and (q)5.1 and (q)5.2 shall be provided. Grab bars may be mounted by any desired method as long as they have a gripping surface at the locations shown and do not obstruct the required clear floor area. Grab bars shall comply with subsection (u)(2) of this section.

#### (7) Urinals.

(A) **General.** If urinals are provided, at least one shall be on an accessible route and shall comply with this paragraph.

(B) **Height.** Urinals shall be stall type (floor mounted) or wall hung with an elongated rim at a maximum of 17 inches above the floor. See Figures (q)6.1 and (q)6.2.

(C) **Clear floor space.** A clear floor space 30 inches by 48 inches shall be provided in front of urinals to allow forward approach. See Figures (q)7.1 and (q)7.2. This clear space shall adjoin or overlap an accessible route and shall comply

with subsection (e)(4) of this section. The clear space between privacy shields may be reduced to 24 inches provided the shields do not extend beyond the front edge of the urinal rim. See Figure (q)7.3.

(D) **Flush controls.** Flush controls shall be hand operated or automatic, shall comply with subsection (s)(4) of this section, and shall be mounted between 28 inches and 44 inches above the floor.

(8) **Lavatories.** If lavatories are provided, at least one shall comply with this paragraph. Lavatory approach accessibility may be satisfied by complying with either subparagraph (A) or (B) of this paragraph.

(A) **Frontal approach accessibility** can be achieved by complying with the height and space requirements shown in Figures (q)8.1 and (q)8.2.

(B) **Side approach accessibility** can be achieved by complying with the height and space requirements shown in Figures (q)8.3 and (q)8.4.

(C) **Hot water and drain pipes under lavatories** should be insulated or otherwise covered, and there shall be no sharp or abrasive surfaces under the lavatories.

(D) **Faucet controls and other operating devices** relating to the use of lavatories, shall be within the reach limitations prescribed in subsection (e) of this section and as shown in Figures (q)8.1-(q)8.4. They shall also comply with subsection (s) of this section. Lever-operated, push-type, and automatically controlled mechanisms are examples of preferred designs. Self-closing valves shall remain open for at least 10 seconds.

(9) **Toilet room fixtures and equipment.**

(A) **Mirrors.** If mirrors are provided, at least one shall be mounted so that the bottom edge of the reflecting surface is no higher than 40 inches above the floor. See Figure (q)8.1.

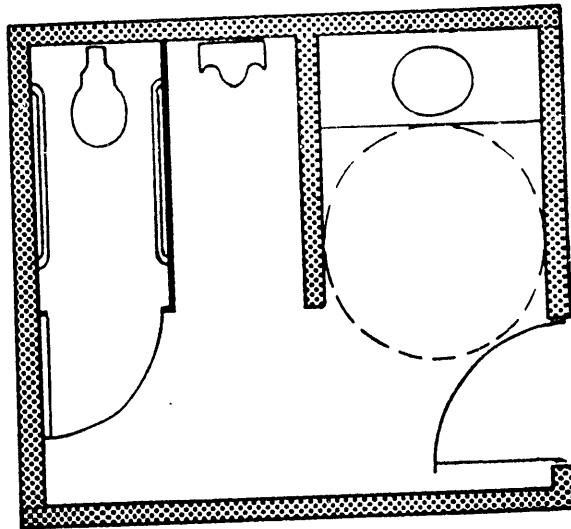
Exception. Mirrors having a permanent (fixed) tilt may be mounted higher than the prescribed height, provided the viewing level is equal to the 40 inch height at a distance of approximately 48 inches. See Figure (q)8.1.

(B) **Controls, dispensers, and other equipment.** At least one of each type of control, dispenser, or other operable equipment that is provided in an accessible toilet room shall be on an accessible route, shall be within the reach limitations prescribed in subsection (e)(5) and (e)(6) of

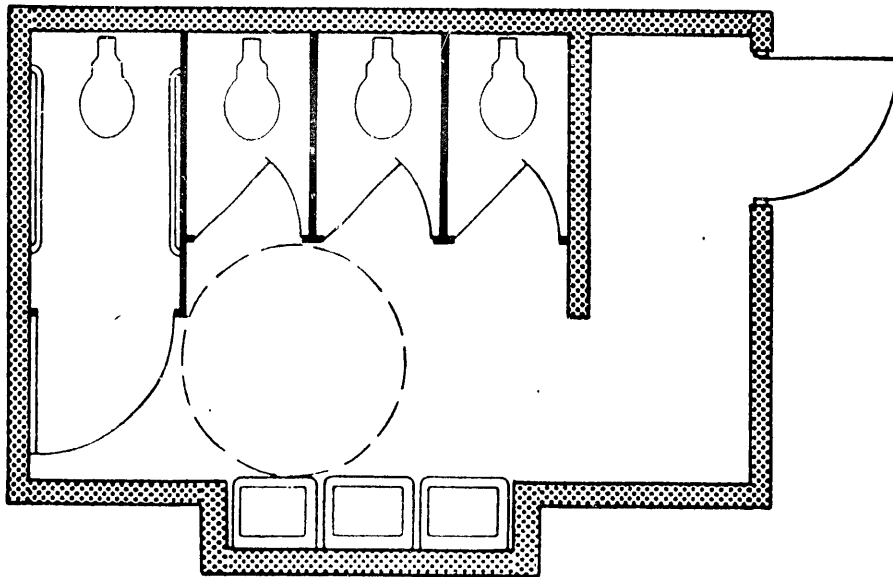
this section, and shall comply with subsection (s) of this section.

(r) Bathrooms, bathing facilities, and shower rooms.

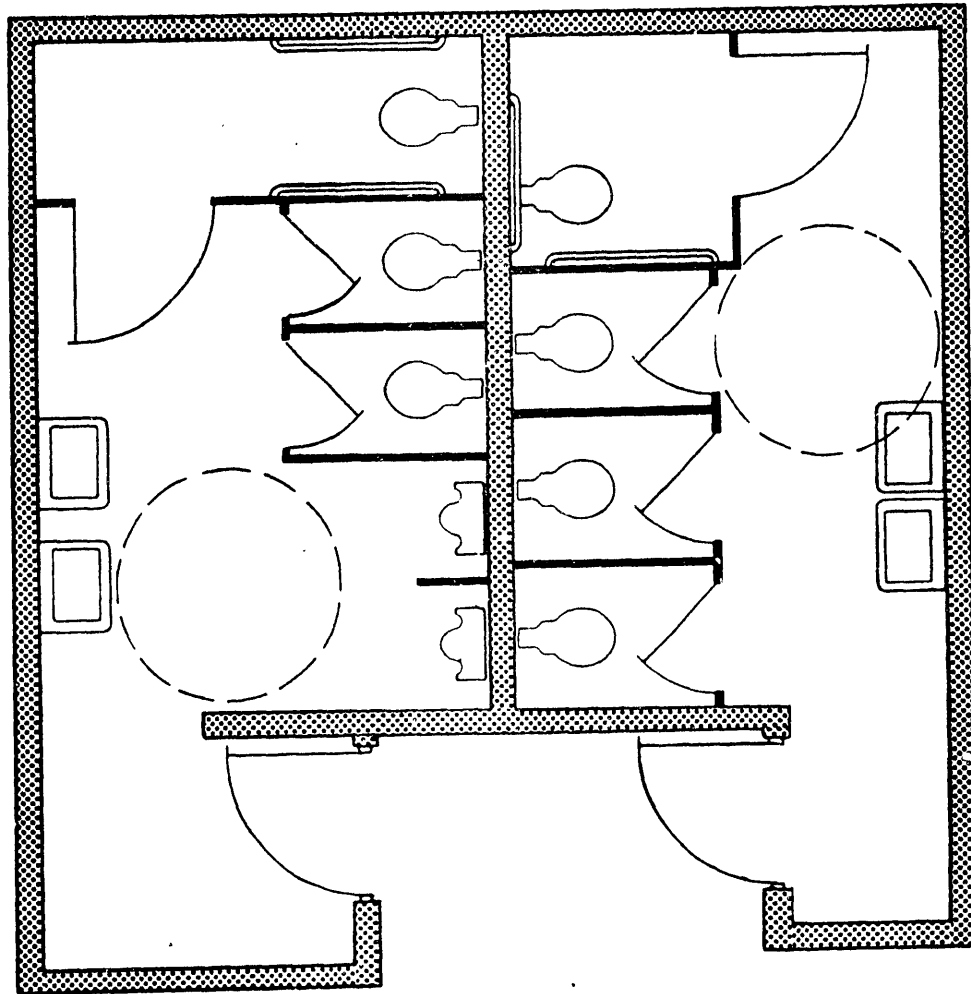
(1) General. Bathrooms required to be accessible per subsection (d)(2)(G), (3)(J), (4)(C), or (5)(C) of this section shall comply with this subsection. For mounting heights suitable in schools and other facilities used primarily by children see subsection (d)(1)(B) of this section and Table (d)1.



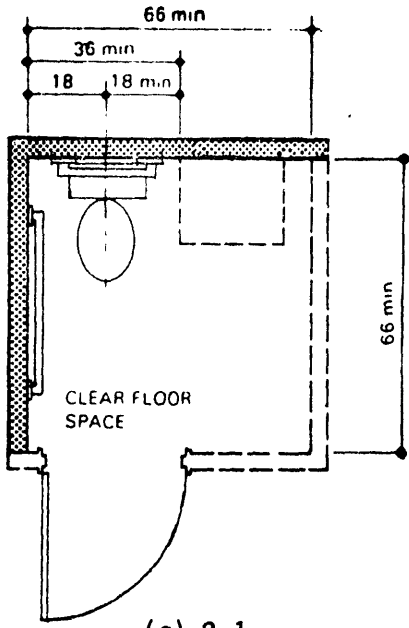
(q) 1.1



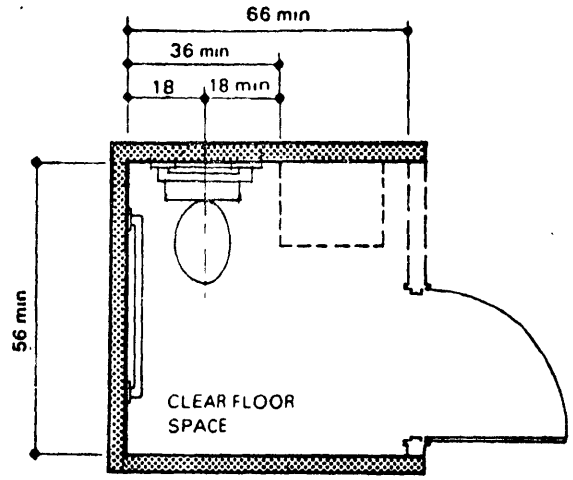
(q) 1.2  
FIGURE (q) 1



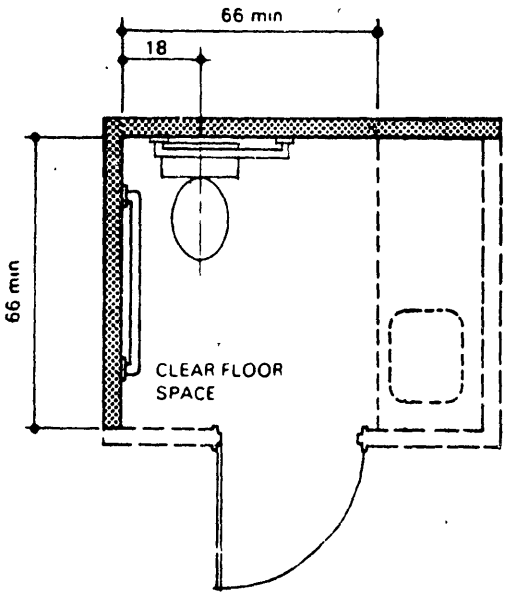
(q) 1.3



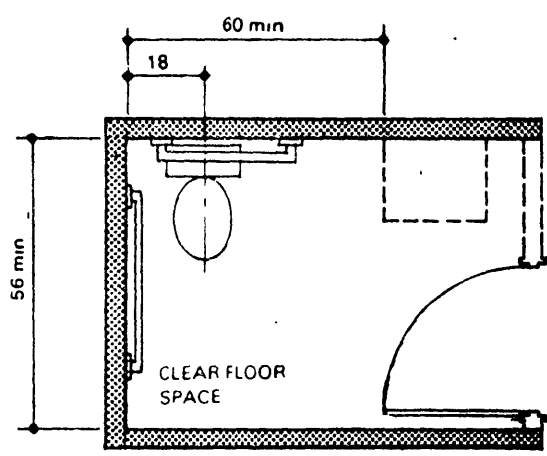
(q) 2.1



(q) 2.2



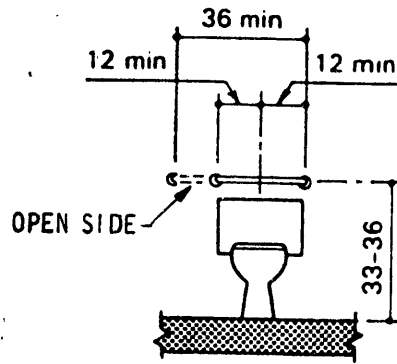
(q) 2.3



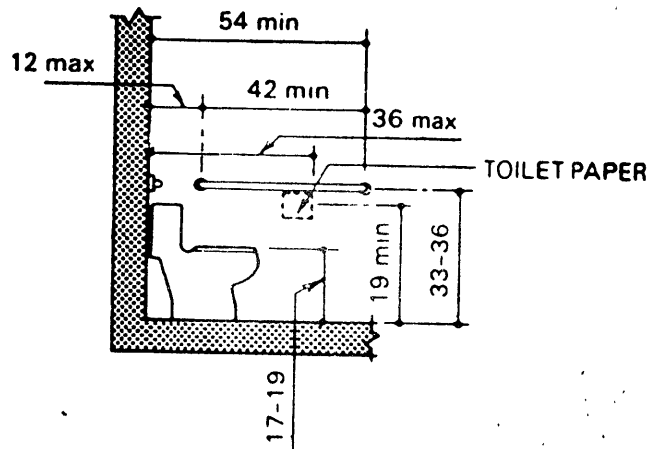
(q) 2.4

FIGURE (q) 2



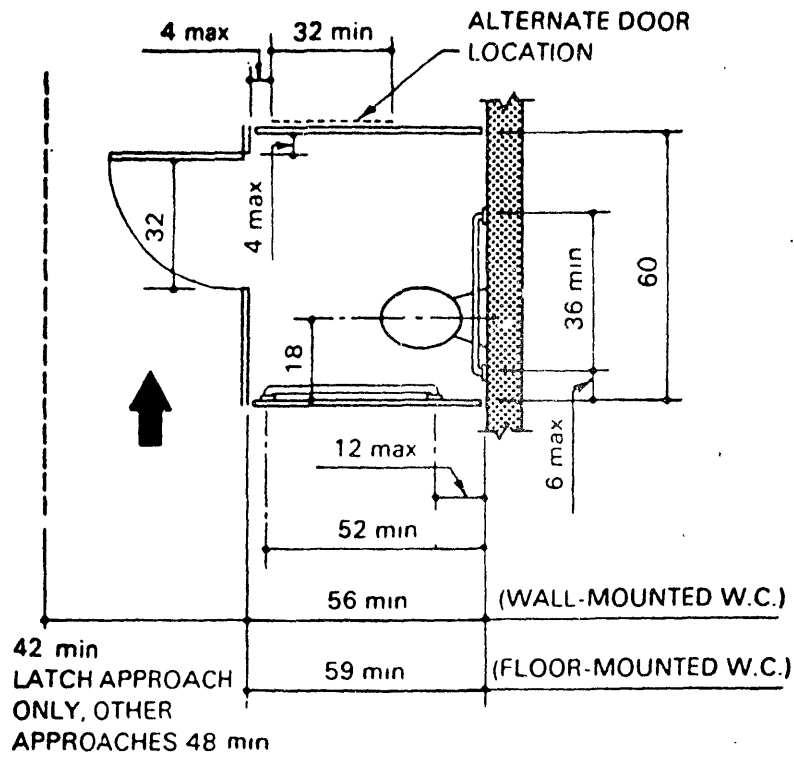


(q) 3.1



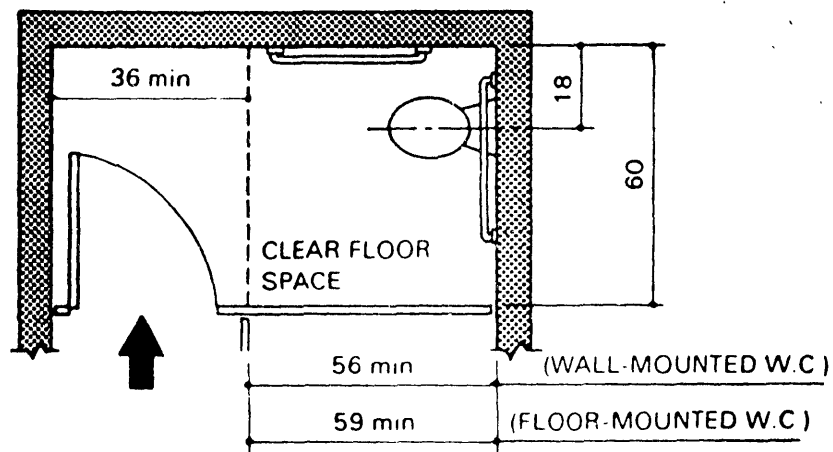
(q) 3.2

FIGURE (q) 3



STANDARD STALL

(q) 4.1

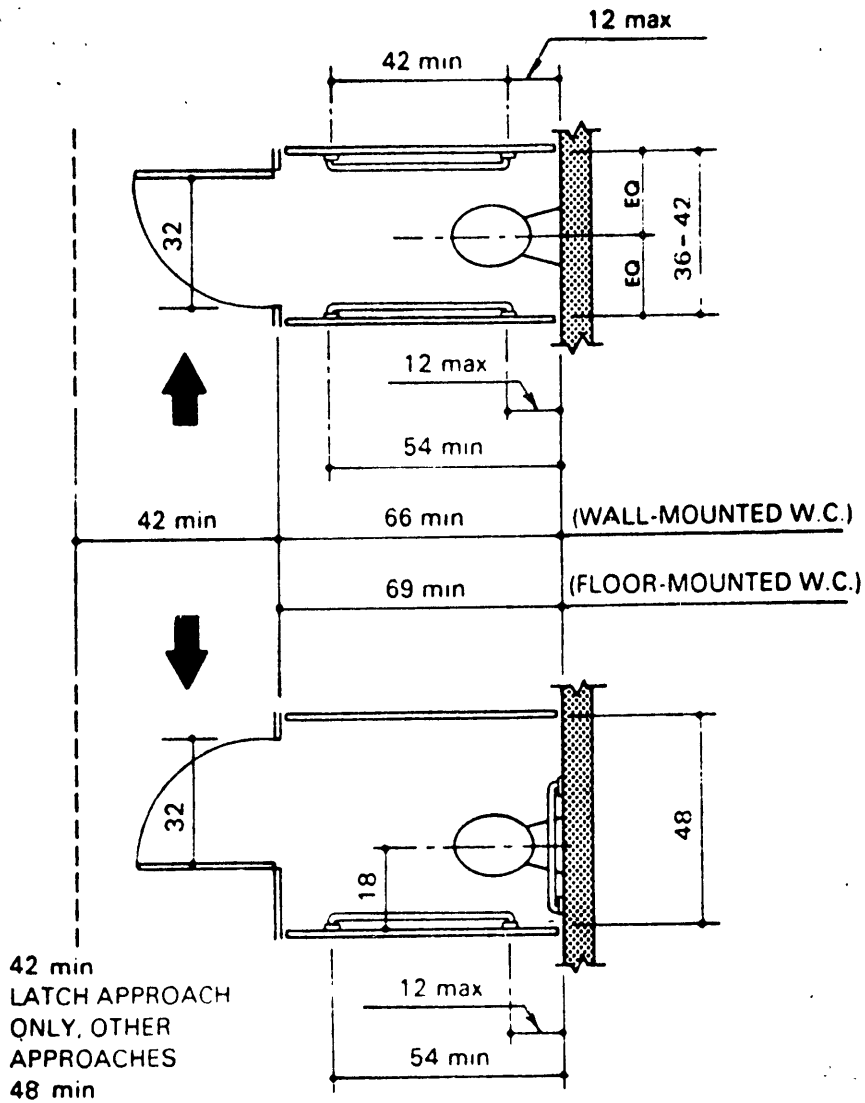


STANDARD STALL

(q) 4.2

FIGURE (q) 4

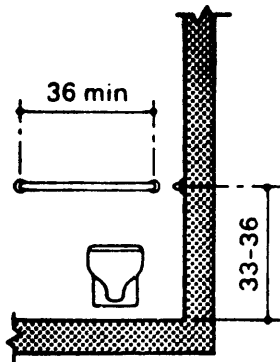
(q) 4.3



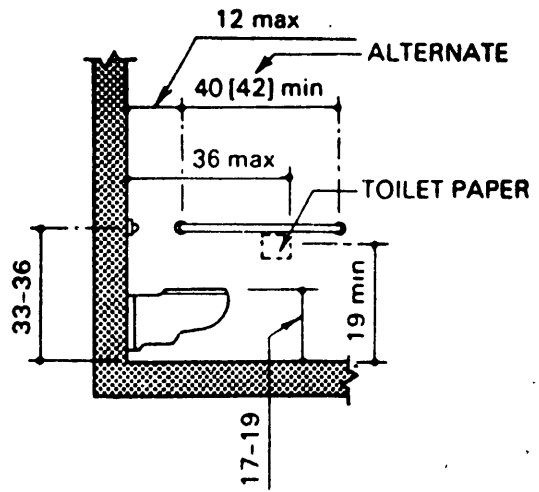
42 min  
LATCH APPROACH  
ONLY, OTHER  
APPROACHES  
48 min

ALTERNATE STALLS

(q) 4.4

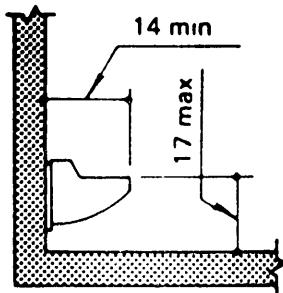


(q) 5.1



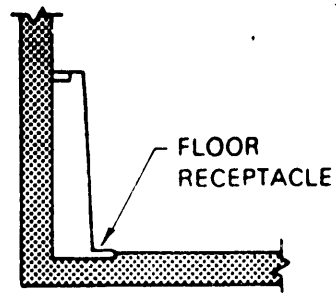
(q) 5.2

FIGURE (q) 5



ELONGATED  
WALL-HUNG

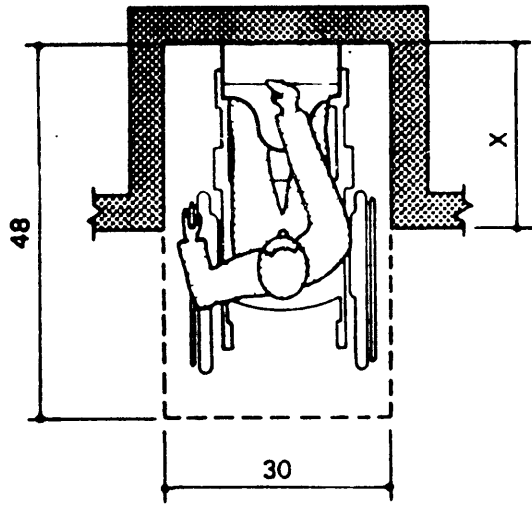
(q) 6.1



STALL TYPE

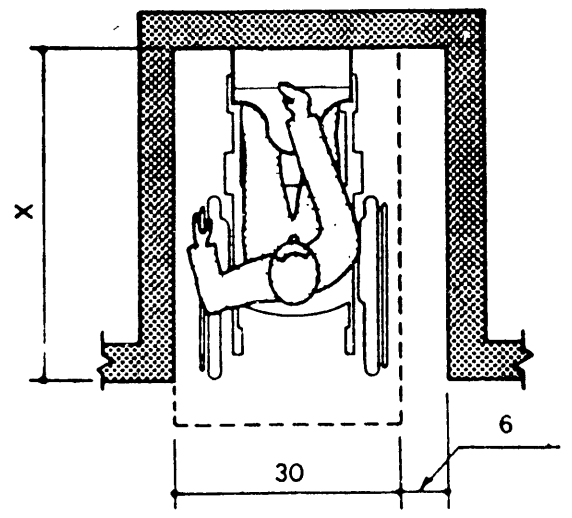
(q) 6.2

FIGURE (q) 6



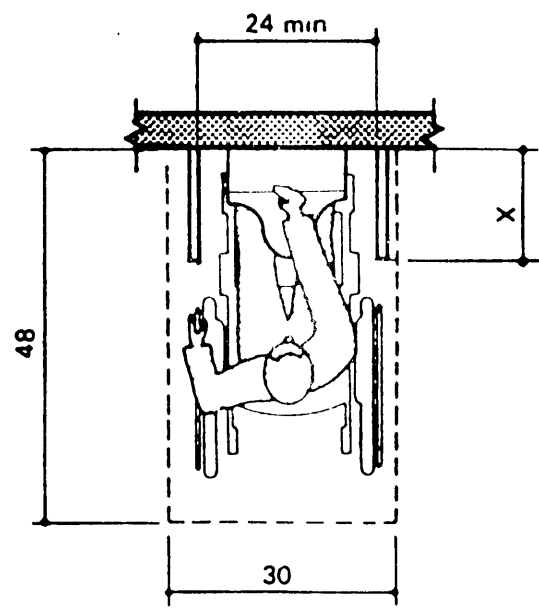
NOTE: x is less than or equal to 24 in.

(q) 7.1



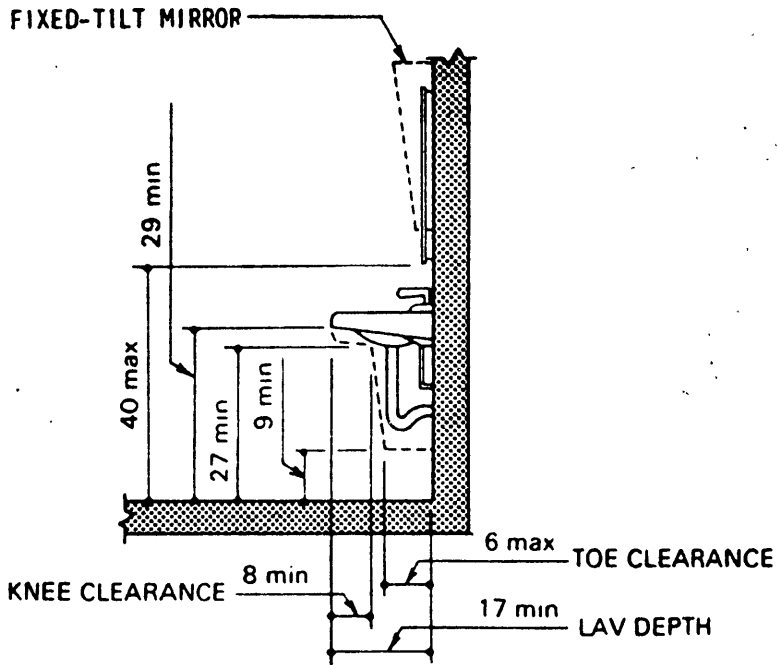
NOTE: If x is greater than 24 in, then an additional maneuvering clearance of 6 in shall be provided as shown.

(q) 7.2



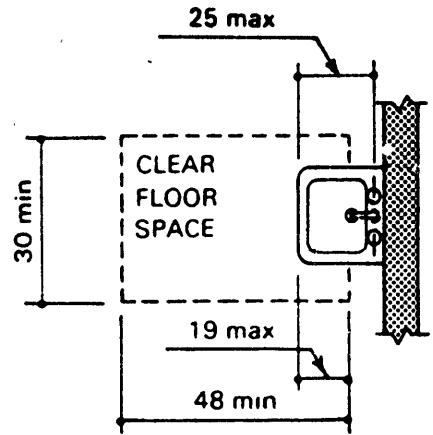
NOTE: x is less than or equal to 24 in.

(q) 7.3  
FIGURE (q) 7

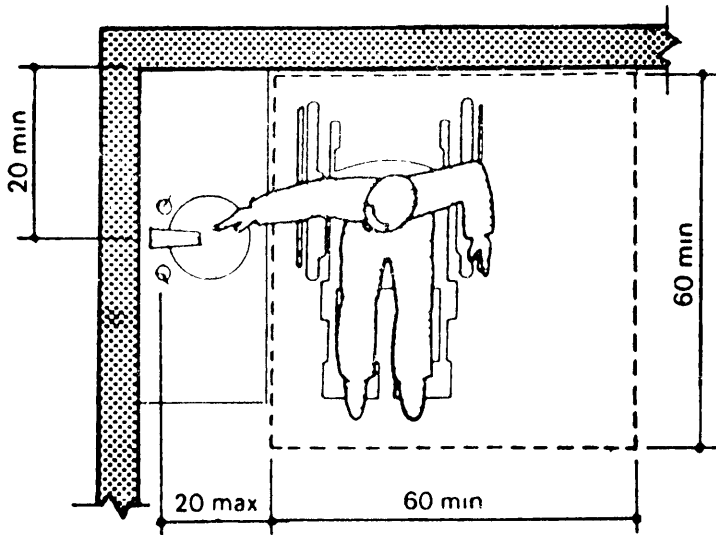


NOTE: Dashed line indicates dimensional clearance of optional underlavatory enclosure.

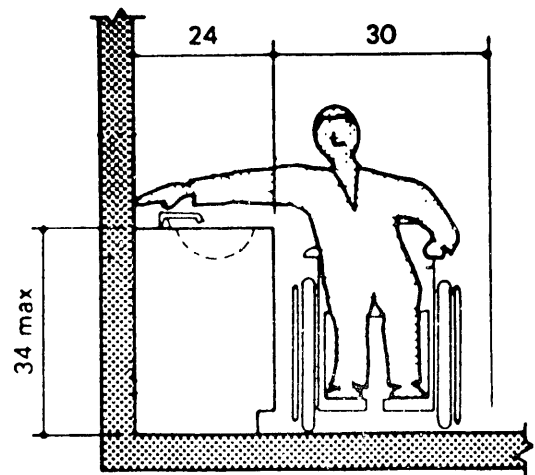
(q) 8.1



(q) 8.2



(q) 8.3



(q) 8.4

(2) **Doors.** All doors to bathrooms, bathing facilities, and shower rooms, required to be accessible, shall comply with subsection (n) of this section. Doors may swing into the clear floor space required for any fixture only in bathrooms designed for single occupant use and only when there is maneuvering space (see Figures (e)4.1 and (e)4.2) within the room sufficient for a person using a wheelchair to enter, close the door, use the fixtures, re-open the door, and exit. See Figure (r)1.

(3) **Clear floor space.** An unobstructed turning space complying with subsection (e)3 and (4) of this section shall be provided within the room. The clear floor spaces at fixtures and controls, the accessible route, and the turning space, may overlap if the space under fixtures provides sufficient clearances. See Figure (r)1.

(4) **Bathtubs.** If bathtubs are provided, they shall comply with this paragraph.

(A) **Clear floor space.** Clear floor space in front of bathtubs shall be as shown in Figures (r)2.1-(r)2.3.

(B) **Seat.** An in-tub seat or a seat at the head end of the tub shall be provided as shown in Figures (r)2.1-(r)2.3. The structural strength of seats and their attachments shall be able to support at least a 250 pound force applied in a downward direction. Seats shall be securely mounted and shall not slip during use.

(C) **Grab bars.** If provided during construction or renovation, grab bars shall be installed as shown in Figures (r)2.1-(r)2.3, and (r)3.1-(r)3.6, and shall comply with subsection (u)(2) of this section. If grab bars are not installed during construction or renovation, as allowed in subsection (z)(2) of this section, structural reinforcement or other provisions that will allow installation at a later time, shall be provided in locations matching those shown in Figures (r)4.1-(r)4.6.

(D) **Controls.** Faucets and other controls shall comply with subsection (s) of this section and shall be located as shown in Figures (r)3.1 and (r)3.4.

(E) **Shower spray unit.** A shower spray unit shall be provided with a hose at least 60 inches long that can be used as a fixed shower head or as a hand-held shower. If an adjustable-height shower head mounted on a vertical bar is used, the bar shall be installed so as not to obstruct the use of grab bars. See Figures (r)3.1 and (r)3.4.

(5) **Shower stalls.** If shower stalls are provided, they shall comply with this paragraph.

(A) **Size and clearances.** Shower stall size and clear floor space shall comply with Figures (r)5.1 or (r)5.2. The shower stall in Figure (r)5.1 shall be 36 inches by 36 inches. The shower stall in Figure (r)5.2 will fit into the space required for a standard size bathtub.

**Exception.** Shower stalls in excess of the dimensions shown in Figure (r)5.2 are allowed if there are no curbs and the faucets and controls are within the forward reach ranges shown in Figure (e)6.1.

(B) **Seat.** A seat shall be provided in shower stalls that are less than 48 inches wide and shall be as shown in Figure (r)5.3. The seat shall be mounted 17 inches to 19 inches above the bathroom floor and shall extend the full depth of the stall. The seat shall be on the wall opposite the controls and may be folding or removable but may not be free-standing. The seat and its attachments shall be able to support at least a 250 pound force applied in a downward direction.

(C) **Grab bars.** If provided during construction or renovation, grab bars shall be installed as shown in Figures (r)6.2-(r)6.6. If grab bars are not installed during construction or renovation as permitted under subsection (z)(2) of this section, structural reinforcement or other provisions that will allow installation of grab bars at a later time shall be provided at locations matching those shown in Figures (r)7.2-(r)7.6.

(D) **Controls.** Faucets and other controls complying with subsection

(s) of this section, shall be located as shown in Figures (r)6.3 and (r)6.5. In a shower less than 48 inches wide, all controls, faucets, and the shower spray unit shall be mounted on the wall opposite the seat.

(E) **Shower spray unit.** A shower spray unit with a flexible hose at least 60 inches long and that can be used as a fixed or a hand-held shower, shall be provided as illustrated in Figures (r)6.3 and (r)6.5. No controls or other objects shall obstruct the use of the grab bars.

**Exception.** In unmonitored facilities where vandalism is a consideration, a fixed shower head mounted between 48 inches and 54 inches above the floor may be used in lieu of a hand-held spray unit.

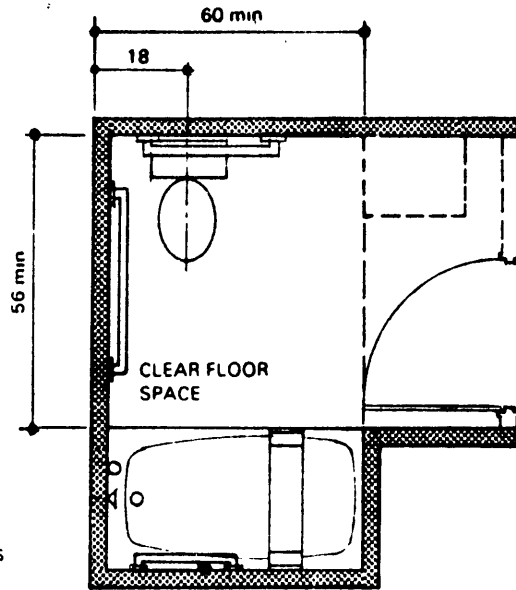
(6) **Enclosures for bathtubs and showers.** If provided, enclosures for bathtubs and showers shall not obstruct controls or transfer from wheelchairs onto shower or bathtub seats. Enclosures on bathtubs shall not have tracks mounted on their rims.

(7) **Controls and dispensers.** If controls, dispensers, receptacles, or other equipment are provided, at least one of each shall be on an accessible route, shall comply with the reach limitations prescribed in subsection (e)(5) and (6) of this section, and shall comply with subsection (s) of this section.

(8) **Medicine cabinets, shelves, and storage spaces.** If medicine cabinets, shelves, or storage spaces are provided, at least one of each type shall be on an accessible route, shall be within the reach ranges prescribed in subsection (e)(5) and (6) of this section, and shall have hardware complying with subsection (s) of this section.

(s) **Controls and operating mechanisms.**

(1) **General.** All controls and devices having mechanical or electrical operating mechanisms which are expected to be operable by occupants, visitors, or other users of a building or facility, shall comply with this subsection. Such mechanisms may include, but are not limited to thermostats, light switches, alarm activating units, ventilators, electrical outlets, etc.

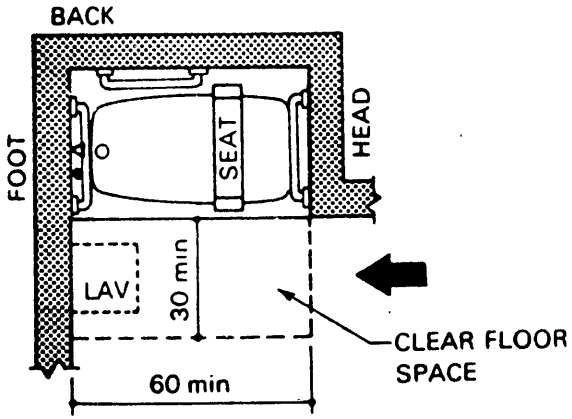


SYMBOL KEY:

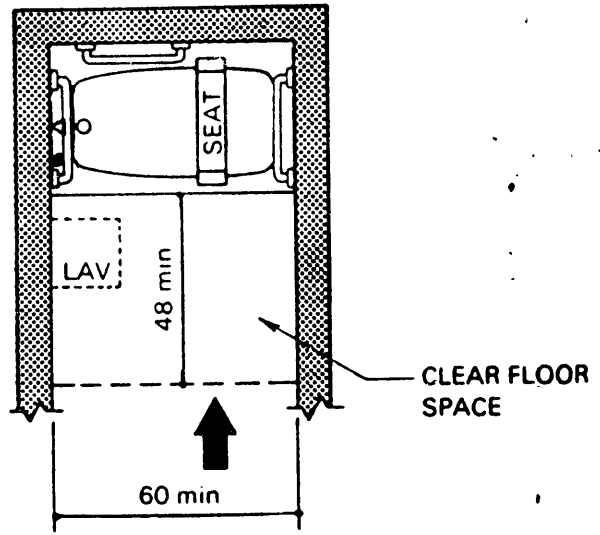
- = Shower controls
- ◁ = Shower head
- = Drain

FIGURE (r) 1





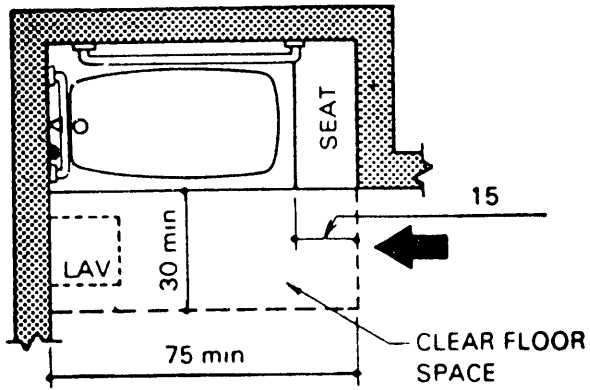
(r) 2.1



(r) 2.2

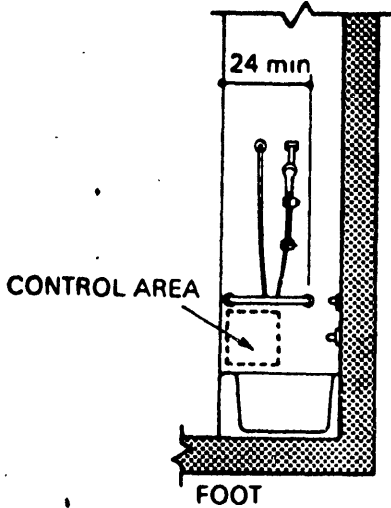
SYMBOL KEY:

- = Shower controls
- ◄ = Shower head
- = Drain

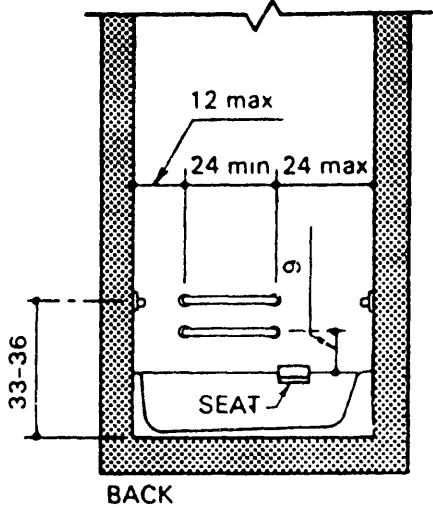


(r) 2.3

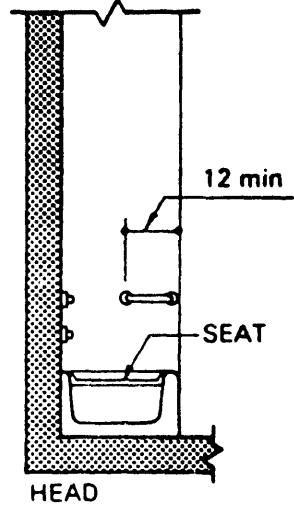
FIGURE (r) 2



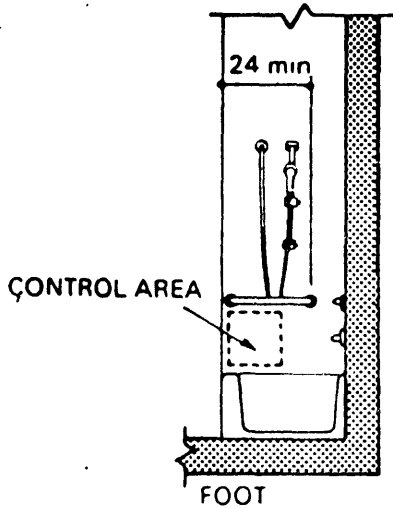
FOOT  
(r) 3.1



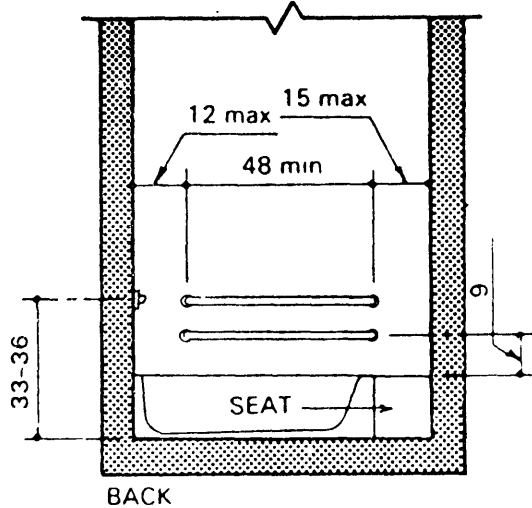
BACK  
(r) 3.2



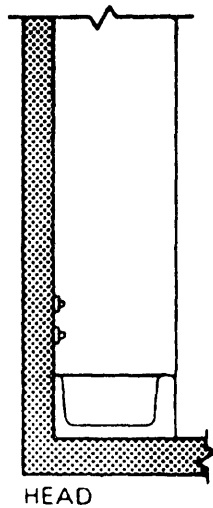
HEAD  
(r) 3.3



FOOT  
(r) 3.4

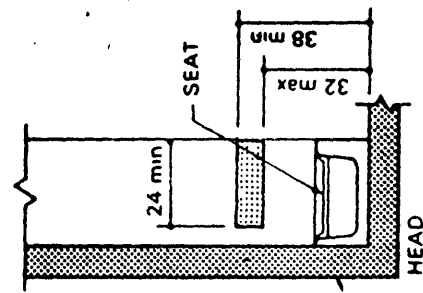


BACK  
(r) 3.5

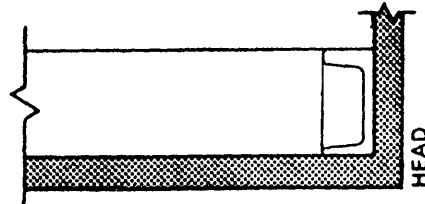


HEAD  
(r) 3.6

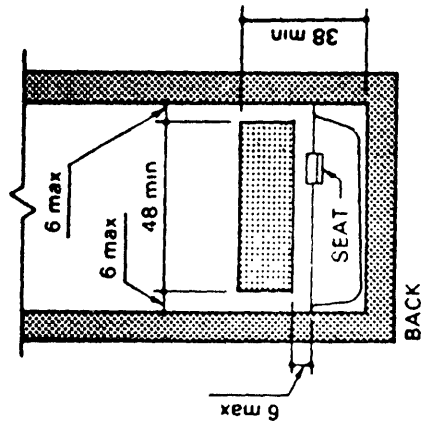
FIGURE (r) 3



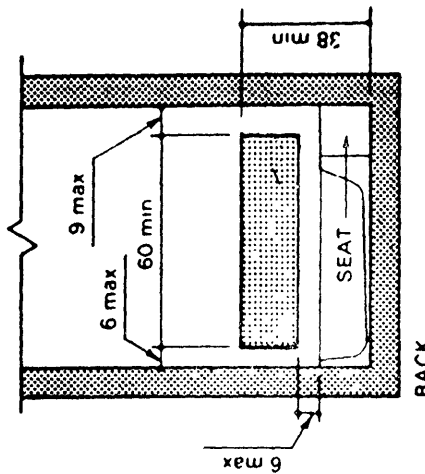
(r) 4.3



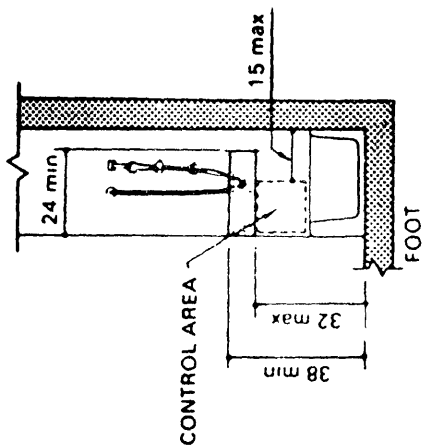
(r) 4.6



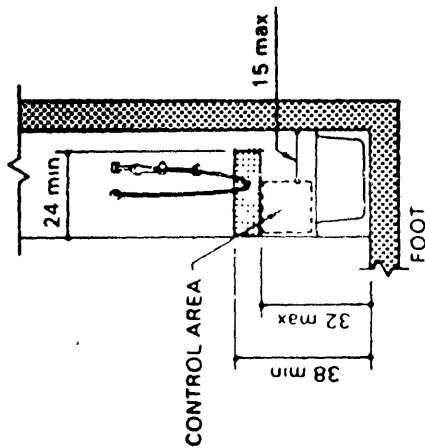
(r) 4.2



(r) 4.5



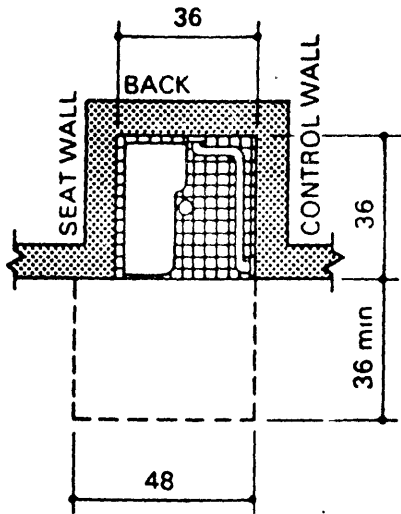
(r) 4.1



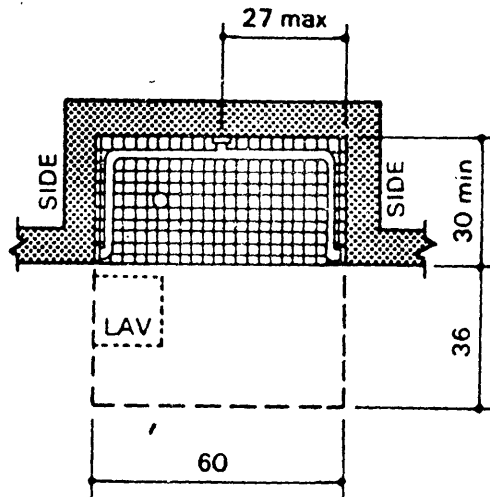
(r) 4.4

FIGURE (r) 4

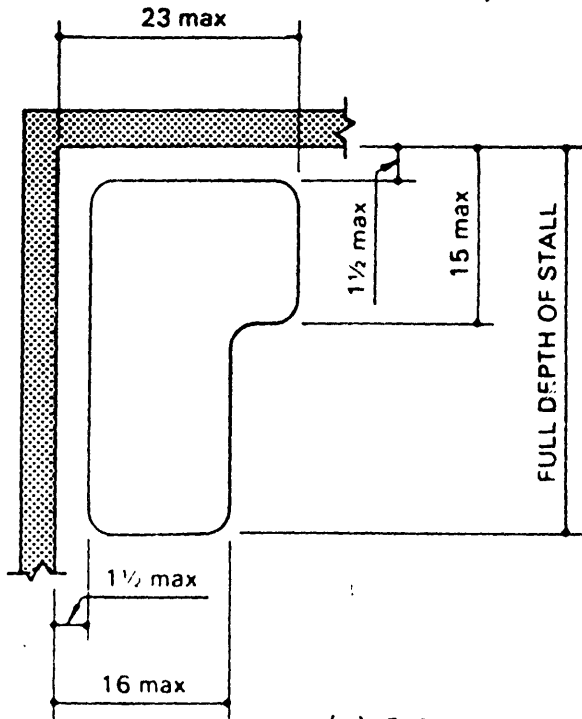
NOTE: The lightly shaded areas are reinforced to receive grab bars.



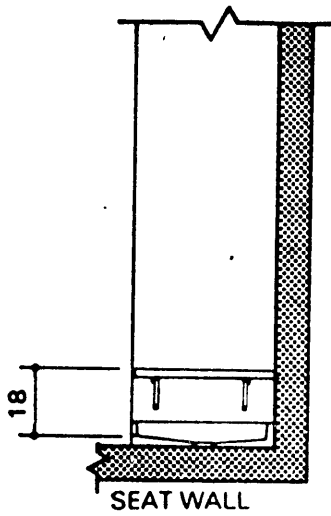
(r) 5.1



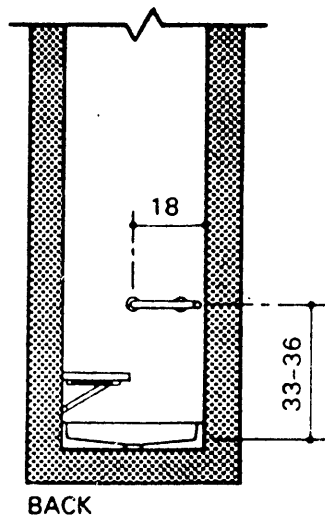
(r) 5.2



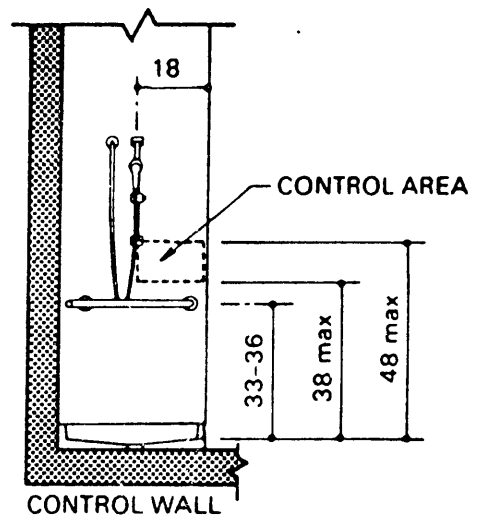
(r) 5.3  
FIGURE (r) 5



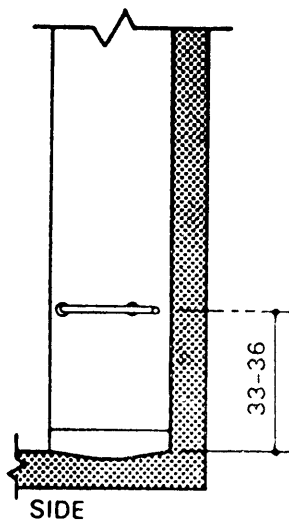
(r) 6.1



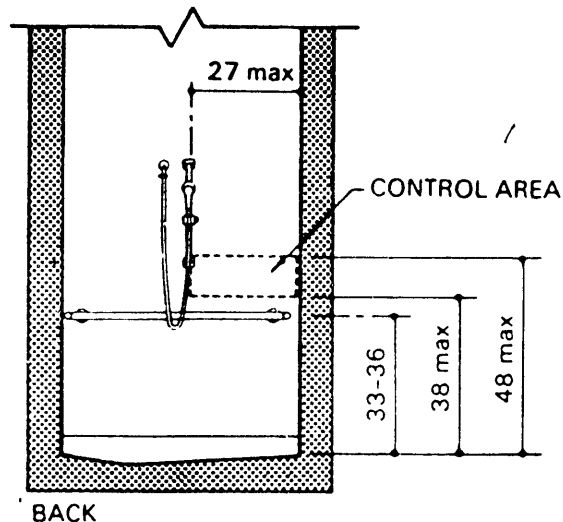
(r) 6.2



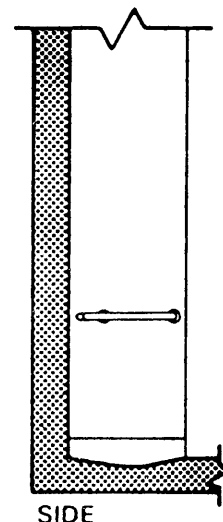
(r) 6.3



(r) 6.4



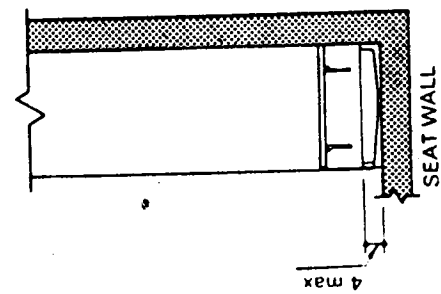
(r) 6.5



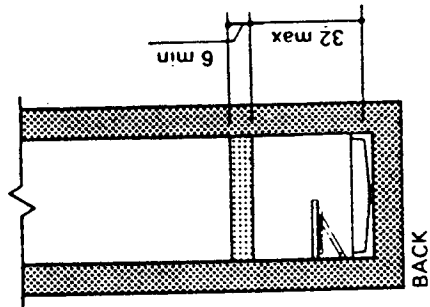
(r) 6.6

FIGURE (r) 6

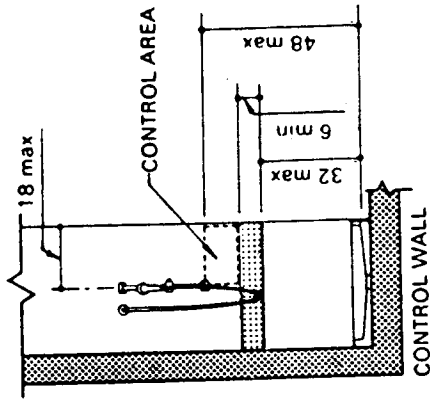
NOTE: Shower head and control area may be on back wall (as shown) or on either side wall.



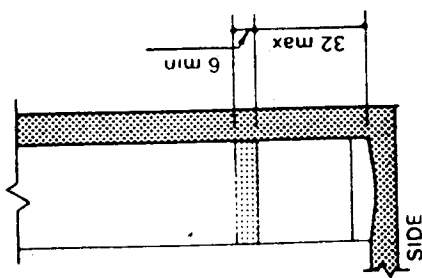
(r) 7.1



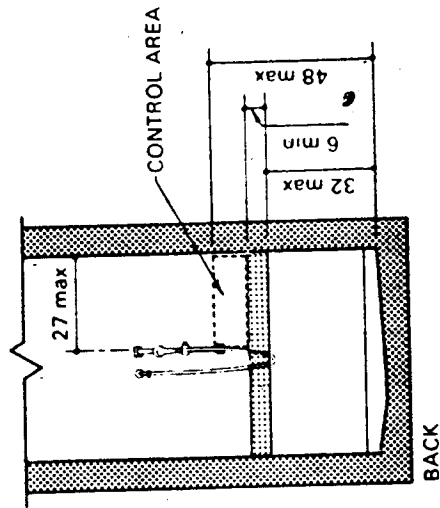
(r) 7.2



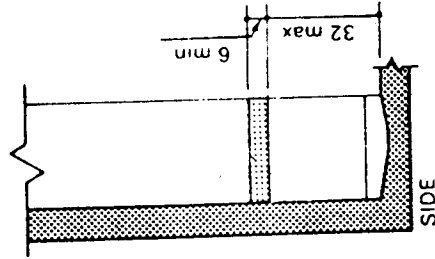
(r) 7.3



(r) 7.4



(r) 7.5



(r) 7.6

FIGURE (r) 7

NOTES:  
 (1) The lightly shaded areas are reinforced to receive grab bars.  
 (2) In Figure (r) 7.5, shower head and control area may be on back wall (as shown) or on either side.

(2) Clear floor space. Clear floor space complying with subsection (e)(4) of this section that allows a forward or a parallel approach by a person using a wheelchair, shall be provided at controls, dispensers, receptacles, and other operable equipment.

(3) Height. The highest operable part of all controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in subsection (e)(5) and (6) of this section. Except where the use of special equipment dictates otherwise, electrical and communications-system receptacles on walls shall be mounted no less than 12 inches above the floor.

(4) Operation. Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than five pound force.

(t) Alarms.

(1) General. If emergency warning systems or devices are provided in a building or facility, they shall be both audible and visual and shall comply with this subsection.

Exception. Compliance with this subsection shall not be required in places where special coded systems are provided. Such systems are commonly used in hospitals, places of detention, theaters, auditoriums, and other places of assembly.

(2) Audible alarms. Audible emergency alarms shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 decibels or exceeds any maximum sound level with a duration of 30 seconds by five decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

(3) Visual alarms. Visual alarms shall be flashing lights arranged to flash in conjunction with the audible emergency alarms. The visual system may consist of flashing exit lights or other light fixtures that are located in such a manner that in emergency mode would serve to indicate evacuation routes. The flashing frequency of visual alarms shall be approximately one Hertz. Specialized systems using advanced technology may be substituted if equivalent

protection is provided to disabled users of the building or facility. The specifications in this subsection do not preclude the use of zoned or coded alarm systems. In zoned systems, whenever an audible signal sounds in an area, the visual alarm (s) within the same area shall flash.

(4) Auxiliary alarms. Provisions for audible and visual devices are required in dwelling units having emergency warning devices and in dwelling units that are located in buildings having an emergency alarm system. The devices shall be connected to the building's emergency system or there shall be a standard 110-volt electrical receptacle into which an alarm unit can be connected to be activated by the building alarm system. Instructions for use of the auxiliary alarm connections shall be provided. Care should be taken to locate the auxiliary alarms to insure that they will be effective when in emergency mode. To be effective, visual devices must be located and oriented so that they will spread signals and reflections throughout a space or raise the overall light level sharply.

(u) Handrails and grab bars.

(1) General. All handrails and grab bars required to be accessible shall comply with this subsection. For the purpose of these standards, handrails and grab bars are considered to have different usages and are therefore treated separately in this subsection. Handrails are generally used for stabilization in elevators and when moving up and down stairs and ramps and as protective barriers against hazardous conditions. In addition to stabilization, grab bars are used to support the weight of a person during a transfer to and from a wheelchair. It is, therefore, important that grab bars comply with more stringent and exact specifications than handrails.

(2) Grab bars.

(A) Size and spacing of grab bars. The diameter of a grab bar shall be 1-1/4 inches to 1-1/2 inches. If grab bars are mounted adjacent to a wall, the space between the wall and the grab bar shall be 1-1/2 inches. See Figure (u)2.5.

(B) Structural strength. The structural strength of grab bars, fasteners, and mounting devices shall be capable of supporting a steady force of 250 pounds

applied in any direction. Grab bars shall not rotate in their mountings.

(C) Eliminating hazards. Handrails and adjacent walls or other surfaces shall be free of sharp or abrasive elements.

(3) Handrails.

(A) Size and spacing of handrails. The diameter or width of the gripping surfaces of handrails should be 1-1/4 inches to 1-1/2 inches or shaped to provide an equivalent gripping surface. The diameter or width of handrails shall not exceed three inches. If handrails are mounted adjacent to a wall, the space between the wall and the rail shall be no less than 1-1/2 inches. See Figures (u) 2.1-(u) 2.4.

(B) Structural strength. The structural strength of handrails, fasteners, and mounting devices, shall be capable of withstanding a thrust of 250 pounds applied in any direction. Handrails shall not rotate in their mountings.

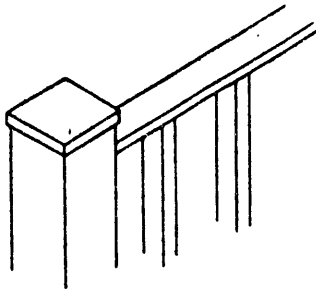
(C) Eliminating hazards. Handrails and adjacent walls or other surfaces shall be free of sharp or abrasive elements. Edges shall have a minimum radius of 1/8 inch.

(v) Signage and detectable warnings.

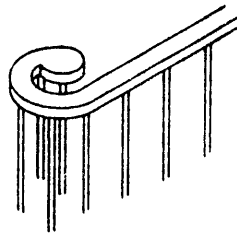
(1) Signage.

(A) General. Signs at all toilet rooms shall comply with this paragraph. Elevator control and jamb signage shall comply with this paragraph and with subsections (m)(5) and (11) of this section. All other signage that provides emergency information or general circulation directions, or identifies rooms and spaces should also comply with this paragraph where reasonable.

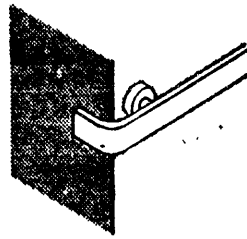
(B) Character proportion. Letters and numbers on signs should have a width-to-height ratio between 3:5 and 1:1 and a stroke width-to-height ratio between 1:5 and 1:10, utilizing an upper-case "X" for measurement.



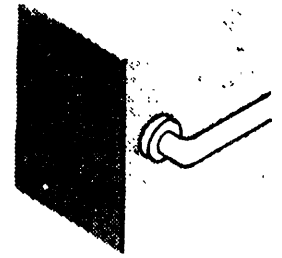
(u) 1.1



(u) 1.2

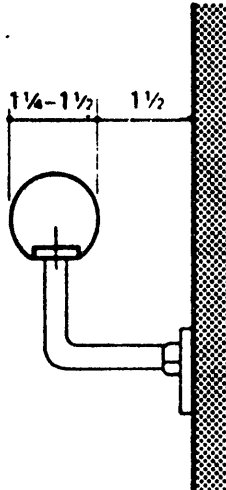


(u) 1.3

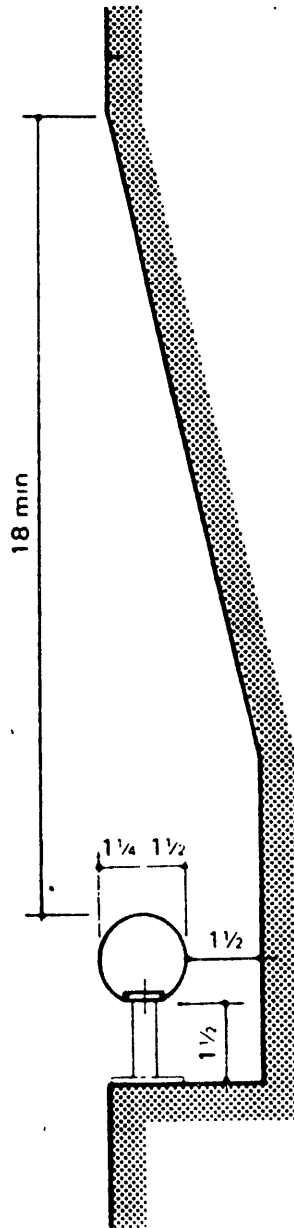


(u) 1.4

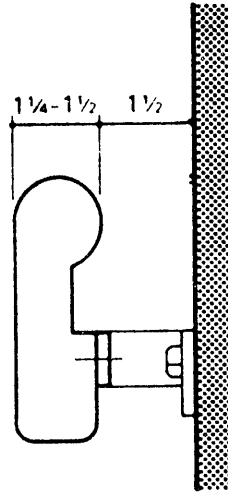
FIGURE (u) 1



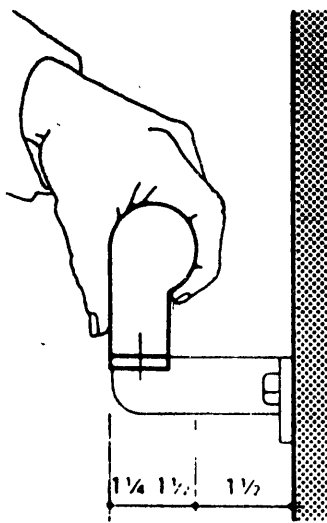
(u) 2.1



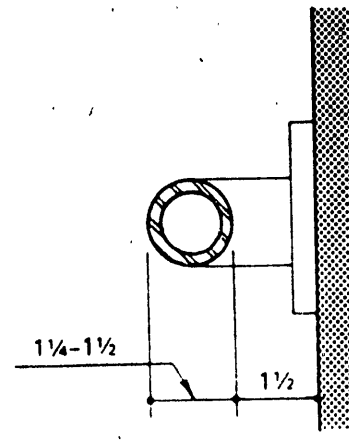
(u) 2.4  
FIGURE (u) 2



(u) 2.2



(u) 2.3



(u) 2.5



(C) Color contrast. Characters and symbols shall contrast with their background; light colored characters on dark backgrounds generally provide the greatest readability and are preferred.

(D) Tactile characters and symbols. Characters, symbols, or pictographs on signs required to be tactile, shall be raised 1/32 inch minimum. Letters and numbers shall be sans serif characters; shall be at least 5/8 inch high, but should be no higher than two inches; and shall be proportioned in accordance with subparagraph (B) of this paragraph.

Note. Braille characters may be used in addition to standard alphabet characters and numbers but may not be used exclusively. If used, braille characters shall be placed to the left of standard characters. Raised borders around raised characters are discouraged.

(E) Mounting height and location. Tactile signage used for room identification shall be mounted on the wall on the latch (strike) side of doors at a height of between 54 inches and 66 inches above the floor or ground surface. See Figure (v)1.

(F) Symbols of accessibility. If accessible facilities are identified, then the international symbol of accessibility

shall be used. The symbol shall be displayed as shown in Figure (v)2.1 and (v)2.2.

(2) Detectable warnings.

(A) Detectable warnings at hazardous vehicular areas. If a walk crosses or adjoins a frequently used vehicular way, and if there are no curbs, railings, or other elements separating the pedestrian and vehicular areas that are detectable by a person who has a severe visual impairment, the boundary between the areas should be defined by a continuous, detectable warning texture, which is 36 inches wide and complies with subparagraph (B) of this paragraph.

(B) Detectable warnings on walking surfaces. Textures on walking surfaces required to be detectable, shall consist of exposed aggregate concrete, cushioned surfaces made of rubber or plastic, raised strips, grooves, or other material that significantly contrasts with that of the surrounding surface. Raised, etched, or grooved surfaces shall be designed so that water can not accumulate. Examples of acceptable surface preparations are shown in Figures (v) 3.1-(v)3.3.

(C) Tactile warnings on doors to hazardous areas. Doors that lead to areas that might prove dangerous to a blind person shall be made identifiable to the

touch by a textured surface on the door handle, knob, pull, or other operating hardware. Hazardous areas may include boiler rooms, mechanical rooms, electrical and telephone equipment rooms, and loading platforms. The textured surface may be made by knurling or roughening or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

Exception. Self-closing doors with self-locking hardware may be exempt from this requirement.

(D) Standardization. Textured surfaces for detectable warnings should be standard within a building, facility, site, or complex of buildings.

(w) Telephones.

(1) General. Telephones required to be accessible by subsection (d) of this section shall comply with this subsection.

(2) Clear floor or ground space. Clear floor or ground spaces at each accessible public telephone shall be at least 30 inches by 48 inches and shall allow either a forward or parallel approach by a person using a wheelchair as shown in Figures (w)1.2, (w)1.4, and (w)1.5. The required clear space shall comply with subsection (e)(4) of this section and shall not be restricted by bases, enclosures, or fixed seats.

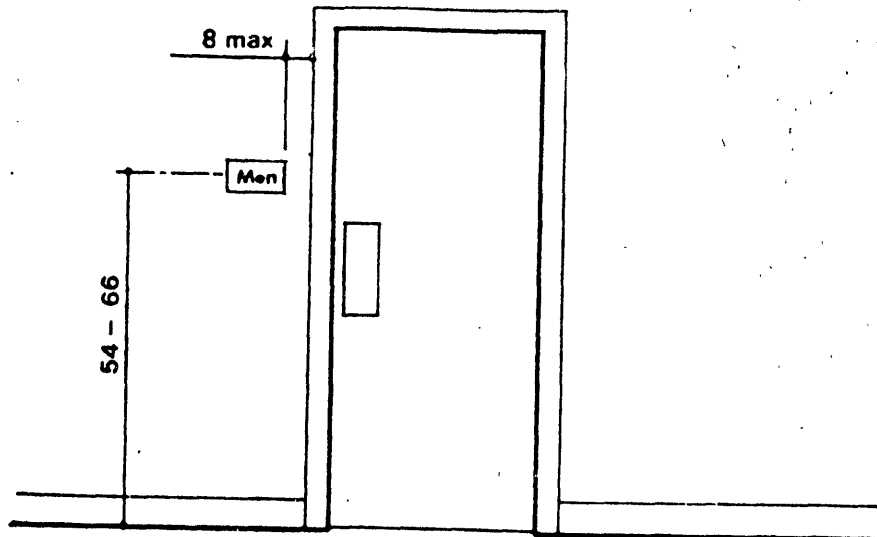
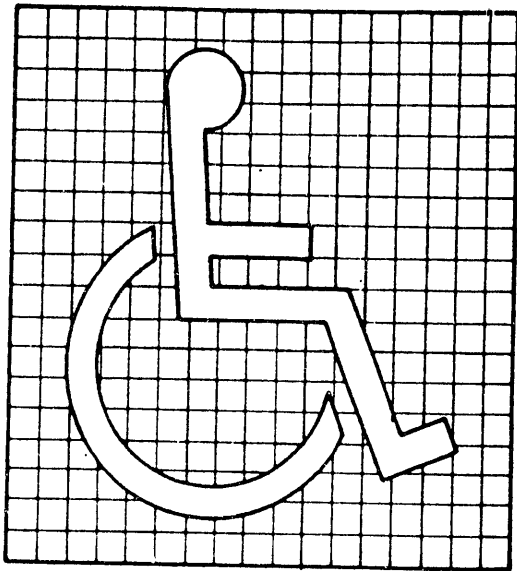


FIGURE (v) 1

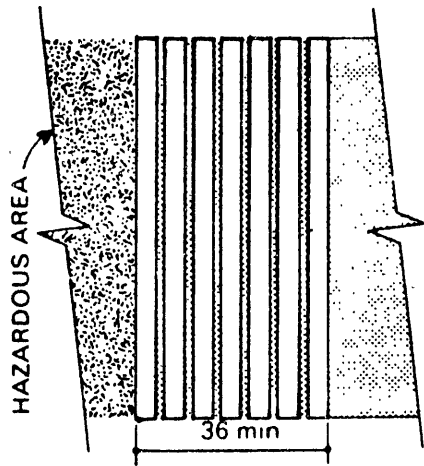


(v) 2.1

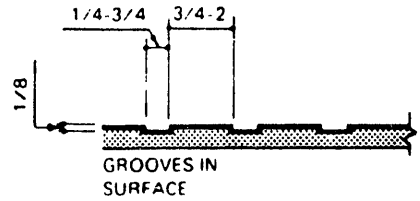
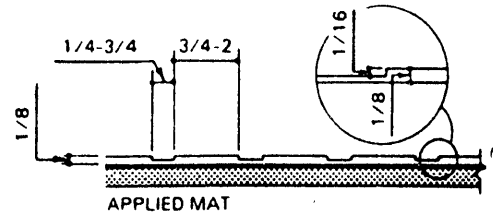
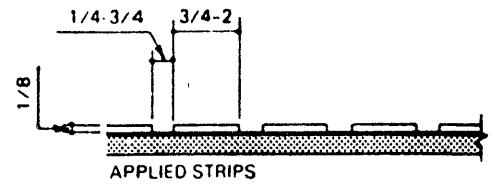


(v) 2.2

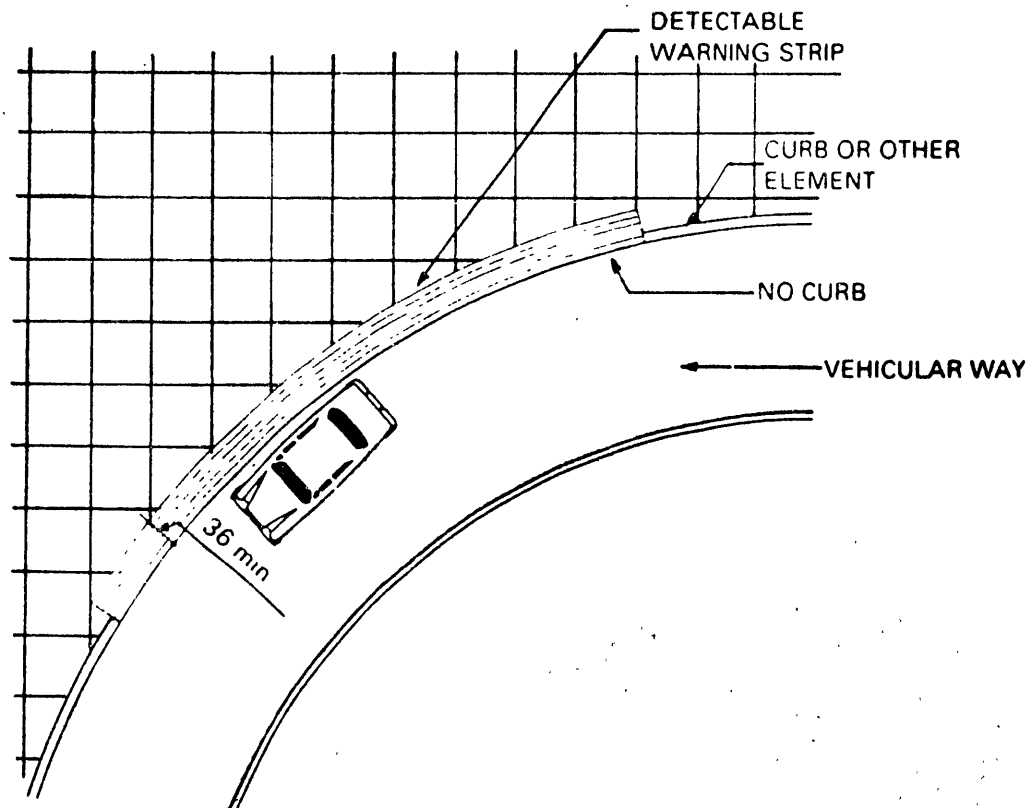
FIGURE (v) 2



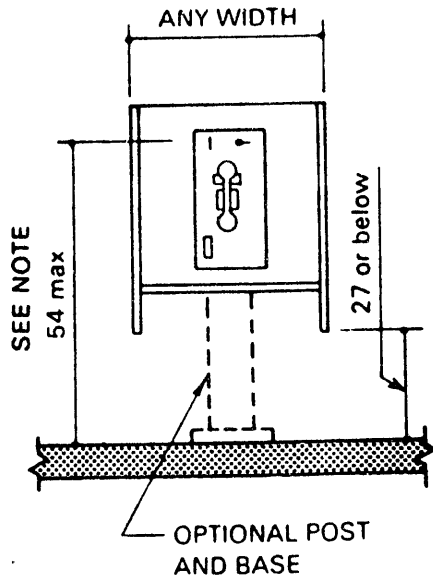
(v) 3.1



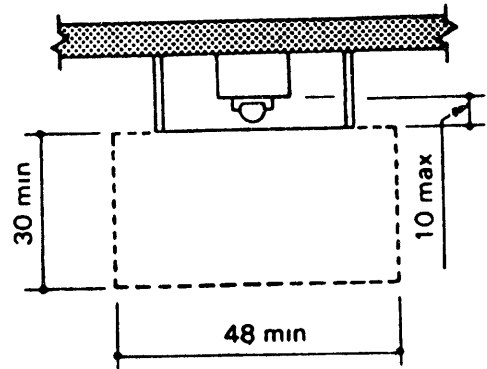
(v) 3.2



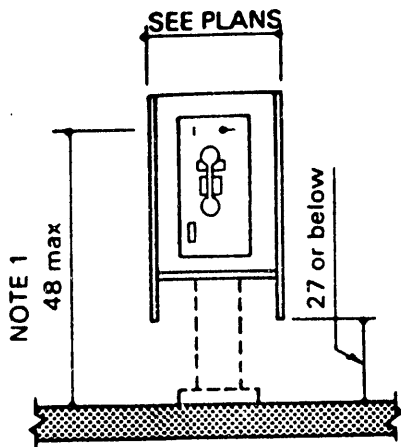
(v) 3.3  
FIGURE (v) 3



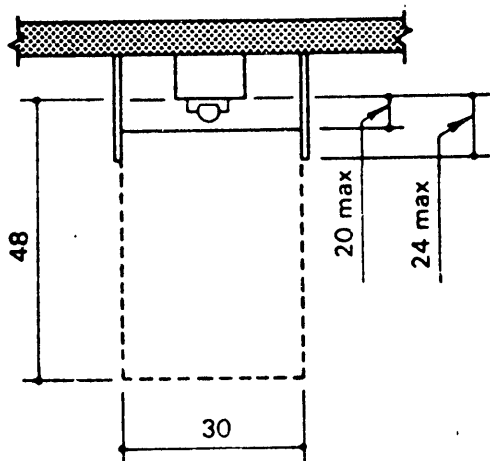
(w) 1.1



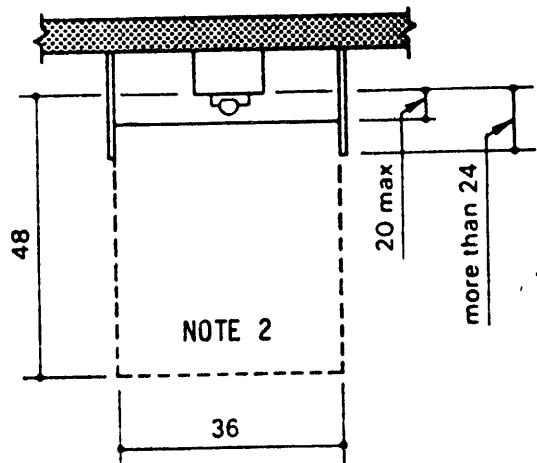
(w) 1.2



(w) 1.3



(w) 1.4



(w) 1.5

FIGURE (w) 1

NOTES:

- (1) This dimension represents the height of the highest operable parts that are essential to the basic operation of the telephone.
- (2) The required clear floor space increases to 36 in (915 mm), when the enclosure extends more than 24 in (610 mm) from the face of the telephone.

(3) Mounting height. The highest operable parts that are essential to the basic operation of the telephone shall be located within the reach ranges specified in subsection (e)(5) or (6) of this section. Also see Figures (w)1.1 and (w)1.3.

(4) Protruding objects. Telephones, enclosures, and related equipment shall comply with subsection (g) of this section.

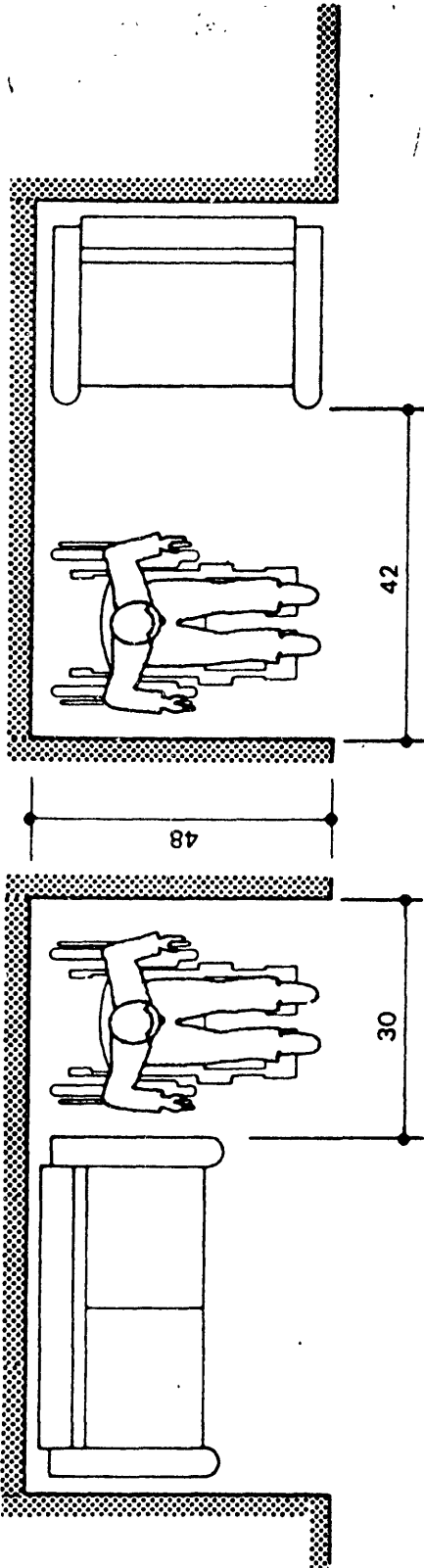
(5) Equipment for hearing-impaired people. Telephones should be equipped with a receiver that generates a magnetic field in the area of the receiver cap. Volume controls should be provided wherever possible. If a telecommunications device for the deaf (TDD) or similar equipment is provided, the location of such equipment should be indicated by strategically placed signage.

(6) Controls. Accessible telephones should have pushbutton controls

where service for such equipment is available.

(7) Telephone directories. If provided, telephone directories should be located in accordance with subsection (e) of this section.

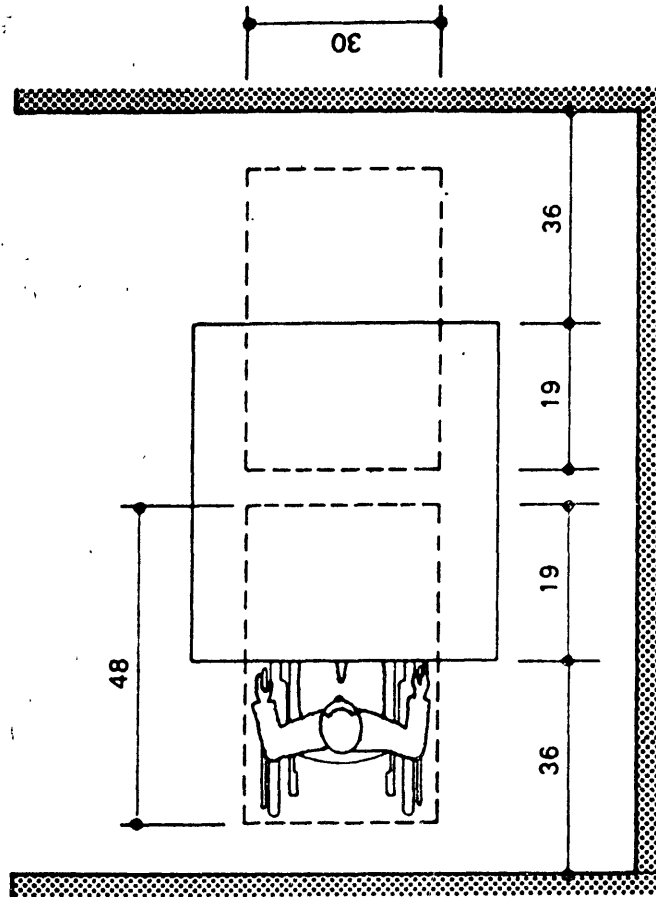
(8) Cord length. Accessible telephones should be equipped with a minimum handset cord length of 29 inches.



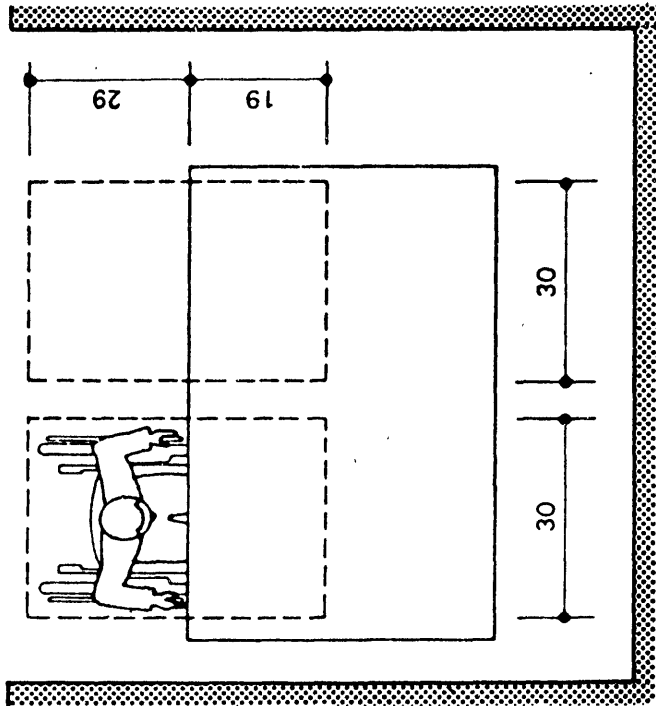
(x) 1.2

(x) 1.1

ACCESSIBLE PATH  
OF TRAVEL



(x) 1.4



(x) 1.3

FIGURE (x) 1

(x) Tables, work surfaces, and seating.

(1) General. If tables or work surfaces are provided, an appropriate number, but never less than one, should comply with this subsection.

(2) Seating. If seating spaces for persons in wheelchairs are provided at tables, counters, or work surfaces, clear floor space complying with subsection (e)(4) of this section shall be provided. Such clear floor space shall not overlap knee space by more than 19 inches. See Figures (x)1.3 and (x)1.4.

(3) Knee clearances. Accessible seating for wheelchair users at tables, counters, and work surfaces shall have knee spaces at least 27 inches high, 30 inches wide, and 19 inches deep. See Figures (x)1.3 and (x)1.4.

(4) Height of work surfaces. The tops of tables and work surfaces shall be from 28 inches to 34 inches from the floor or ground surface. See Figure (e)6. 3.

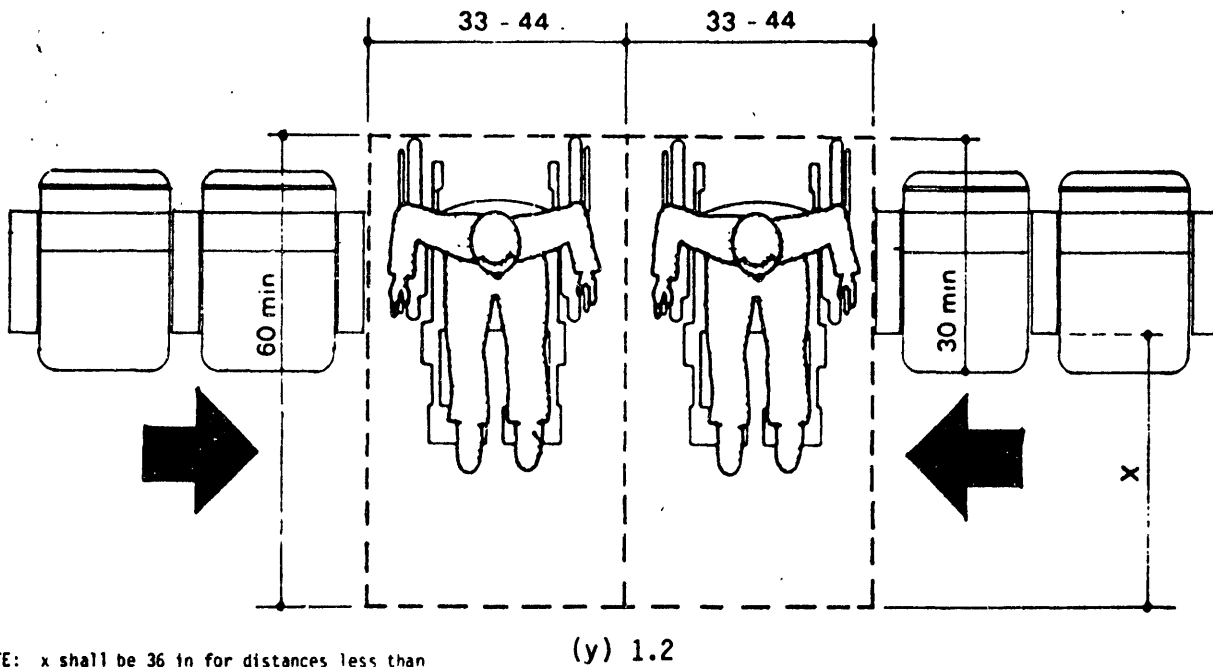
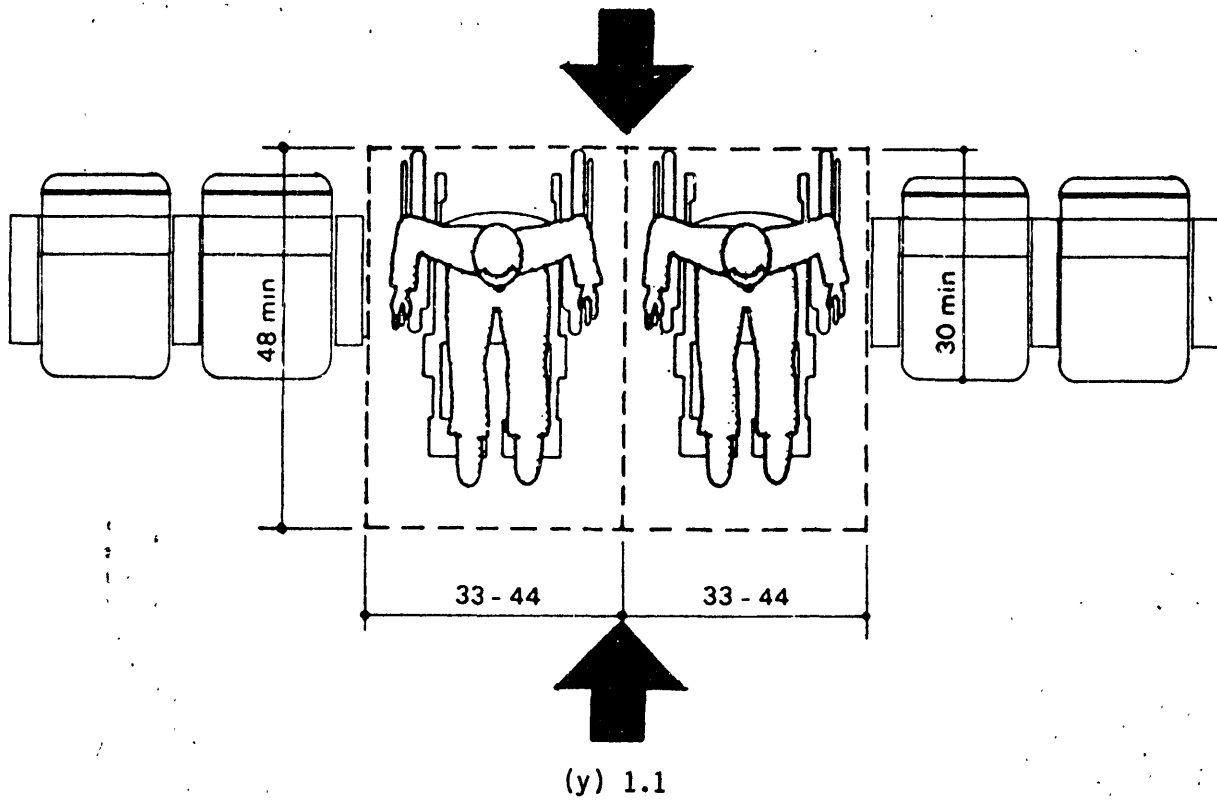
(y) Assembly areas.

(1) General. Areas and places of assembly required to be accessible by sub-

section (d) of this section shall comply with this subsection.

(2) Size of wheelchair seating spaces. Each wheelchair location shall be able to accommodate two people in wheelchairs by providing the clear ground or floor space as shown in Figures (y)1.1-(y)1.4.

Exception. When 50% or more of the minimum number of spaces in any given area satisfy the appropriate number requirement, the remaining spaces shall not be required to be situated in pairs.



NOTE: x shall be 36 in for distances less than 30 ft or 44 in for distances greater than 30 ft.

FIGURE (y) 1



(3) Placement of wheelchair seating spaces. Wheelchair areas shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area in such a manner that the locations are equal to that provided for the majority of the audience. They shall adjoin an accessible route that also serves as a means of egress in case of emergency and shall be located to provide lines of sight comparable to those for all viewing areas. Provisions shall be made so that each spectator in a wheelchair can sit next to (shoulder-to-shoulder) at least one nondisabled spectator sitting in an adjacent fixed seat. Clustering of disabled spectators is not acceptable unless the areas used for that purpose are in addition to other spaces complying with this subsection including the appropriate number. To allow wheelchair users options in viewing and price categories, wheelchair areas should be planned so that a variety of positions within the facility are provided. Examples of equitable and nonequitable locations are listed in this paragraph and are shown in Figures (y) 2.1-(y)2.6.

(A) Wheelchair locations on each side of a football stadium or gymnasium and located within one-third of either side of the center line of the playing surface and at levels comparable to the regular seating would be considered equitable.

(B) If regular seating is located on the playing surface of a gymnasium, such as that provided by folding bleachers, wheelchair spaces on the floor could be considered equitable if good sight lines are provided and if the occupants are not exposed to injurious conditions.

(C) If regular seating is raised above a playing surface, wheelchair spaces located on the playing surface would not be considered equitable unless they were in addition to other accessible wheelchair spaces located within the regular raised seating areas.

(D) Spaces located outside the defined seating areas of a theater or auditorium would not be considered equitable.

(E) Spaces located beyond the end zone of a football stadium or behind the basketball court goals in a gymnasium, even from a lofted area, would not be considered equitable unless they were in addition to other accessible and equitable seating areas serving the same facility.

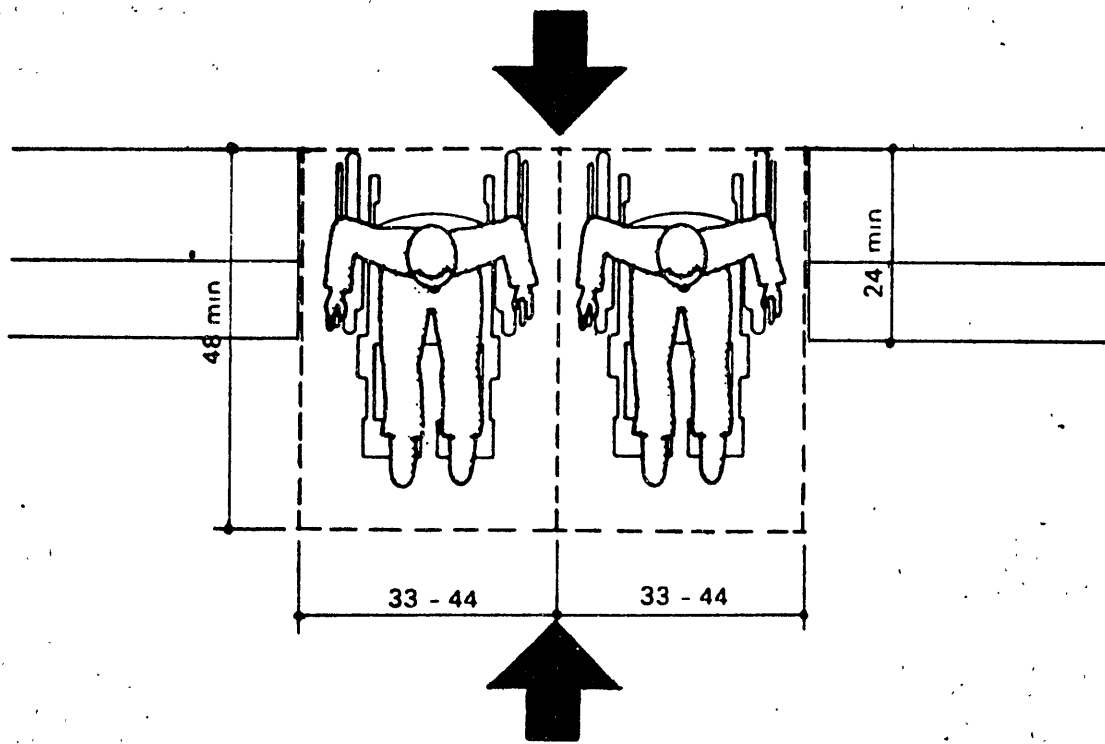
(4) Surfaces. The ground or floor at wheelchair locations shall be level (within 2.0% slope) and shall comply with subsection (h) of this section.

(5) Access to performing areas. An accessible route shall connect wheelchair seating locations with performing areas, including stages, arena floors, gymnasium floors, and other types of performing or playing areas. Accessibility shall also be provided to and within support areas such as dressing rooms, rehearsal areas, locker rooms, and other spaces used by performers and other participants. If the accessible route is located outside the assembly and performing areas, consideration shall be given in providing the shortest possible route and to protect the users from adverse conditions.

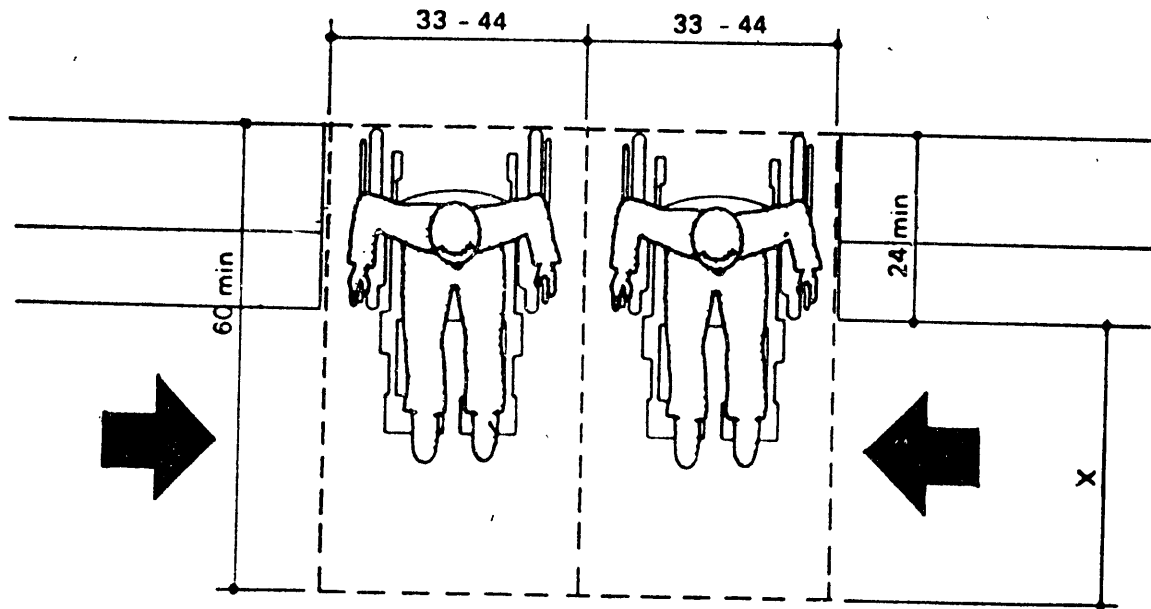
Exception. Performing areas containing less than 800 square feet of floor space may be exempted.

Exception. Dressing rooms, locker rooms, equipment rooms, or other performing area support facilities containing a total of less than 800 square feet of floor space or that serve functions that are available in other accessible locations within the same general area may be exempted.

Exception. Stage-like areas not meeting the definition criteria of subsection (c)(2) of this section or that contain less than 800 square feet of floor space, may be exempted.



(y) 1.3



NOTE: x shall be 36 in for distances less than 30 ft or 44 in for distances greater than 30 ft.

(y) 1.4

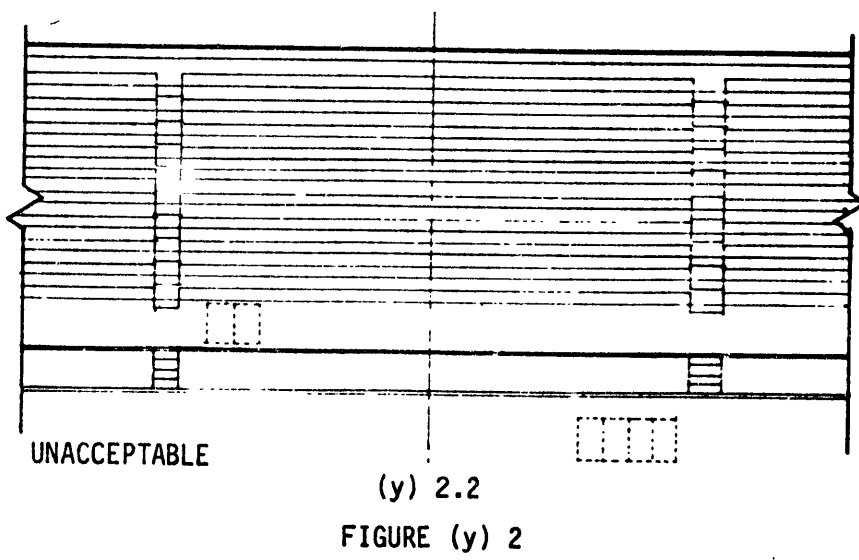
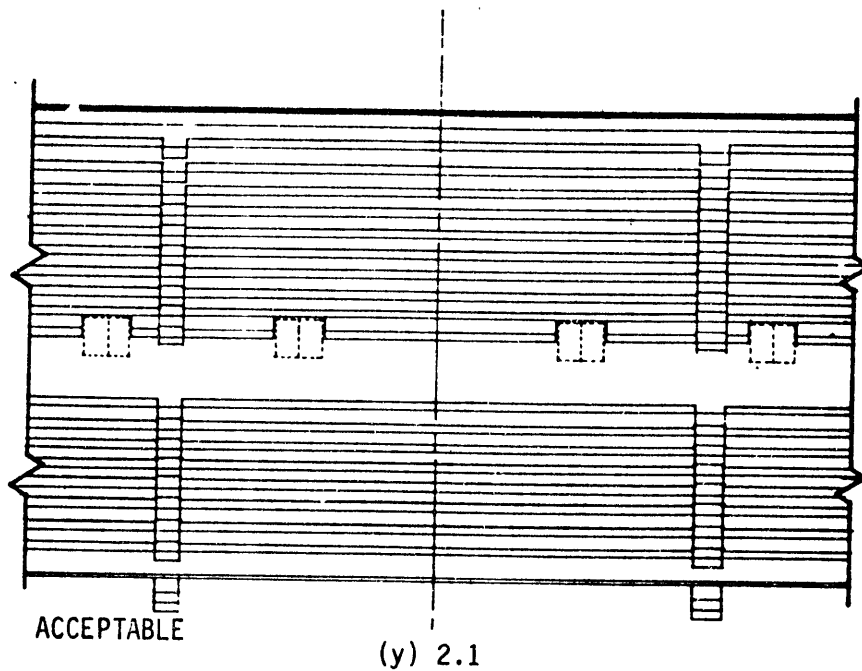
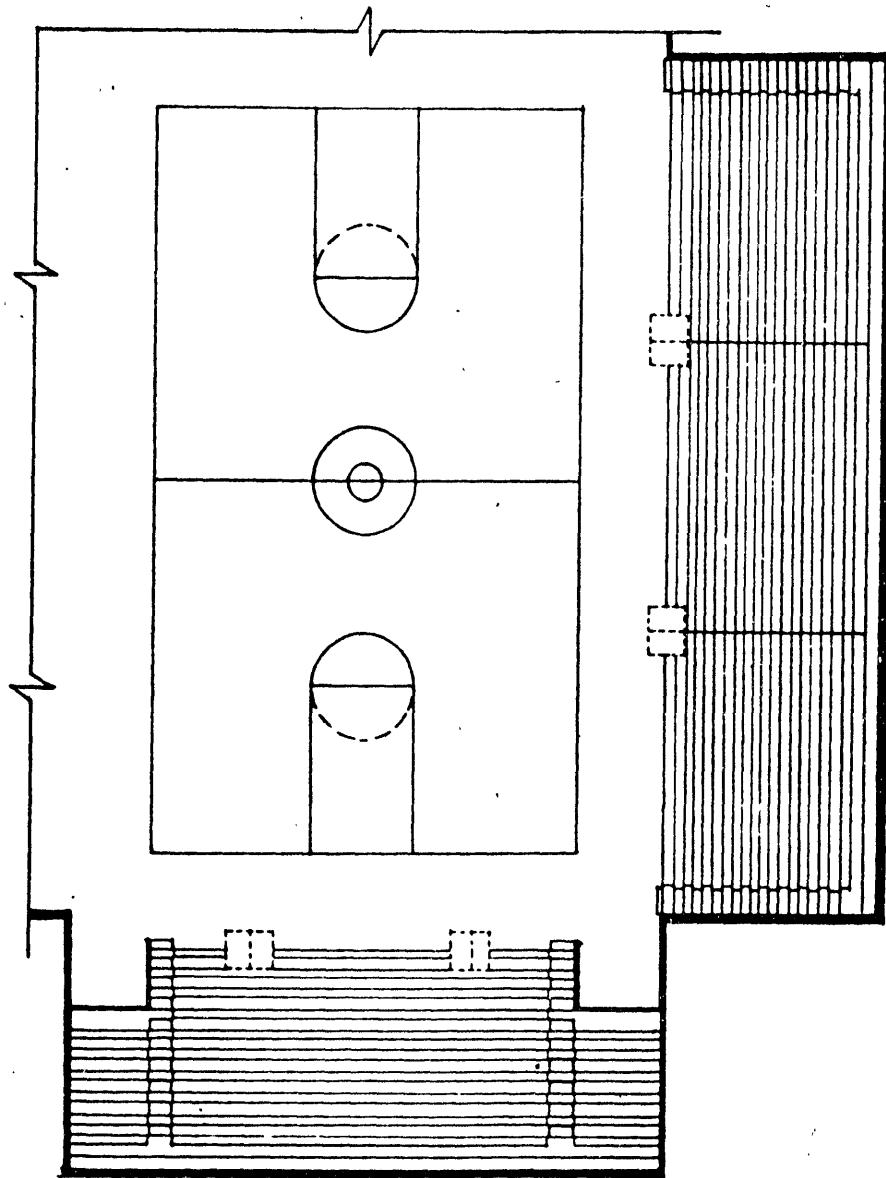
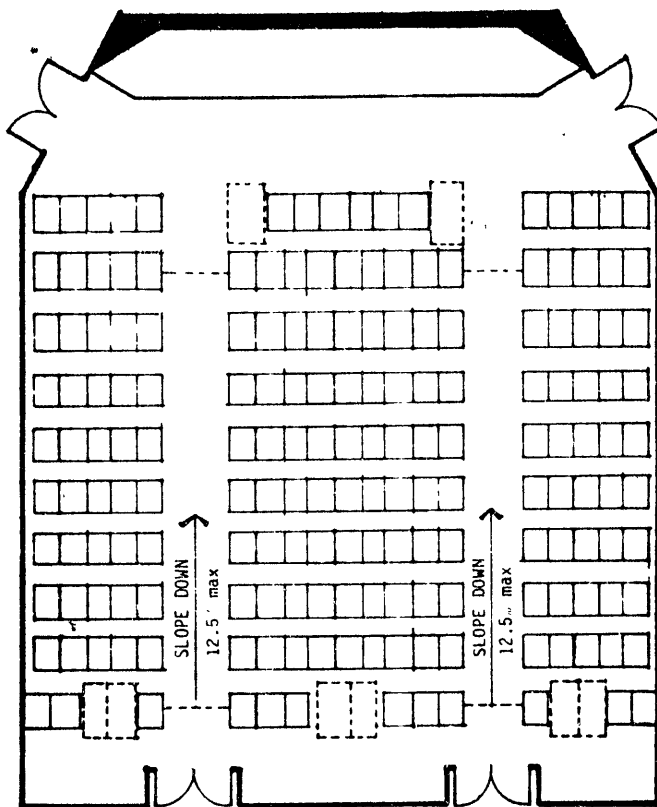


FIGURE (y) 2

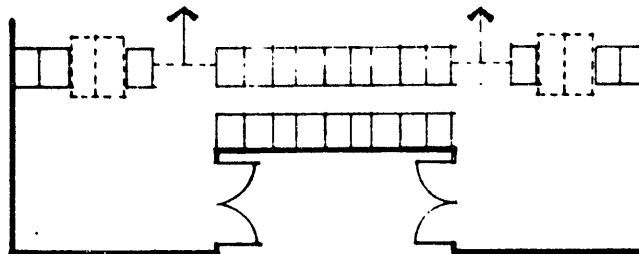


(y) 2.3



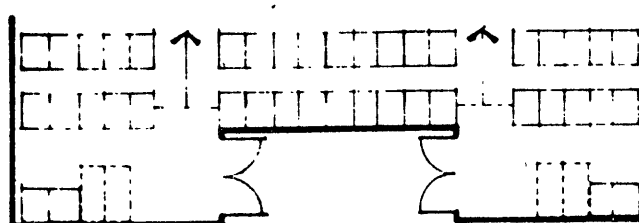
ACCEPTABLE

(y) 2.4



ACCEPTABLE

(y) 2.5



UNACCEPTABLE

(y) 2.6

(6) Listening systems. If the listening system provided serves individual fixed seats, then such seats shall be located within a 50 foot, if possible, viewing distance of the stage or playing area and shall have complete view of the stage or playing area.

(z) Dwelling units.

(1) General. The appropriate number of dwelling units required to be accessible by subsection (d)(6) of this section shall comply with this subsection.

(2) Adaptability. Some of the specifications contained in, or are related to, paragraphs (4) and (5) of this subsection include the concept of adaptability. The items permitted to be adaptable are so identified and may be designed for either permanent accessibility or for inclusion when needed. Provisions must be made during construction or renovation so that the applicable element or fixture can be easily adapted to provide accessibility at a later time.

Exception. The concept of adaptability is not applicable to health care facilities

as described in subsection (d)(8) of this section or to student dormitories. However, if it is determined, with commission concurrence, that the applicable percentage would be in excess of the needs of a particular facility, part but not all of the units comprising the approximate percentage, may be designed so that adaptability and installation of accessible fixtures and equipment can easily be accomplished when needed. Such determinations shall be made on a case-by-case basis.

(3) Elements and spaces required to be accessible. Accessible dwelling units shall provide accessible elements and spaces as identified in Table (z)1.

Table (z) 1

Elements and Spaces	Subsection	Application
1. Space allowances	(e)	All rooms and spaces.
2. Accessible routes	(f)	(a) Within dwelling units to all rooms and spaces. (b) Connecting accessible dwelling unit(s) to accessible entrance(s) and to common-use spaces and facilities. (c) From public transportation stops, accessible parking spaces, accessible passenger-loading zones, and public streets or sidewalks to accessible building entrance(s). (d) Connecting accessible buildings, facilities, elements, and spaces that are on the same site. (e) Connecting accessible building or facility entrances with accessible spaces and elements within the building or facility.
3. Ground and floor surfaces	(h)	Accessible routes, rooms, and spaces.



Elements and Spaces	Subsection	Application
4. Parking and passenger-loading zones	(i)	If provided at facility.
5. Elevators	(m)	Where required as part of an accessible route.
6. Doors	(n)	At entrance(s) and within all spaces required to be accessible.
7. Entrances	(o)	To accessible dwelling units and to all other spaces required to be accessible.
8. Storage	(r)	If provided for tenants.



**9. Controls**

(s) All controls within dwelling units that are expected to be operable by the tenants. Examples include light switches, windows, heating, ventilating, and air-conditioning.

**10. Emergency alarms**

(t) If provided within dwelling units.

**11. Bathrooms**

(z)(4) May be designed so that grab bars, dispensers, mirrors, and seats may be installed per applicable specifications during construction or with provisions for subsequent addition.

12. Kitchens (z) (5) Should be designed for providing accessible features during construction or with provisions for adaptability.
13. Laundry facilities (z) (6) If provided in dwelling units or in common-use facilities serving the dwelling units.
14. Common-use spaces (e) thru (y) If provided at facility and serving dwelling units.  
and facilities including patios, pools, terraces, day-rooms, garages, mail boxes, administration offices, lobbies, trash receptacles, and the like.

(4) **Bathrooms.** Accessible bathrooms shall be on an accessible route and shall comply with the requirements of this paragraph.

(A) **Doors.** Doors shall comply with the requirements of subsections (n) and (r)(2) of this section.

(B) **Clear floor space.** Shall comply with subsection (r)(3) of this section.

(C) **Water closets.**

(i) Clear floor space at the water closet shall be as shown in Figures (z) 1.1-(z)1.3. The water closet may be located with the clear area at either the right or left side of the toilet.

(ii) The height of the water closet shall be at least 15 inches but no more than 19 inches, measured to the top of the toilet seat.

(iii) Grab bars shall be installed as shown in Figures (q)3.1 and (q) 3.2 and shall comply with subsection (u)(2) of this section or adaptability shall be provided by having structural reinforcement or other provisions that will allow installation of grab bars in the locations shown in Figures (z)1.4 and (z)1.5.

(iv) The toilet paper dispenser shall be installed within reach as shown in Figure (z)1.5 or adaptability shall be provided by having other provisions that will allow installation of the dispenser in the locations shown.

(D) **Lavatories, mirrors, and medicine cabinets.**

(i) The lavatory shall have the clear floor space as shown in Figure (z)2. 1, and shall be mounted within the height ranges shown in Figure (z)2.2.

(ii) A mirror shall comply with subsection (q)(9)(A) of this section or adaptability shall be provided by having other provisions that will allow installation of a complying mirror at a later time.

(iii) If a cabinet is provided under the lavatory, it shall provide, or shall be removable to provide, the clearances specified in subsection (q)(8) of this section. See Figures (z)2.3 and (z)2.4.

(iv) If a medicine cabinet is provided above the lavatory, then the bottom of the medicine cabinet shall be located so that there is a usable shelf no higher than 44 inches above the floor or adaptability shall be provided by having other provisions that will allow subsequent installation of either a cabinet or shelf complying with applicable standards.

(E) **Bathtubs.** If a bathtub is provided, it shall comply with subsection (r)(4) of this section. If seats and grab bars are not installed during construction or renovation, structural reinforcement or other provisions that will allow installation at a later time shall be provided in locations matching those shown in Figures (r)4.1-(r)4.5.

(F) **Showers.** If a shower is provided, it shall comply with subsection (r) (5) of this section. If seats and grab bars are not installed during construction or renovation, structural reinforcement or other provisions that will allow installation at a later time shall be provided in locations matching those shown in Figures (r)7.2-(r)7.6.

(G) **Bathtub and shower enclosures.** Enclosures for bathtubs and/or shower stalls shall not obstruct controls or transfer from wheelchairs onto shower or bathtub seats. Enclosures on bathtubs shall not have tracks mounted on their rims.

(5) **Kitchens.** Accessible kitchens and their components shall be on an accessible route and shall comply with the requirements of this paragraph.

(A) **Clearance.** Where counters provide the knee clearances specified in subsection (q)(4) of this section, clearances between those counters and all opposing base cabinets, countertops, appliances, or walls in kitchens shall be 40 inches minimum, except in U-shaped kitchens, where such clearances shall be 60 inches minimum.

(B) **Clear floor space.** A clear floor space at least 30 inches by 48 inches complying with subsection (e)(4)(A) of this section that allows either a forward or a parallel approach by a person in a wheelchair, shall be provided at all appliances in the kitchen, including the range or cooktop, oven, refrigerator/freezer, dishwasher, and trash compactor. Laundry equipment located in the kitchen shall comply with subsection (z)(6) of this section.

(C) **Controls.** All controls in kitchens shall comply with subsection (s) of this section.

(D) **Work surfaces.** It is recommended that at least one 30-inch section of counter provide a work surface that complies with the following requirements. See Figures (z)3.2 and (z)3.3.

(i) The counter should be adjustable or replaceable as a unit at variable heights between 28 inches and 36 inches, measured from the floor to the top of the counter surface, or shall be mounted at a fixed height no greater than 34 inches,

measured from the floor to the counter surface.

(ii) If provided, base cabinets should be removable under the full 30 inch minimum frontage of the counter. The finished floor should extend under the counter to the wall.

(iii) Counter thickness and supporting structure should be two inches maximum over the clear area.

(iv) A clear floor space of 30 inches by 48 inches shall allow a forward approach to the counter. A maximum of 19 inches of the clear floor space may extend underneath the counter. The knee space shall have a minimum clear width of 30 inches. See Figure (z)3.3.

(v) There shall be no sharp or abrasive surfaces under such counters.

(E) **Sinks.** It is recommended that the sink and surrounding counter comply with the following requirements. See Figures (z)4.1 and (z)4.2.

(i) The sink and surrounding counter should be adjustable or replaceable as a unit at variable heights between 28 inches and 36 inches, measured from the floor to the counter surface of sink rim, or should be mounted at a fixed height no greater than 34 inches, measured from the floor to the counter or sink rim.

(ii) Where sinks are installed to be adjustable in height, rough-in plumbing shall be located to accept connections of supply and drain pipes for sinks mounted at the height of 28 inches.

(iii) The depth of a sink bowl should be no greater than 6-1/2 inches. Only one bowl of double-bowl or triple-bowl sinks needs to meet this requirement.

(iv) Faucets shall comply with subsection (s) of this section. Lever operated faucets are preferred.

(v) Base cabinets under the sink, if provided, should be removable under the full 30-inch minimum frontage of the sink and surrounding counter. The finished flooring should extend under the counter to the wall.

(vi) The counter thickness and supporting structure shall be two inches maximum over the clear space.

(vii) A clear floor space of 30 inches by 48 inches shall allow forward approach to the sink. A maximum of 19 inches of the clear floor space may extend underneath the sink. The knee space shall have a minimum clear width of 30 inches.

(viii) There shall be no sharp or abrasive surfaces under sinks. Hot-

water pipes and drain pipes under sinks should be insulated or otherwise covered.

(F) Ranges and cooktops. It is recommended that ranges and cooktops comply with subparagraphs (B) and (C) of this paragraph. If ovens or cooktops have knee spaces underneath, then there shall be insulation or other protection on the exposed contact surfaces to prevent burns, abrasions, or electrical shock. The clear floor space may overlap the knee space, if provided, by 19 inches maximum. The location of controls for ranges and cooktops shall not require reaching across burners.

(G) Ovens. It is recommended that ovens comply with subparagraphs (B) and (C) of this paragraph. Ovens should be self-cleaning or be located adjacent to an adjustable height counter with knee space below. See Figures (z)5.1-(z)5.3. For side-opening ovens, the door latch side should be next to the open counter space, and there should be a pull-out shelf under the oven extending the full width of the oven and pulling out not less than 10 inches when fully extended. Ovens should have controls on the front panels; they may be located on either side of the door.

(H) Refrigerator/freezers. It is recommended that refrigerator/freezers comply with this subparagraph and subparagraph (C) of this paragraph. Freezers with less than 100% of the storage volume within the limits specified in subsections (e)(5) and (6) of this section should be self-defrosting. Provisions should be made for refrigerator/freezers that are;

(i) of the vertical side-by-side refrigerator/ freezer type; or

(ii) of the over-and-under type, and have at least 50% of the freezer space and 100% of the refrigerator space and controls below 54 inches above the floor.

(I) Dishwashers. It is recommended that dishwashers, if provided, comply with subparagraphs (B) and (C) of this paragraph. Dishwashers should have all rack space accessible from the front of the machine.

(J) Kitchen storage. Cabinets, drawers, and shelf storage areas should comply with this subparagraph.

(i) Maximum height shall be 48 inches for at least one shelf of all

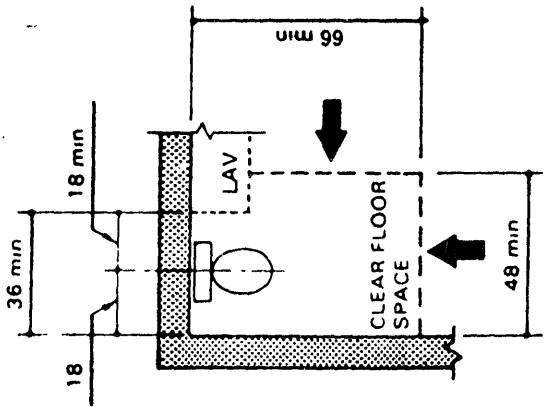
cabinets and storage shelves mounted above work counters. See Figure (z)3.2.

(ii) Door pulls or handles for wall cabinets shall be mounted as close to the bottom of cabinet doors as possible. Door pulls or handles for base cabinets shall be mounted as close to the top of cabinet doors as possible.

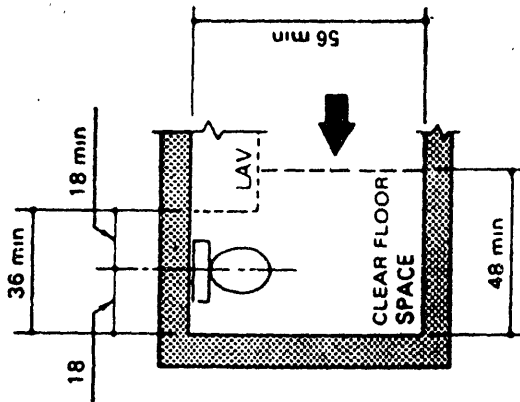
(6) Laundry facilities. If laundry equipment is provided within individual accessible dwelling units, or if separate laundry facilities serve the dwelling units, they shall meet the requirements of this paragraph.

(A) Location. Laundry facilities and at least one of each type of laundry equipment being provided shall be on an accessible route. Examples of laundry equipment may include washing machines, clothes dryers, work tables, dispensing machines, and other laundry related items.

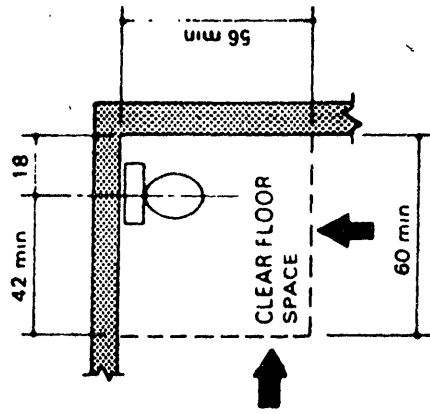
(B) Controls. Laundry equipment controls shall comply with subsection (s) of this section.



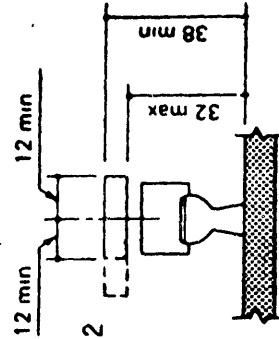
(z) 1.1



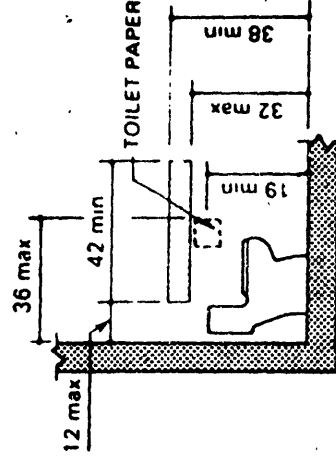
(z) 1.2



(z) 1.3



(z) 1.4

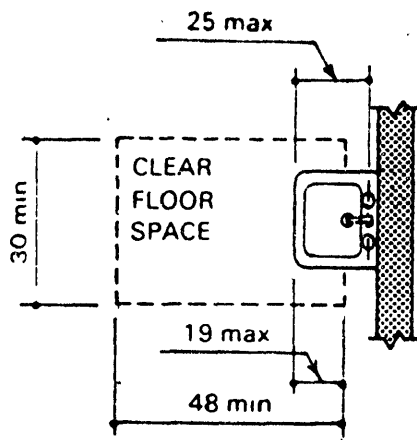


(z) 1.5

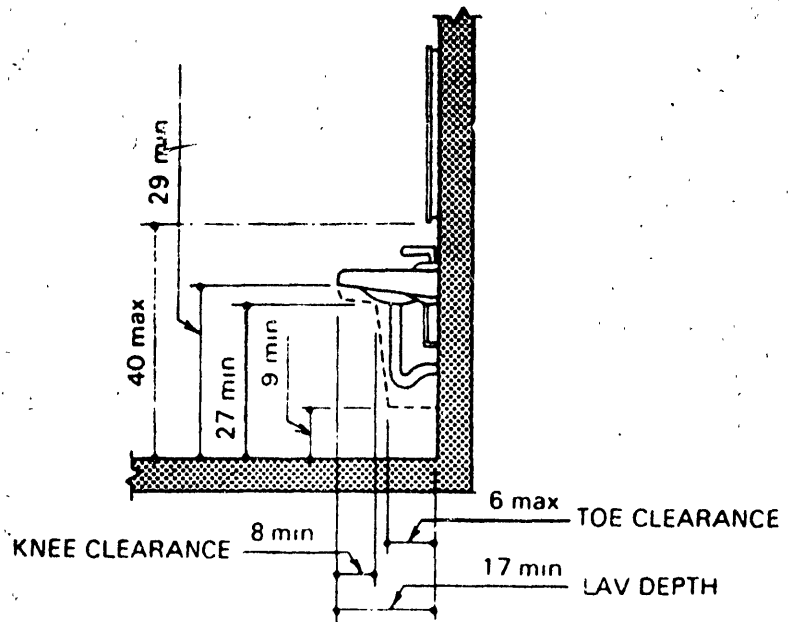
NOTE 2

- NOTES:  
 (1) The lightly shaded areas are reinforced to receive grab bars.  
 (2) The reinforcing shall be 36 in long when a 36 in long grab bar is to be provided.

FIGURE (z) 1

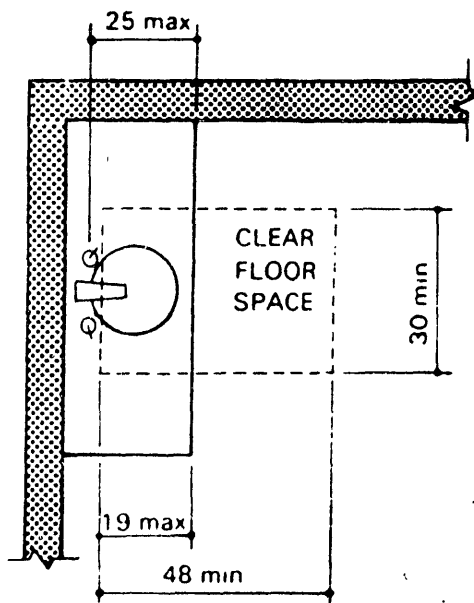


(z) 2.1

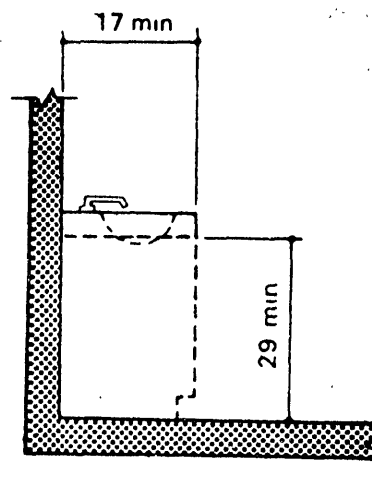


(z) 2.2

NOTE: Dashed line indicates dimensional clearance of optional underlavatory enclosure.

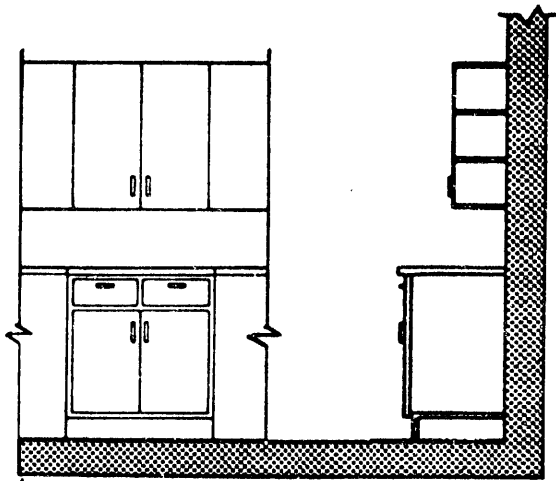


(z) 2.3

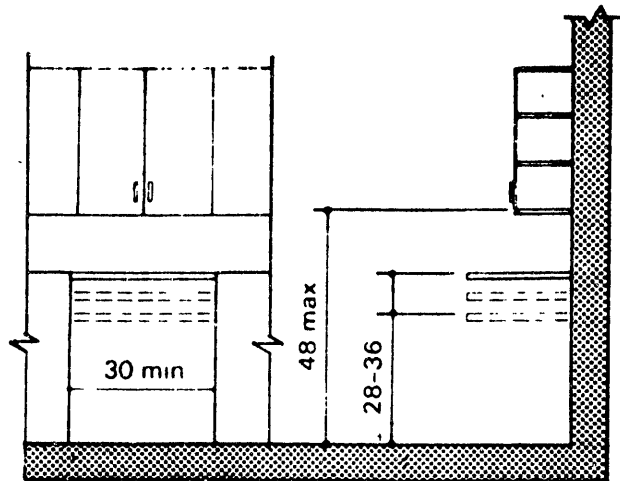


(z) 2.4

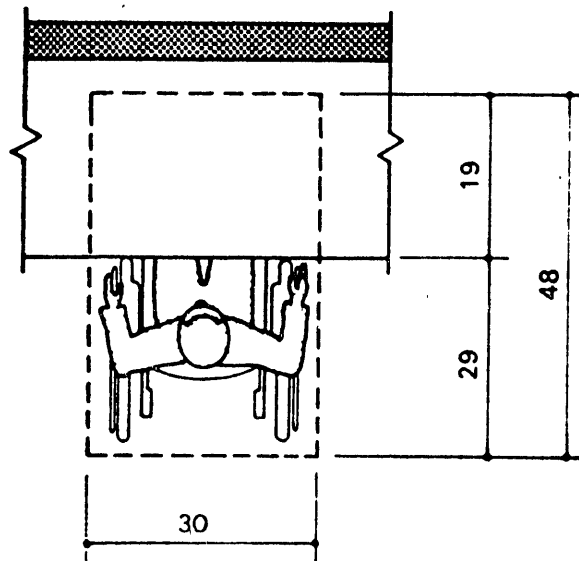
FIGURE (z) 2



(z) 3.1

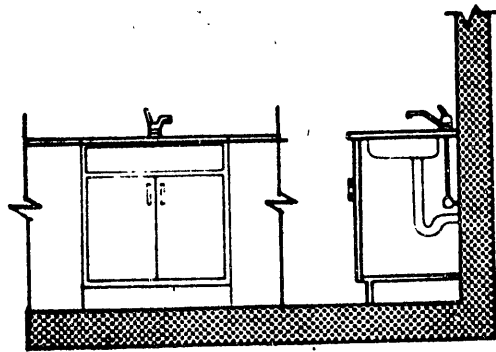


(z) 3.2

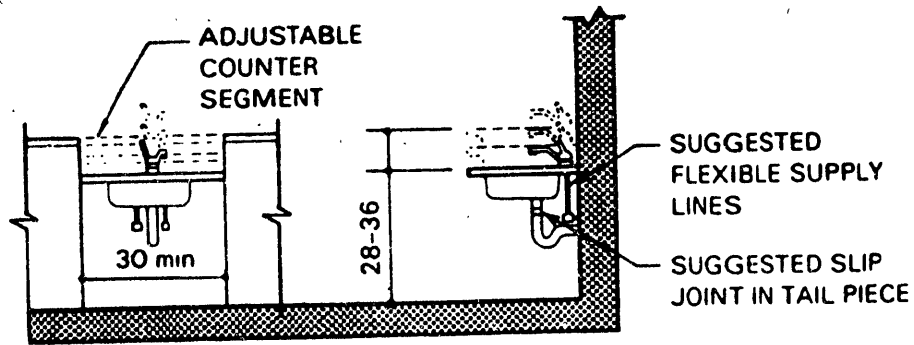


(z) 3.3

FIGURE (z) 3



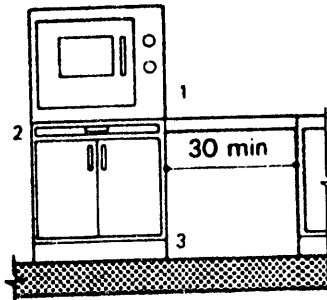
(z) 4.1



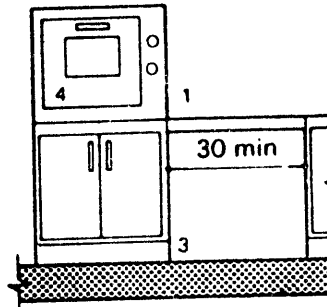
(z) 4.2

FIGURE (z) 4

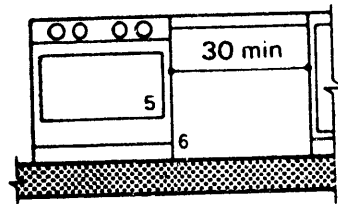




(z) 5.1



(z) 5.2



(z) 5.3

FIGURE (z) 5

**SYMBOL KEY**

- 1. Countertop or wall-mounted oven
- 2. Pull-out board preferred with side-opening door
- 3. Clear open space
- 4. Bottom-hinged door
- 5. Range oven
- 6. Preferred clear open space

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904827

John R. Neel  
General Counsel  
State Purchasing and  
General Services  
Commission

Effective date: June 21, 1989

Proposal publication date: January 20, 1989

For further information, please call: (512)  
463-3446

◆ ◆ ◆  
**TITLE 16. ECONOMIC  
REGULATION**  
**Part II. Public Utility  
Commission of Texas**  
**Chapter 23. Substantive Rules**  
**Customer Service and  
Protection**

• 16 TAC §23.54

The Public Utility Commission of Texas adopts new §23.54, with changes to the proposed text as published in the January 27, 1989, issue of the *Texas Register* (14 TexReg 552).

The new section establishes the regulatory framework for private pay telephones by prescribing the conditions under which local exchange companies may offer the service. Those conditions will establish statewide uniformity in private pay telephone offerings; encourage the wider availability of pay telephones for public use; and afford consumers certain protections.

The new section requires the filing of private pay telephone service tariffs under certain conditions and sets forth requirements for such tariffs. The requirements that must be met before a private pay telephone may be connected by a local exchange company are listed. The responsibilities of the local exchange company are enumerated. The new section also addresses cost studies, special assembly tariffs, and the acceptable rate structure. Procedures for tariff approval and for dealing with tariff violations are also included.

The commission made one change in response to a comment received from Sugar Land Telephone Company regarding the threshold for tracking reports. The new section as adopted eliminates the proposed six-customer limit but retains the 50-access-line limit. The commission rejected other comments because the section as proposed represented a viable compromise of competing interests. Furthermore, the commission required the staff to present to it recommendations for any necessary changes to the new section in approximately six months from the date of commission action, which was May 10, 1989.

All of the following who submitted timely com-

ments in response to the January 27, 1989, *Texas Register* publication suggested changes to the section as proposed: Sugar Land Telephone Company; Central Telephone Company of Texas; Contel of Texas, Inc.; International Telecharge, Inc.; Texas Statewide Telephone Cooperatives, Inc.; Intellcall, Inc.; and Southwestern Bell Telephone Company. In addition, the commission considered late-filed comments in opposition to the proposed section that were submitted by Telephone Profit Systems. Commenters generally opposed the additional expenses associated with cost studies and tracking reports, abolition of a multi-element measured rate structure, and the treatment of courtesy phones.

The new section is adopted under Texas Civil Statutes, Article 1446c, §16, which provides the Public Utility Commission of Texas with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction.

**§23.54. Private Pay Telephone Service.**

(a) Definition: exemption. Except as herein provided, a private pay telephone includes any coin, coinless, credit card reader, or cordless instrument that is accessible by members of the general public, business patrons, employees and/or visitors of the private pay telephone service customer, provided that the end user pays for local or toll calls from such instrument on a per call basis. For purposes of this section, coinless telephones provided in guest rooms by a hotel/motel are not private pay telephones. A telephone that is primarily used by business patrons, employees, and/or visitors of the customer is not a private pay telephone if:

- (1) the primary use of such telephone is for local calls;
- (2) all local calls from such telephone are free to the end user; and
- (3) the telephone is not accessible by members of the general public.

(b) General. Private pay telephone service cannot be connected to, from, or through any customer provided telecommunications switching systems, or telephone company provided central office based PBX-type switching systems.

(c) Available upon request. Upon formal request for service by any prospective private pay telephone service provider, a local exchange telephone company is required to file a tariff providing for interconnection of private pay telephones, except as otherwise provided in this section.

(d) Initial filing requirements. Unless otherwise provided in this section, when a local exchange telephone company makes its initial filing to offer private pay telephone service the application shall include the proposed tariff, a surrogate cost study based on the traffic sensitive and nontraffic sensitive costs of providing inter-

connection to the telephone company network, and supporting explanation.

(e) Requirements for connection of private pay telephone by local exchange companies. A local exchange company shall not connect a private pay telephone unless that telephone provides the following:

(1) completion of all local and toll calls;

(2) access to 911 emergency service, where available, at no charge and without requiring a coin or credit card. Where 911 service is not available local emergency numbers must be posted on the instrument's instruction card and must be accessible without a charge and without requiring a coin;

(3) access to an operator service, which shall be available 24 hours a day at no charge and without requiring a coin or credit card, provided that, upon end user request, access to the local exchange company-provided operator shall be available at no charge; and

(4) access to and charges for directory assistance on the same basis as provided by the local exchange company from public pay telephones.

(f) Tariff requirements for private pay telephone service. A tariff filed by a local exchange company to offer private pay telephone service must provide that:

(1) the private pay telephone customer will be responsible for the payment of charges for all local and toll messages, including local and long distance directory assistance charges originating from or accepted at this type of service; however, if the customer subscribes to telephone company-provided incoming or outgoing call screening, the customer will not be responsible for charges incurred for calls placed in violation of the telephone company-provided incoming or outgoing call screening restrictions.

(2) the private pay telephone customer must:

(A) conspicuously display, in close proximity to the set, notice that detailed toll billing records showing the time and date of all calls dialed "1+", together with the called numbers, may be provided by the local exchange company to the private pay telephone customer, who shall be identified by name in the notice;

(B) comply with all applicable federal, state, and local laws and regulations including those concerning the use of pay telephones by disabled and/or hearing impaired persons;

(C) post the name of the pre-subscribed interexchange carrier selected by

the private pay telephone customer for that instrument;

(D) not impose a time limit on local calls;

(E) not impose a total charge for a local call, including any applicable operator service charge, that is an amount greater than the rate charged for a local call made on a public or semi-public pay telephone in the same exchange;

(F) attach to each set instructions for use, including specifically instructions for: completion of local and toll calls, access to interexchange service, access to emergency service, access to operator services, access to directory assistance, obtaining refunds and repair service, making complaints, reporting out-of-service conditions, and using one-way calling (if the instrument is so equipped); and

(G) attach to each set conspicuous notice identifying the set as a private pay telephone, stating that the pay telephone set is not a telephone company instrument, and providing the name and telephone number of the owner or agent responsible for refunds and repairs.

(g) Local exchange company responsibilities.

(1) A listing in the local telephone directory must be provided to the customer on request.

(2) Access for private pay telephone customers must be available in all exchanges.

(3) Selective class of call screening and billed number screening must be provided where facilities are available.

(4) Where telephone company-provided incoming or outgoing call screening is not available, the telephone company will not bill any third number billed, collect, "0+" or "0-" calls to a number which has been clearly identified to the local operator at the time of the call attempt as a private pay telephone. The local exchange company will not be responsible for refunds or adjustments of charges for calls placed through non-telephone company operators.

(5) The local exchange company need not initiate a maintenance service call or take any other action in response to a trouble report on a private pay telephone until such time as requested by the private pay telephone owner or its agent. The private pay telephone owner must keep the local exchange company advised of the identity of the private pay telephone owner or agent authorized to request a maintenance service call.

(6) Access to directory assistance shall be provided to private pay tele-

phone customers at the same rate the local exchange company charges the end user of its public pay telephones.

(h) Violation of regulations. If a customer is in violation of a tariff provision, the local exchange company must notify the customer of the violation in writing. The customer is subject to disconnection of the instrument(s) in violation of the tariff by the local exchange company unless the customer corrects the violation and notifies the local exchange company in writing that the violation has been corrected within 10 days of receipt of notice of a violation.

(i) Rate structure. Rates must be designed on a flat access line and a local message usage rate basis. Multi-element measured rates are prohibited. In areas without measuring capabilities, the company may use a flat rate usage surrogate instead of a per call message rate. Measurement abilities are defined as the capability in place to measure and bill private pay telephone usage without incurring unreasonable expense.

(j) Cost studies. Rates for private pay telephone service provided by a local exchange company that performs cost separations studies shall be based on the cost of providing the service, plus contribution.

(1) In the absence of actual cost data, the initial application for approval of a private pay telephone service shall include a surrogate cost calculation based on the company's nontraffic sensitive and traffic sensitive costs of providing the service.

(2) A local exchange company must commence tracking actual costs of providing private pay telephone service after the 50th private pay telephone access line has received service, unless otherwise provided in this subsection. Cooperatives are exempt from filing private pay telephone tracking reports. The local exchange company shall report actual costs to the commission on a quarterly basis until such time as rates for private pay telephone service based on historical data are established for the service. These reports must include the following:

(A) revenues and expenses associated with the provision of each element of private pay telephone service, including, but not limited to, access line, per message charge, and telephone company-provided incoming or outgoing call screening;

(B) the number of private pay telephones installed;

(C) the number of telephone company-owned public telephones displaced; and

(D) the average number of calls placed from private pay telephones in areas with measuring capabilities.

(3) Cost studies based on its tracking reports shall be included in the first general rate case filed by a local exchange company after its obligation to commence tracking begins. These cost studies shall include cost and revenue information necessary to design rates based on actual costs Plus contribution.

(k) Average schedule companies. Rates for private pay telephone service provided by an average schedule company shall be based on the average pay telephone rates of four similarly-situated local exchange companies.

(l) Special assembly tariffs. A local exchange company with less than 50 private pay telephone lines may provide private pay telephone service pursuant to existing special assembly tariffs; however, in no event may a local exchange company provide private pay telephone service to more than three special assembly arrangements. Special assembly rates must be computed in accordance with this section. Local exchange companies that provide private pay telephone service pursuant to special assembly tariffs shall enter into a written agreement with the customer that requires the customer's private pay telephones to perform all functions specified in subsection (d) of this section, and that imposes on the customer the same obligations contained in subsection (e) of this section.

(m) Compliance. All local exchange companies shall file revised tariffs in compliance with this section within 45 days of the effective date of this section. The compliance tariffs will be reviewed by the Telephone Division. Within 35 days of the date of filing of the report, the Hearings Division shall either approve the tariff or suspend the effective date of the tariff for further review.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 30, 1989.

TRD-8904779

Phillip A. Holder  
Secretary of the  
Commission  
Public Utility Commission  
of Texas

Effective date: June 21, 1989

Proposal publication date: January 27, 1989

For further information, please call: (512) 458-0100



## TITLE 22. EXAMINING BOARDS

### Part I. Texas Board of Architectural Examiners

#### Chapter 1. Architects

##### • 22 TAC §1.88

The Texas Board of Architectural Examiners adopts an amendment to §1.88, without changes to the proposed text as published in the February 28, 1989, issue of the *Texas Register* (14 TexReg 1029).

The amendment is necessary to enable the board to offer the Emeritus Status of Licensure to registrants at age 62.

The amendment will provide retiring registrants at age 62 the opportunity to entitlement as an architect without the annual renewal expense of a practicing architect.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 249a, which provide the Texas Board of Architectural Examiners with the authority to promulgate rules.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904867 Robert H. Norris  
Executive Director  
Texas Board of  
Architectural Examiners

Effective date: June 22, 1989

Proposal publication date: February 28, 1989

For further information, please call: (512) 463-1363.

#### Subchapter G. Titles, Firm Names, and Assumed Names

##### • 22 TAC §1.122

The Texas Board of Architectural Examiners adopts an amendment to §1.122, without changes to the proposed text as published in the February 28, 1989, issue of the *Texas Register* (14 TexReg 1030.)

The amendment is necessary to provide clearer language through deletion of redundant wording.

The amendment will clarify the requirements for a registered architect in each office location in Texas where architectural service is offered or performed.

No comments were received regarding adoption of the amendments.

The amendment is adopted under Texas Civil Statutes, Article 249a, which provide the Texas Board of Architectural Examiners with the authority to promulgate rules.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904866 Robert H. Norris  
Executive Director  
Texas Board of  
Architectural Examiners

Effective date: June 22, 1989

Proposal publication date: February 28, 1989

For further information, please call: (512) 458-1363.

## Part IV. Texas Cosmetology Commission

### Chapter 81. General Provisions

##### • 22 TAC §§81.1-81.8

The Texas Cosmetology Commission adopts the repeal of §§81.1-81.8, without changes to the proposed text as published in the March 10, 1989, issue of the *Texas Register* (14 TexReg 1159).

The repeals are being adopted because the sections no longer serve the purpose for which they were originally intended. The effect will be to eliminate unnecessary regulations.

The repeals delete sections that no longer serve the purpose for which was originally intended.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 8451a, which provide the Texas Cosmetology Commission with the authority to issue rules and regulations consistent with the Act that are needed to protect the public's health and welfare.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904954 Ron Resech  
Executive Director  
Texas Cosmetology  
Commission

Effective date: June 23, 1989

Proposal publication date: March 10, 1989

For further information, please call: (512) 463-5542

### Chapter 83. Sanitary Rules

##### • 22 TAC §83.15

The Texas Cosmetology Commission adopts an amendment to §83.15, without changes to the proposed text as published in the March 10, 1989, issue of the *Texas Register* (14 TexReg 1161).

The amendment will specify and clarify detailed instructions when using chemical disin-

fectants on implements and equipment.

The amendment will provide a more detailed and concise explanation of specific disinfecting procedures and materials.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 8451a, which provide the Texas Cosmetology Commission with the authority to issue rules and regulations consistent with the Act that are needed to protect the public's health and welfare.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904955 Ron Resech  
Executive Director  
Texas Cosmetology  
Commission

Effective date: September 1, 1989

Proposal publication date: March 10, 1989

For further information, please call: (512) 463-5542

##### • 22 TAC §§85.1-85.3, 85.11-85.13, 85.21-85.23, 85.31-85.33, 85.41

The Texas Cosmetology Commission adopts the repeal of §§85.1-85.3, 85.11-85.13, 85.21-85.23, 85.31-85.33, and 85.41, without changes to the proposed text as published in the March 10, 1989, issue of the *Texas Register* (14 TexReg 1162).

The repeals are being adopted because the sections no longer serve the purpose for which they were originally intended. The effect will be to eliminate unnecessary regulations.

The repeals will delete sections that no longer serve the purpose for which they were originally intended.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 8451a, which provide the Texas Cosmetology Commission with the authority to issue rules and regulations consistent with the Act that are needed to protect the public's health and welfare.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904946 Ron Resech  
Executive Director  
Texas Cosmetology  
Commission

Effective date: June 23, 1989

Proposal publication date: March 10, 1989

For further information, please call: (512) 463-5542

- 22 TAC §§87.1-87.10, 87.21, 87.22, 87.31-87.34

The Texas Cosmetology Commission adopts the repeal of §§87.1-87.10, 87.21, 87.22, and 87.31-87.34, without changes to the proposed text as published in the March 10, 1989, issue of the *Texas Register* (14 TexReg 1165).

The repeals are being adopted because the sections no longer serve the purpose for which was originally intended. The effect will be to eliminate unnecessary regulations.

The repeals will delete sections that longer serve the purpose for which was originally intended.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 8451a, which provide the Texas Cosmetology Commission with the authority to issue rules and regulations consistent with the Act that are needed to protect the public's health and welfare.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904832 Ron Resech  
Executive Director  
Texas Cosmetology  
Commission

Effective date: June 23, 1989

Proposal publication date: March 10, 1989

For further information, please call: (512) 463-5542

## TITLE 25. HEALTH SERVICES

### Part I. Texas Department of Health

#### Chapter 31. Special Supplemental Food Program for Women, Infants, and Children

- 25 TAC §31.4

The Texas Department of Health adopts under federal mandate new §31.4, concerning a farmer's market coupon demonstration project. The new section adopts by reference the state plan of operations for a farmer's market demonstration project in Texas. The state plan, titled Plan for Project Operations, covers the criteria to be used for authorization of the farmer's markets and sponsoring WIC local agencies; the procedure for delivery of the food coupons to participants; and details regarding the design, printing, and denomination of the coupons.

The state plan is adopted under federal mandate for the following reasons: the Hunger Prevention Act of 1988, Title V, Demonstration Projects, Public Law 100-435, established a grant program to encourage farmers' market coupons demonstration projects. States can apply for grants and, if approved,

can implement the project in accordance with federal criteria. Pursuant to Public Law 100-435, the Department of Health filed an application to implement a demonstration project. The grant application provides that the project will be conducted according to the state plan of operations which is adopted by reference in §31.4. The United States department of Agriculture, Food and Nutrition Service just recently approved the grant, with the provision that the department begin implementation no later than June 1, 1989. Therefore, since the Department is required to implement the demonstration project in accordance with federal requirements under Public Law 100-435, the Department is adopting the state plan of operations under federal mandate, effective June 1, 1989.

The new section is adopted under the Hunger Prevention Act of 1988, Title V, Demonstration Projects, Public Law 100-435; and Article 4414b, §1.05, which provides the Texas Board of Health with the authority to adopt rules for the performance of every duty imposed by law on the Texas Board of Health, the Texas Department of Health, and the Commissioner of Health.

#### §31.4. Farmers' Market Coupon Demonstration Project.

(a) The Texas Department of Health adopts by reference the state plan for operations for the Farmers' Market Coupon Demonstration Project in Texas. The State Plan is titled, Plan for Project Operations.

(b) Copies of the state plan described in subsection (a) of this section are filed in the Women, Infants, and Children (WIC) Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, and are available for public inspection during regular working hours.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 1, 1989.

TRD-8904852 Robert A. MacLean, M.D.  
Deputy Commissioner for  
Professional Services  
Texas Department of  
Health

Effective date: June 1, 1989.

For further information, please call: (512) 458-7444

## TITLE 34. PUBLIC FINANCE

### Part IX. Bond Review Board

#### Chapter 181. Bond Review Board

- 34 TAC §§181.3-181.5

The Texas Bond Review Board adopts amendments to §§181.3, 181.4, and 181.5. Section 181.4, is being adopted with changes to the proposed text as published in the May

5, 1989, issue of the *Texas Register* (14 TexReg 2141). Section 181.3 and 181.5 are being adopted without changes and will not be republished.

The Texas Bond Review Board adopts these previously published proposed sections to establish guidelines under which the board will accept and review applications by certain state agencies and universities to issue state bonds or to enter into lease purchase agreements under the jurisdiction of the board. Proposed §181.4 is being amended from the proposed text to change the monthly board meeting day published as the third Thursday of each month to the Thursday following the third Tuesday of each month. This change will conform to the timing of board meetings during those months that the first day of the month is a Thursday.

The new sections outline the timing of, and the content required in, notices of intent to issue bonds; applications for approval of state bonds; and other documents to be submitted to the board.

No comments were received regarding adoption of the new sections.

The new sections are adopted under Chapter 1078, Acts of the 70th Legislature, Regular Session, 1987, §3 (Texas Civil Statutes, Article 717k-7), which gives the Texas Bond Review Board the authority to adopt rules governing application for review, the review process, and reporting requirements involved in the issuance of state bonds.

#### §181.4. Meetings.

(a) The regular meeting of the board shall be held the Thursday following the third Tuesday of each month.

(b) As chairman of the board, the governor may call additional meetings of the board and is responsible for filing notice of meetings as required by Texas Civil Statutes, Article 6252-17, and giving timely notice of meetings to members of the board. On the petition of three or more members of the board, the governor shall call an additional meeting of the board or cancel a meeting.

(c) A planning session will be held regarding applications pending before the board on or before the Friday prior to a regular board meeting. Planning sessions regarding applications to be heard at additional meetings of the board will be held as far in advance of the additional board meeting as is practicable. At a planning session, board members, their designated representatives, or their staff representatives may discuss pending applications, but may not conduct board business. Applicants may be required to attend a planning session and may be asked to make a presentation and answer questions regarding their application. Applicants may be asked to submit written answers to questions regarding their application in lieu of, or in addition to, their attendance at a planning session.

(d) At a meeting of the board, a board member or designated representative may allow an applicant to make an oral presentation to the board.

(e) At a meeting, the board may, by order, resolution, or other process adopted by the board, approve an issuance of state bonds as proposed in the application, may approve an issuance of state bonds on conditions stated by the board, or may fail to act on a proposed issuance. If the board does not act on a proposed issuance during the meeting at which the application is scheduled to be considered, the application is no longer valid on the occurrence of the earlier of the expiration of 45 days from the date of the meeting at which the application was scheduled to be considered or immediately following the board's next meeting if the board fails to act on the proposed issuance at that meeting. If an application becomes invalid under this subsection the applicant may file a new application for the proposed issuance.

(f) The executive director of the bond finance office shall notify applicants in writing of any action taken regarding their application. A letter of approval shall contain the terms and conditions of the issue as approved by the board. Issuers must inform the director of the bond finance office of changes to the aspects of their application which are specified in the approval letter. Such changes may prompt reconsideration of the application by the bond review board. A copy of the approval letter shall be forwarded to the attorney general.

(g) If applicable law requires the approval by the attorney general of an issuance of state bonds that are not exempt from review by the board, attorney general approval must be obtained after approval by the board.

(h) If there is a dispute among members regarding the conduct of board meetings, standard parliamentary rules shall apply.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 5, 1989.

TRD-8904963 Tom K. Pollard  
Executive Director  
Texas Bond Review Board

Effective date: June 26, 1989

Proposal publication date: May 5, 1989

For further information, please call: (512) 463-1741

◆ ◆ ◆  
**TITLE 40. SOCIAL  
SERVICES AND  
ASSISTANCE**

**Part I. Texas Department  
of Human Services**

**Chapter 7. Refugee Care  
Assistance Program**

**Subchapter A. Program  
Purpose and Scope**

• 40 TAC §7.101

The Texas Department of Human Services (DHS) adopts an amendment to §7.101, concerning refugee cash assistance program (RCA) purpose and scope. The amendment changes the period of eligibility for RCA benefits from an 18-month period to a 12-month period.

The adoption is justified to comply with federal regulations.

The adoption will function by limiting refugee assistance to 12 months.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 31, which provides the department with the authority to administer public assistance programs. The amendment is adopted effective October 1, 1988, as required by federal regulations.

**§7.101. Refugee Cash Assistance Program (RCA) Purpose and Scope.** The Refugee Cash Assistance Program was established by the Refugee Act of 1980, effective December 1, 1980. The purpose is to provide temporary cash and medical assistance to eligible refugees and Cuban-Haitian entrants until they become self-sufficient or have lived in the United States for 12 months. The program is 100% federally funded with the number and nationalities of refugees admitted to the United States determined by the President of the United States each federal fiscal year.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 2, 1989.

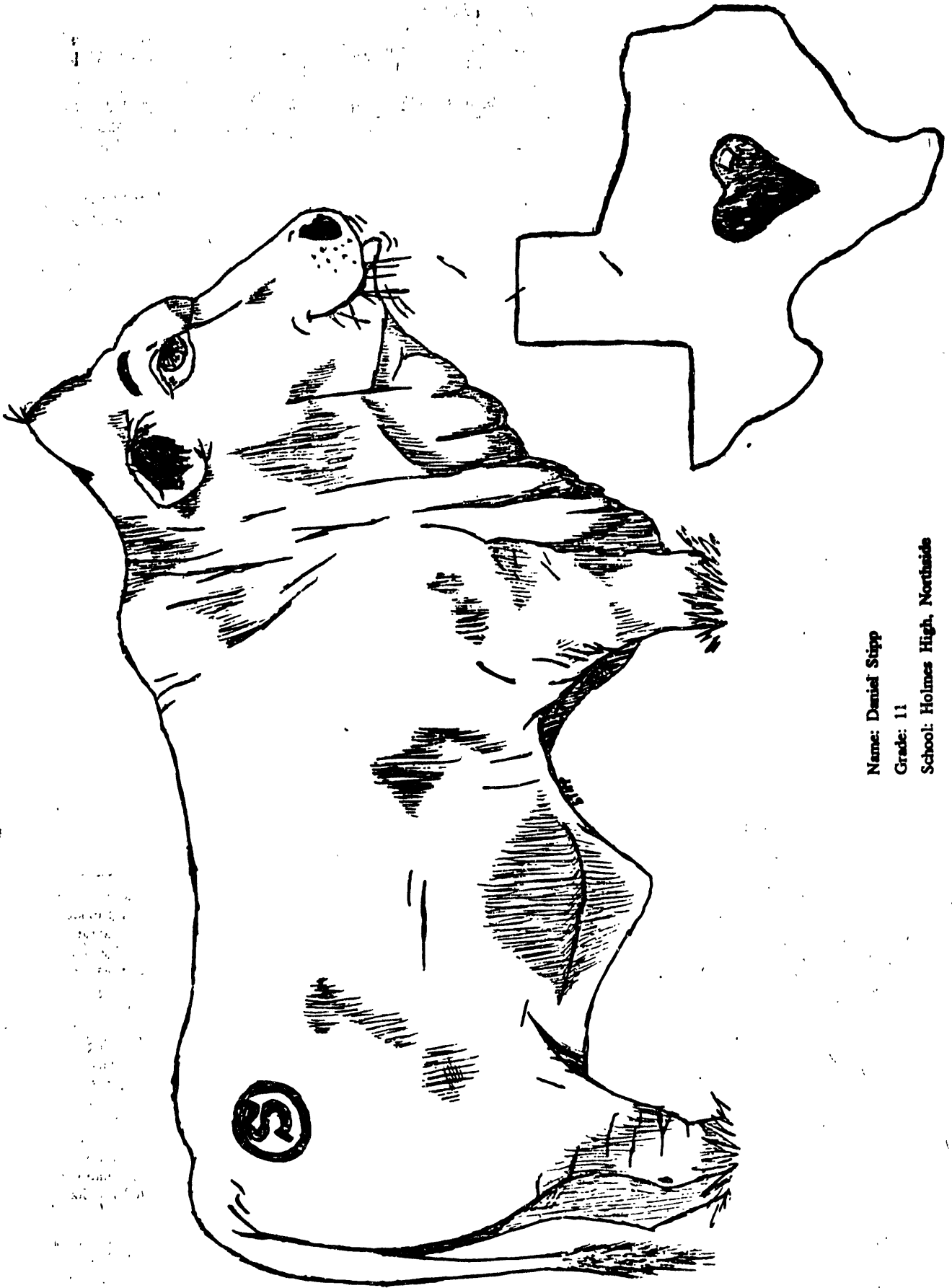
TRD-8904880 Charles Stevenson  
Acting Commissioner  
Texas Department of  
Human Services

Effective date: October 1, 1988.

For further information, please call: (512) 450-3765



Name: Sean Lambert  
Grade: 12  
School: Holmes High, Northside



Name: Daniel Stipp  
Grade: 11  
School: Holmes High, Northside





# Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the *Texas Register*.

**Emergency meetings and agendas.** Any of the governmental entities named above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published.

**Posting of open meeting notices.** All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol, Austin. These notices may contain more detailed agenda than what is published in the *Texas Register*.

## Texas Department of Agriculture

**Tuesday, June 13, 1989, 9 a.m.** The Texas Agriculture Finance Authority Board of the Texas Department of Agriculture will meet in Suite 201, 611 South Congress Avenue, Austin. According to the agenda, the Board will discuss and take action upon: TAFE related legislation enacted in the 71st Legislature; proposals related to the Conservation Reserve Program; and administrative business.

Contact: Brian Muller, P.O. Box 12847, Austin, Texas 78711, (512) 463-7639.

Filed: June 5, 1989, 3:34 p.m.

TRD-8904989

## Texas Air Control Board

**Friday, June 16, 1989** The Texas Air Control Board will meet City Council Chambers, Victoria City Hall, 105 W. Juan Linn, Victoria, Texas 77901. Times and agendas follows.

**8:15 a.m.** The Mobile Source Emissions Committee will review and consider for public hearing on proposed revisions to regulation IV and the specifications for vehicle exhaust gas analyzers; staff report on new transportation-related legislation of concern to the agency.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723 (512) 451-5711.

Filed: June 5, 1989, 2:32 p.m.

TRD-8904987

**8:45 a.m.** The Hearings Oversight Committee will consider proposed rule regarding legislative continuances.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711

Filed: June 5, 1989, 2:33 p.m.

TRD-8904988

**9:15 a.m.** The Regulation Development Committee will review and consider to adopt the Interim Group I state implementa-

tion plan for inhalable particulate matter (PM10) and revisions to regulation I and the general rules; review and consider for public hearing on proposed revisions to regulation V and the specifications for vehicle exhaust gas analyzers; review and consideration for public hearing on proposed revisions to the Procedural Rules; staff report on air tonics pilot program.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: June 5, 1989, 2:33 p.m.

TRD-8904986

**10 a.m.** The Monitoring and Research Committee will consider reports on contracts for research related to the 1989 research objectives.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: June 5, 1989, 2:34 p.m.

TRD-8904985

**10:30 a.m.** The Board will meet to discuss and approve minutes of the May 12, 1989 meeting; public testimony; reports; enforcement report; agreed enforcement orders; consideration and action on proposed rule; hearing examiner's report.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: June 5, 1989, 2:34 p.m.

TRD-8904984

## Automated Information & Telecommunications Council

**Friday, June 16, 1989 9 a.m.** The Automated Information & Telecommunications Council will meet in Room 118, Stephen F. Austin Building, 1700 N. Congress, Austin. According to the agenda summary, the council will discuss the approval of June 2, 1989 minutes; executive director's report; approval annual report; plan certifications; procurement certifications, staff reports.

Contact: Lynn B. Polson

Filed: June 6, 1989, 9:32 a.m.

TRD-8905002

## Texas Commission for the Deaf

**Friday, June 9, 1989, 7 p.m.** The Board for Evaluation of Interpreters (BEI) will meet in Conference Room, 510 South Congress, Austin. According to the agenda, the board will approve previous minutes; hold public comments; discuss new rules proposal, BEI budget, BEI calendar--evaluations, board meetings, training, and legislative update. An executive session will discuss personnel matters, filling vacancies on the advisory committee and review certificate recommendations, evaluations, and revocations. Final open session items will be voting on recommendations, staff report, and chairperson's report.

Contact: Larry D. Evans, 510 South Congress, Suite 300, Austin, Texas 78704, (512) 469-9891

Filed: June 1, 1989, 10:33 a.m.

TRD-8904843

## Texas Diabetes Council

**Thursday, June 15, 1989, 10 a.m.** The Texas Diabetes Council will meet in Room T-8G3, 1100 West 49th Street, Austin. According to the agenda summary, the council will approve minutes of previous two meetings and consider pool insurance legislative initiatives; year 2000 objectives for diabetes; National long-range plan to combat diabetes; diabetes progress; review prioritization, and approval of proposed programs; submission of diabetes state planning process to 72nd legislature; diabetes and mexican-americans in the south-west; diabetes and hypertension in blacks in Texas; consideration of subcommittees; task force on third party reimbursement plans and appointments; american diabetes association annual meeting and activities; truck drivers with diabetes; centers for disease control conference; federal diabetes initiatives.

Contact: Charlene Laramey, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7534

Filed: June 2, 1989, 4:14 p.m.

TRD-8904907

## Texas Education Agency

The Texas Education Agency will meet at William B. Travis Building, 1701 North Congress Avenue, Austin, Texas. Times, dates, rooms, and agenda follow.

**Friday, June 9, 1989, 8:30 a.m.** The State Board of Education Committee on Long-Range Planning will meet in Room 1-104, to discuss preliminary adoption of mission statement, goals, and objectives for the Long-Range Plan for Public Education; and report on the 71st Texas Legislature.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

TRD-8904870

**Friday, June 9, 1989, 8:30 a.m.** The Committee on the Permanent School Fund (PSF) will meet in Room 1-109, to discuss presentations by banks for master trust custodial service contract with PSF; review of report by Mercer Meidinger Hansen; review of PSF securities transaction and the investment portfolio; recommend PSF investment program for June and the funds available for the program; report on the 71st Texas Legislature; and proposed contract for investment advisory services.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

TRD-8904871

**Friday, June 9, 1989, 1:30 p.m.** The Committee on School Finance will meet in Room 1-104, to discuss proposed amendments to 19 TAC §69.127, minimum standards for Operation of Proprietary Schools, and §69.129, minimum standards for Operation of Proprietary Schools which grant associate of Applied Science, and Associate of Occupational Studies Degrees; proposed amendment to 19 TAC §121.31, years of service; recommendation of the Apprenticeship and Training Advisory Committee; contact-hour rate; irregularities related to failure to meet filing deadline for submission of sample textbooks; report on 71st Legislature; guarantee program for school district bonds.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

TRD-8904872

**Friday, June 9, 1989, 1:30 p.m.** The Committee on Personnel will meet in Room 1-111, to review requirements in reading for teacher certification; well-balanced elementary curriculum; certification for special service positions and special assignment permits; specific requirements; exchange teachers; amendments to 1987 program requirements for preparation of school personnel for initial certificates and endorsements, special subject all-level certificates, and assignment requirements; report on 71st Texas Legislature. Discussion of the master teacher pilot designs; paperwork reduction; update report on proposed activities for staff development on child abuse; certification for vocational office and business education courses; and accreditation of school districts.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

TRD-8904873

**Friday, June 9, 1989, 1:30 p.m.** The Committee on Students will meet in Room 1-100, to review requirements in reading for teacher certification; proposed Amendment to 19 TAC §75.141, description of a well-balanced elementary curriculum; proposed Amendment to 19 TAC §133.22, discipline management programs; proposed Amendments to 19 TAC Chapter 75 curriculum, proposed Amendment to 19 TAC §75.61(k), English language arts; report on the 71st Texas Legislature; discussion of graduation requirements for differentiated academic achievement records (transcripts); report on 1989 curriculum review meetings; 1989-1990 Texas Educational Assessment of Minimum Skills (TEAMS) tests.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

TRD-8904874

**Saturday, June 10, 1989, 8:30 a.m.** The State Board of Education (SBOE) will meet in Room 1-104, to consider the resolution honoring Texas recipient of General Educational Development award; report on the 71st Texas Legislature; master plan for Vocational Education; recommendations of the Texas Council on Vocational Education; SBOE rules on board travel; permanent school fund investment program for June and funds available for the program; contract for investment advisory services; long-range plan for public education; proprietary schools; years of service; apprenticeship & training advisory committee--contact-hour rate; irregularities related to filing deadline for sample textbooks; well-balanced elementary curriculum; discipline management programs; curriculum; english arts; teacher certification; exchange teachers; preparation of school personnel; and agency administration.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701. (512) 463-8985.

Filed: June 1, 1989, 2:33 p.m.

TRD-8904875

## State Employee Incentive Commission

**Thursday, June 15, 1989, 10 a.m.** The State Employee Incentive Commission will meet in Room 103, John H. Reagan Building, 105 West 15th Street, Austin. According to the agenda, the commission will review meeting minutes of Thursday, May 18, 1989; consider employee suggestions; report on legislative matters; report on administrative activities; new business.

Contact: Lora H. Williams, P.O. Box 12482, Austin, Texas 78711, (512) 475-2393.

Filed: June 1, 1989, 10:52 a.m.

TRD-8904840

## Texas Department of Health

**Friday, June 9, 1989, 9:30 a.m.** The Bureau of Chronically Ill and Disabled Children's Services General Advisory Committee will meet in Room M-418, 1100 West 49th Street, Austin. According to the agenda summary, the committee will approve minutes of previous meeting and consider legislative/budget update; cleft/craniofacial center guidelines; hospital approval criteria; CIDC cardiac outreach clinic guidelines; provider approval criteria; case management update; informational updates (certified registered nurse anesthetists; ambulatory surgical centers; Texas Medical Association Conference/outreach efforts).

Contact: Gene Pipkin, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7355

Filed: June 1, 1989, 4:01 p.m.

TRD-8904862

**Saturday, June 10, 1989, 9:30 a.m.** The Chronically Ill and Disabled Children's Services Cardiovascular Advisory Committee will meet in Room M-418, 1100 West 49th Street, Austin. According to the agenda summary, the committee will approve minutes of previous meeting and consider legislative/budget update; cardiovascular center guidelines; approval of physicians; board of health actions concerning Herman Hospital and University of Texas Medical Branch; Driscoll Hospital response; Fort Worth Children's Hospital response; guidelines for site visits; outreach standards; San Antonio Medical Center Hospital report.

Contact: Gene Pipkin, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7355

Filed: June 1, 1989, 4:01 p.m.

TRD-8904861

## Health & Human Services Coordinating Council

Thursday, June 15, 1989, 9 a.m. The Client Services Work Group of the Health & Human Services Council will meet in Conference Room, Seventh Floor, Sam Houston Building, 201 East 14th Street, Austin. According to the agenda, the council will discuss case management definition & elements; discuss case management effectiveness; report on computer node; report on community resource coordination groups; old business; new business.

Contact: Patricia O. Thomas, 311-A East 14th Street, Austin, Texas 78701, (512) 463-2195.

Filed: June 1, 1989, 12:51 a.m.

TRD-8904846

Thursday, June 15, 1989, 2 p.m. The Health and Human Services Coordinating Council will meet in Room 104, William B. Travis Building, 1701 North Congress, Austin. According to the agenda summary, the council will consider executive director's report; client omnibus registry and exchange feasibility study report; MIIIA Advisory Committee Update; immigration (SLIAG) report; client services work group report; statewide needs assessment project (SNAP) update; reference guide update; youth report.

Contact: Patricia O. Thomas, 311-A East 14th, Austin, Texas 78701 (512) 463-2195

Filed: June 2, 1989, 2:47 p.m.

TRD-8904902

## Texas Historical Records Advisory Board

Friday, June 23, 1989, 9 a.m. The Texas Historical Records Advisory Board will meet in The Faculty Club, Southern Methodist University, Dallas. According to the agenda, the board will hear a presentation by Mr. Dick Cameron, Assistant Director for State Programs, National Historical Publications and Records Commission. The board will discuss one grant proposal prior to making final funding recommendations to the National Historical Publications and Records Commission. Plans will be finalized for a workshop on the preparation of grant proposals for submission to the NHPRC. The board will also discuss revisions to the Statewide Priorities for Grant-Funded Projects, and will hear a report on the status of the Statewide Preservation Task Force.

Contact: Chris LaPlante, State Library, 1201 Brazos, Austin, Texas 78711, (512)

463-5480.

Filed: June 1, 1989, 10:33 a.m.

TRD-8904845

## State Board of Insurance

The State Board of Insurance will meet at 1110 San Jacinto Street, Austin. Dates, times, and agendas follow.

Tuesday, June 13, 1989, 9 a.m. The Commissioner's Hearing Section will meet in Room 442, to consider issuance of a Certificate of Authority for Air Force Village Foundation, Inc., San Antonio, under the Texas Continuing Care Facility Disclosure and Rehabilitation Act, §4(g).

Contact: Wendy L. Ingham, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:22 a.m.

TRD-8904970

Tuesday, June 13, 1989, 10 a.m. The Commission will meet in Room 414, to consider proposed amendment to 28 TAC §9.401; board orders on several different matters; motions for dismissal in the appeals of James S. Weems and Barna Shrimp Company from action of the Texas Catastrophe Property Insurance Association; National County Mutual files; personnel matters; pending & contemplated litigation; solvency matters; Amendment to Personnel Manual; participation in "State Travel Management Program".

Contact: Pat Wagner, 1110 San Jacinto, Austin, Texas 78701-1998, (512) 463-6328.

Filed: June 5, 1989, 3:43 p.m.

TRD-8904991

Tuesday, June 13, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 442, to consider the renewal application of Paul Henry Eisenberger, Dallas, for a Group I, legal reserve life insurance agent's license.

Contact: Lisa Lyons, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:22 a.m.

TRD-8904971

Wednesday, June 14, 1989, 9 a.m. The board will meet in Room 414, to consider petition from Mr. Joe A. Mintz, under the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §11, for repeal of rules as 28 TAC Chapter 21, Subchapter F, §21.501-21.508, concerning life insurance surrender value comparison index.

Contact: Pat Wagner, 1111 San Jacinto, Austin, Texas 78701-1998, (512) 463-6328.

TRD-8904990

Wednesday, June 14, 1989, 9 a.m. The Commissioner's Hearing Section will meet in Room 342, to consider disciplinary action against Christen Rodney Hausland, Lake Jackson/Richwood, who holds a Group I, legal reserve life insurance agent's license, a Group II, health and accident insurance agent's license and a local recording agent's license issued by the State Board of Insurance.

Contact: Lisa Lyons, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526

Filed: June 5, 1989, 9:24 a.m.

TRD-8904965

Wednesday, June 14, 1989, 9 a.m. The Commissioner's Hearing Section will meet in Room 442, to consider whether disciplinary action should be taken against Larry Burklow, Austin, who holds a Group I, legal reserve life insurance agent's license and a Group II, health and accident insurance agent's license issued by the State Board of Insurance.

Contact: O. A. Cassity, III, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:22 a.m.

TRD-8904969

Wednesday, June 14, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 342, to consider whether disciplinary action should be taken against Edward D. Minihan, Arlington, who holds a Group I, legal reserve life insurance agent's license and a local recording agent's license issued by the State Board of Insurance.

Contact: Wendy L. Ingham, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:23 a.m.

TRD-8904968

Wednesday, June 14, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 353, to consider whether disciplinary action should be taken against Manual Tarango, Jr., El Paso, Texas, who holds a Group I, legal reserve life insurance agent's license.

Contact: O.A. Cassity, III, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:24 a.m.

TRD-8904964

Wednesday, June 14, 1989, 1:30 a.m. The Commissioner's Hearing Section will meet in Room 442, to consider whether disciplinary action should be taken against Monika Green, Lubbock, Texas who holds and/or has applied for renewal of a Group I, legal reserve life insurance agent's license, and a Group II, health and accident insurance agent's license issued by the State Board of Insurance.

Contact: Earl Corbitt, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

TRD-8904967

Filed: June 5, 1989, 9:24 a.m.

Friday, June 16, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 342, to consider whether disciplinary action should be taken against Delores Alicia Gomez, El Paso, Texas, who holds a Group I, legal reserve life insurance agent's license.

Contact: Wendy L. Ingham, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: June 5, 1989, 9:24 a.m.

TRD-8904966

### Lamar University System- Board of Regents

Thursday, June 8, 1989, 9:30 a.m. The Board of Regents Committees will meet in Map Room, John Gray Institute, 855 Florida, Beaumont. According to the agenda summary, the board will hold meetings of the Finance & Audit Committee, Academic Affairs Committee, Building & Grounds Committee, and Personnel Committee. The board will meet in executive session under provisions of Texas Civil Statutes, Article 6252-17, §2, Paragraphs e, legal; f, real estate; and g, personnel.

Contact: George McLaughlin, Lamar University System, P.O. Box 11900, Beaumont, Texas 77710, (409) 880-2304

Filed: June 2, 1989, 1:53 p.m.

TRD-8904901

Thursday, June 8, 1989, 1 p.m. The Board of Regents Committee met in Map room, John Gray Institute, 855 Florida, Beaumont. According to the agenda summary, the board considered approval of finance & audit committee recommendations; approved of academic affairs committee recommendations; approved of building & grounds committee recommendations; approved personnel committee recommendations; met in executive session; regents comments and suggestions.

Contact: George McLaughlin, Lamar University System, P.O. Box 11900, Beaumont, Texas 77710, (409) 880-2304

Filed: June 5, 1989, 3:44 p.m.

TRD-8904992

### Texas State Board of Medical Examiners

The Texas State Board of Medical Examiners will meet at 1101 Amino LaCosta, Austin. Dates, times, and agendas follow.

Sunday, June 11, 1989, 4 p.m. and  
Monday-Thursday, June 12-15, 1989 8

a.m. daily. According to the agenda summary, the board will discuss officer election; committee appointments, meetings, recommendations and reports; exam approvals and administration; hearings: cancellations, possible act violation; executive director's report; meetings, enforcement, censure, computer, FAX, personnel; proposals for decisions; probations; agreed orders; minutes; model CMEL; weight control drugs; rules for possible action related to radiologic technologists, mentally ill physicians, informal settlement conferences, acupuncture, general provisions. Executive session under authority of Art. 6252-17, as related to Art. 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) & Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078

Filed: June 2, 1989, 4:21 p.m.

TRD-8904914

Monday, June 12, 1989, 3:30 a.m. The Examination Committee will meet to review examination applicants; executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) and Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078

Filed: June 2, 1989, 4:21 p.m.

TRD-8904913

Monday, June 12, 1989, 8:30 a.m. The Reciprocity Committee will meet to consider approval and review of reciprocity applicants; executive session under authority of Art. 6252-17, as related to Art. 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) & Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711 (512) 452-1078

Filed: June 2, 1989, 4:22 p.m.

TRD-8904910

Monday, June 12, 1989, 4 p.m. The Public Information Committee will meet to discuss proposed meeting in Austin for Texas media, executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) and Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: June 2, 1989, 4:22 p.m.

TRD-8904911

Monday, June 12, 1989, 4 p.m. The Finance Committee will review financial reports; executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) and Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078

Filed: June 2, 1989, 4:23 p.m.

TRD-8904908

Monday, June 12, 1989, 4:30 p.m. The Standing Orders Committee will discuss request for waiver of physician assistant rules, executive session under authority of Art. 6252-17, as related to Art. 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) and Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078

Filed: June 2, 1989, 4:22 p.m.

TRD-8904912

Monday, June 12, 1989, 5 p.m. Disciplinary Process Review Committee will review approval of May minutes, review of enforcement report; discussion of criteria for medical liability investigations and referred order; review of selected files, executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05, 5.06(e)(1) and Op. A.G. 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078

Filed: June 2, 1989, 4:22 p.m.

TRD-8904909

### Board of Pardons and Paroles

Tuesday, June 6, 1989, 9 a.m. The Board met in emergency session at 8610 Shoal Creek Blvd., Austin. According to the agenda, the board considered emergency contracts for pre-parole transfer and parole violator facilities. The emergency status was necessary because of the overcrowded conditions of the Texas Department of Corrections and county jails necessitates immediate action on this item.

Contact: Juanita Llamas, 8610 Shoal Creek Blvd., Austin, Texas 78758, (512) 459-7249.

Filed: June 5, 1989, 2:31 p.m.

TRD-8904983

Monday-Friday, June 12-14, 1989, 1:30 p.m. daily, except 11 a.m. on Friday. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the board will receive, review, and consider information and reports concerning prisoners/inmates and administrative releases subject to the board's jurisdiction and initiate and carry through with appropriate action.

Contact: Karin Armstrong, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2713.

Filed: June 2, 1989, 10:38 a.m.

TRD-89040881

Tuesday, June 13, 1989, 1:30 p.m. The Board of Pardons and Paroles will consider

executive clemency recommendations and related actions (other than out of country conditional pardons), including: full pardons/restoration of civil rights of citizenship; emergency medical reprieves; commutations of sentences; and other reprieves, remissions, and executive clemency actions.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2749.

Filed: June 2, 1989, 10:38 a.m.

TRD-890488200

### Texas Board of Private Investigators & Private Security Agencies

Wednesday, June 14, 1989, 10 a.m. The Board of Private Investigators & Private Security Agencies will meet in Top Gallant Room, Treemont House, 2300 Ship's Mechanic Row, Galveston. According to the agenda, the board will approve minutes; consider approval of staff action of new licenses; suspension orders; reinstatement orders; certificates for replacement managers; license terminations, revocations, denials, reprimands, requests for waiver of board rule, requests for rehearing and other proposals for decision; legislative update; discussion and possible adoption of resolution regarding Texas Burglar and Fire Alarm Association.

Contact: Clemas D. Sanders, 313 E. Anderson Lane, Austin, Texas

Filed: June 5, 1989, 2:17 p.m.

TRD-8904982

### Railroad Commission of Texas

Monday, June 12, 1988, 9 a.m. The Railroad Commission of Texas will meet in the 12th Floor Conference Room, William B. Travis Building, 1701 North Congress Avenue, Austin. Agendas follow.

The commission will consider and act on the Administrative Services Division director's report on division administration, budget, procedure, and personnel matters. Discussion of the development of a natural gas clearinghouse that would match companies that need gas to fuel new plants with producers that have gas to sell.

Contact: Roger Dillon, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-7257.

Filed: June 2, 1989, 10:55 a.m.

TRD-08904892

The commission will consider and act on the Automatic Data Processing Division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters.

Contact: Bob Kmetz, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-7251.

Filed: June 2, 1989, 10:55 a.m.

TRD-08904889

The commission will consider and act on the executive director's report on commission budget and fiscal matters, administrative and procedural matters, personnel and staffing, state and federal legislation, and contracts and grants. Consider reorganization of various commission divisions; consolidation of positions; and appointment, reassignment and/or termination of various positions, including division directors. Consideration of reorganization of the well plugging program. The commission will meet in executive session to consider the appointment, employment, evaluation, reassignment, duties, discipline and/or dismissal of personnel.

Contact: Cril Payne, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-7274.

Filed: June 2, 1989, 10:55 a.m.

TRD-08904890

The commission will consider and act on the Flight Division director's report on division administration, budget, procedures and personnel matters.

Contact: Ken Fossler, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6787.

Filed: June 2, 1989, 10:56 a.m.

TRD-08904886

The commission will consider and act on the Investigation Division director's report on division administration, investigations, budget, and personnel matters.

Contact: Mary Anne Wiley, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6828.

Filed: June 2, 1989, 10:56 a.m.

TRD-08904887

The commission will consider and act on the Legal Division report on division administration, budget, procedures, and personnel matters. The commission will meet in executive session to receive legal advice regarding pending and/or contemplated litigation. Report to the Commission on gas storage.

Contact: Cue Boykin, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6921.

Filed: June 2, 1989, 10:53 a.m.

TRD-08904894

The commission will consider and act on the Division Director's report on Division administration, budget, procedures and personnel matters. Consideration of proposal for public comment amendment to Section 13.13 and proposed new Section 13.100 pertaining to the Regulations for Compressed Natural Gas of the Liquefied Petroleum Gas Division of the Railroad Commission of

Texas.

Contact: Meredith Kawaguchi, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-7009.

Filed: June 2, 1989, 10:53 a.m.

TRD-08904895

The commission will consider establishment of a "Gas Clearing House" to provide an information source for potential buyers and sellers of natural gas.

Contact: David Garlick, 1701 North Congress, Austin, Texas 78711 (512) 463-6889

Filed: June 2, 1989, 10:52 a.m.

TRD-8904898

The commission will consider staff recommendation to file a grant application with the U.S. Environmental Protection Agency for the Underground Injection Control Program for fiscal year 1989.

Contact: Jerry Mullican, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6790

Filed: June 2, 1989, 10:52 a.m.

TRD-8904897

The commission will report the results of a cementing study requested by the Commissioners.

Contact: Willis Steed, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6830

Filed: June 2, 1989, 10:53 a.m.

TRD-8904896

The commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including but not limited to scheduling an item in its entirety or for particular action at a future time of date. Consideration of a declaratory order to interpret the certificates.

Contact: Andy Taylor, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6924.

Filed: June 2, 1989, 10:57 a.m.

TRD-08904884

The commission will consider category determinations under the Natural Gas Policy Act of 1978, §§102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108.

Contact: Margie L. Osborn, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6755.

Filed: June 2, 1989, 10:56 a.m.

TRD-08904885

The commission will consider and act on the Division director's report on division administration, budget, procedures, and personnel matters. The commission will meet

in executive session to consider the appointment, employment, evaluation, re-assignment, duties, discipline, and/or dismissal of personnel. The commission will consider guidelines for registered professional engineers.

Contact: Mark Bogan, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6981.

Filed: June 2, 1989, 10:55 a.m.

TRD-08904891

The Commission will consider and act on the Division Director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schiable, P.O. Box 12970, Austin, Texas 78704

Filed: June 2, 1989, 10:55 a.m.

TRD-8904888

The commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including but not limited to scheduling an item in its entirety or for particular action at a future time of date.

Contact: Jerry Hill, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-6900.

Filed: June 2, 1989, 10:54 a.m.

TRD-08904893

The commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including but not limited to scheduling an item in its entirety or for particular action at a future time or date; Consideration of a declaratory order to interpret the certificates.

Contact: Raymond Bennett, P.O. Drawer 12970, Austin, Texas 78711, (512) 463-7122.

Filed: June 2, 1989, 10:57 a.m.

TRD-08904883

## Texas Real Estate Commission

Wednesday, June 14, 1989, 9 a.m. The Texas Real Estate Commission will meet in Conference Rooms 3 & 4, Marriott Rivercenter Hotel, 314 East Commerce Street, San Antonio. According to the agenda summary, the commission will consider minutes of May 14, 1989; staff reports for month of April, 1989; budgetary-legislative status report; consideration of fees to be set under 22 TAC §535.101;

consideration of dues for 1989-90; education matters; executive session to discuss spending litigation pursuant to §2(e), Article 6252-17, Texas Civil Statutes; consideration of claims against the Real Estate Recovery Fund; consideration of motions for rehearing and/or probation; entry of orders in contested cases.

Contact: Camilla S. Shannon, P.O. Box 12188, Austin, Texas 78711, (512) 465-3900.

Filed: June 5, 1989, 4:18 p.m.

TRD-8904997

## Texas Rehabilitation Commission

Wednesday, June 14, 1989, 8:30 a.m. The Texas Rehabilitation Commission will meet in Wyndham Southpark Hotel, 4140 Southpark Hotel, Austin. According to the agenda summary, the commission will approve minutes; discuss chairperson and director's remarks, subcommittee meetings; fiscal year 1990-1991 implementation plan objectives; 1991 President's Committee on Employment of People with Disabilities Annual Meeting.

Contact: Virginia Roberts, 118 E. Riverside, Austin, Texas 78704, (512) 445-8276.

Filed: June 2, 1989, 3:21 p.m.

TRD-8904973

## University of Texas System

Thursday, June 8, 1989, Noon The Board of Regents Standing Committee of University of Texas System will meet on Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, Austin. According to the agenda summary, the committees will consider amendments to RRR; Chancellor's Docket (submitted by Administration); employee health and dental insurance rates; U.T. Arlington-housing rates; six year Capital Improvement Program; fees; appointments to endowed academic positions, development boards and advisory councils; affiliation agreements; buildings and grounds matters including approval for projects, preliminary and final plans; award of contracts; land and investment matters; U.T. System Permanent University Fund--Approval for assignment of Surface leases 5777, 6490 and 6949 from Cabot Corporation to Cabot Gas Processing Corporation and Approval of Certain Amendments to these surface leases; acceptance of gifts, bequests and estates; establishment of endowed positions and funds; intellectual property matters, Master Trust Custodian for PUF; litigation; land acquisition and negotiated contracts; and personnel matters.

Contact: Arthur H. Dilly, P.O. Box N, U.T. Station, Austin, Texas 78713-7328 (512) 499-4402

Filed: June 2, 1989, 1:09 p.m.

TRD-8904899, 8904902

## Public Utility Commission of Texas

Monday, June 12, 1989, 10 a.m. Public Utility Commission will meet in Suite 450N, 7800 Shoal Creek Blvd, Austin. According to the agenda, the commission will hold a prehearing conference has been scheduled in Docket No. 8829-application of Cumby Telephone Cooperative, Inc. to amend tariff to provide custom calling and eliminate rate for tone calling service.

Contact: Phillip A. Holder, 7800 Shoal Creek Blvd., Austin, Texas 78757, (512) 458-0100.

Filed: June 1, 1989, 3:04 p.m.

TRD-8904876

Friday, June 16, 1989, 10 a.m. The Hearings Division of the Public Utility Commission will meet in Suite 450N, 7800 Shoal Creek Blvd., Austin. According to the agenda, the commission will hold a prehearing conference for Docket No. 8478 - application of Southwestern Bell telephone customer specific pricing plan tariff and new c/o Lan for Beaumont I.S.D.

Contact: Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 2, 1989, 3:50 p.m.

TRD-8904974

Wednesday, September 6, 1989, 10 a.m. Public Utility Commission will meet in Suite 450N, 7800 Shoal Creek Blvd., Austin. According to the agenda, the commission will hold a hearing on the merits scheduled in Docket No. 8588--application of El Paso Electric company for reconciliation of fuel costs.

Contact: Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 1, 1989, 3:04 p.m.

## Texas Water Commission

Monday, June 12, 1989, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the Commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including but not limited to scheduling an item in the entirety

or for particular action at a future date or time.

Contact: Beverly De La Zerda, P.O. Box 13087, Austin, Texas 78711, (512) 475-2161.

Filed: June 1, 1989, 4:10 p.m.

TRD-8904855

Thursday, June 15, 1989, 10 a.m. The Texas Water Commission will meet in Room 1-111, William B. Travis Building, 1701 North Congress, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. The commission will also consider items previously posted for open meeting and verbally postpone or continue to this date. With regard to any item, the commission may take various actions, including but not limited to scheduling an item in the entirety or for particular action at a future date or time.

Contact: Beverly De La Zerda, P.O. Box 13087, Austin, Texas 78711, (512) 475-2161.

Filed: June 2, 1989, 2:48 p.m.

TRD-8904975

Thursday, June 29, 1989, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will consider whether to reissue temporary order no. 88-34E to DBC Utilities, Inc., 467 Great Neck Road, Great Neck, New York 11021 which permits DBC Utilities to discharge treated domestic wastewater effluent from the Willow Ridge Sewage Treatment Plant which is located in Willow Ridge, Montgomery County. The effluent is discharged to a six-inch pipe which flows into an embanked pond in the LaSalle Crossing subdivision; thence to a tributary of the West Fork of the Trinity River (commonly called Sand Branch); thence to Segment No. 1004 of the Lake Houston Watershed, San Jacinto River Basin. The temporary order would expire 180 days after issuance, or upon final commission action on DBC Utilities application for a Permit No. 13465-01, whichever comes first.

Contact: Irene L. Montelongo, P.O. Box 13087, Austin, Texas 78711.

Filed: June 5, 1989, 4:17 p.m.

TRD-8905001

## Regional Meetings

### Meetings Filed June 1, 1989

The Carson County Appraisal District, Board of Directors, met at 102 Main, Panhandle, on June 6, 1989 at 9 a.m. Information may be obtained from Dianne Lavake, P.O. Box 970, Panhandle, Texas 79068-

0970.

The Ellis County Appraisal District, met at 406 Sycamore Street, Waxahachie, on June 3, 1989 at 9 a.m. Information may be obtained from Russell A. Garrison, P.O. Box 878, Waxahachie, Texas, 75165, (214) 937-3553.

The Garza County Appraisal District, Board of Directors, met at Appraisal Office Courthouse, Post, on June 8, 1989 at 9 a.m. Information may be obtained from Jean M. Westfall, Drawer F, Post, Texas 79356, (806) 495-3518.

The Gregg Appraisal District, Board of Directors, met at 2010 Gilder Road, Longview, on June 8, 1989 at 9 a.m. Information may be obtained from William T. Carroll, P.O. Box 6700, Longview, Texas 75608, (214) 759-0015.

The Henderson County Appraisal District, Board of Directors, met at 1751 Enterprise, Athens, on June 5, 1989 at 9 a.m. Information may be obtained from Jimmy Foreman, 1751 Enterprise, Athens, Texas.

The Hockley County Appraisal District, Board of Directors, met at 1103-C Houston Street, Levelland, will meet on June 12, 1989 at 7 p.m. Information may be obtained from Nick Williams, P.O. Box 1090, Levelland, Texas 79336, (806) 894-9654.

The Lavaca County Central Appraisal District, Board of Directors, will meet at 113 North Main, Hallettsville, on June 12, 1989 at 4 p.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396.

The Leon County Central Appraisal District, Appraisal Review Board, met at Gresham Building, Centerville, on June 6, 1989 at 9 a.m. Information may be obtained from Robert M. Finn, P.O. Box 536, Centerville, Texas 75833, (214) 536-2252.

TRD-8904839

### Meetings Filed June 2, 1989

The Bandera County Appraisal District, Appraisal Review Board, met at Appraisal District Office-North end of Ninth Street, Bandera, on June 5, 1989 at 9 a.m. Information may be obtained from Larry Reagan, Bandera, Texas.

The Barton Springs/Edwards Aquifer Conservation District, Board of Directors, met at 1124-A Regal Row, Austin, on Monday June 5, 1989 at 7 p.m. Information may be obtained from Bill Couch, 1127-A Regal Row, Austin, Texas 78745.

The Callahan County Appraisal District, Appraisal Review Board, will meet at First Floor, Callahan County Courthouse, Baird, on July 5, 1989 at 10 a.m. Information may be obtained from Jane Ringhoffer, P.O. Box 806, Baird, Texas 79504, (915) 854-1165.

The Callahan County Appraisal District, Board of Directors, will meet at First Floor, Callahan County Courthouse, Baird, on

June 12, 1989 at 7:30 p.m. Information may be obtained from Jane Ringhoffer, P.O. Box 806, Baird, Texas 79504, (915) 854-1165.

The Central Plains MH/MR. Center, Board of Trustees, met at 710 Quincy, Plainview, on June 5, 1989 at 6:30 p.m., Information may be obtained from Rick Van Hersh, 712 Quincy, Plainview, Texas 79072.

The Cherokee County Appraisal District, Board of Directors, met at 107 E. Sixth Street, Rusk, on June 8, 1989 at 2:30 p.m. Information may be obtained from S. R. Darner, P.O. Box 494, Rusk, Texas 75785, (214) 683-2296.

The Dallas Area Rapid Transit, Planning and Development Committee met at 601 Pacific Avenue, Dallas, on June 6, 1989 at 3 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237.

The Dallas Central Appraisal District, Board of Directors, met at 1420 West Mockingbird Lane, Suite 500, Dallas, on June 7, 1989 at 7:30 a.m. Information may be obtained from Rick L. Kuehler 1420 West Mockingbird Lane, Suite 500, Dallas, Texas 75247, (214) 631-0520.

The Dallas Central Appraisal District, Appraisal Review Board, will meet at 1420 West Mockingbird Lane, Suite 500, Dallas, on June 9, 1989 at 2 p.m. Information may be obtained from Rick L. Kuehler, 1420 W. Mockingbird Lane, Suite 500, Dallas, Texas 75247, (214) 631-0520.

The Deep East Texas Private Industry Council, Inc. Planning committee met at 118 South First Street, Lufkin, on June 7, 1989 at 1 p.m. Information may be obtained from Charlene Meadows, P.O. Box 1423, Lufkin, Texas 75901, (409) 634-2247.

The Gillespie Central Appraisal District, Board of Review, will meet at Room 101-B, Gillespie County Courthouse, Fredericksburg, on June 15, 1989 at 9 a.m. Information may be obtained from Mary Lou Smith, P.O. Box 429, Fredericksburg, Texas 78624, (512) 997-9807.

The Hays County Appraisal District, Board of Directors, met at 632-A East Hopkins-Municipal Building, San Marcos, on June 8, 1989 at 3:30 p.m. Information may be obtained from Lynnell Sedlar, 632-A East Hopkins, Municipal Building, San Marcos, Texas 78666, (512) 754-7400.

The Heart of Texas Region MHMR, Board of Trustees, met at 110 South 12th Street, Waco, on June 8, 1989 at 11:45 a.m. Information may be obtained from Helen Jasso, 110 South 12th Street, Waco, Texas 76701, (817) 752-3451.

The High Plains Underground Water Conservation District No. 1, Board of Directors, will meet in the conference room, 2930 Avenue Q, Lubbock, on June 13, 1989 at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Ave-



nue Q, Lubbock, Texas 79405, (806) 762-0181.

The Lee County Appraisal District, Board of Directors, met at 218 East Richmond Street, Giddings, on June 8, 1989 at 8 p.m. Information may be obtained from Roy L. Holcomb, 218 E. Richmond Street, Giddings, Texas 78942, (409) 542-9618.

The Education Service Center Region IV, Board of Directors, will meet at 7145 West Tidwell, Houston, on June 13, 1989 at 6 p.m. Information may be obtained from Wm. L. McKinney, 7145 West Tidwell, Houston, Texas 77001, (713) 462-7708.

TRD-8904878

### Meetings Filed June 5, 1989

The Bexar-Medina-Atascosa Counties Water Control Number 7 Board of Directors, will meet at Highway 81, Natalia, on June 12, 1989 at 8 a.m. Information may be obtained from C. A. Mueller, P.O. Box 170, Natalia, Texas 78059, (512) 663-2132.

The Denton Central Appraisal District, Board of Directors, met at 3911 Morse, Denton, on June 6, 1989 at 4 p.m. Information may be obtained from John D. Brown, 3911 Morse, Denton, Texas 76205, (817) 566-0904.

The Gonzales County Appraisal District, Board of Directors, met at 928 St. Paul Street, Gonzales, on June 8, 1989 at 5 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2879.

The Central Appraisal District of Johnson County, Board of Directors, met at Room 202, 109 North Main, Suite 201, Cleburne, on June 7, 1989 at 10 a.m. Information may be obtained from Jackie Gunter, 109 N. Main, Cleburne, Texas 76031, (817) 645-3987.

The Hale County Appraisal District, Appraisal Review Board, will meet at 302 West Eighth Street, Plainview, on June 14, 1989 at 9 a.m. Information may be obtained from Linda Jaynes, 302 West Eighth Street, P.O. Box 29, Plainview, Texas 79072, (806) 293-4226.

The Jones County Appraisal District, Board of Directors, will meet at 1137 East Court Plaza, Anson, on June 15, 1989 at 8 a.m. Information may be obtained from John Steele, 1137 East Court Plaza, Anson, Texas, (915) 823-2422.

The Central Appraisal District of Taylor County, Board of Directors, will meet at 1534 South Treadaway, Abilene, on June 15, 1989 at 2:20 p.m. Information may be

obtained from Richard Petree, P.O. Box 1800, Abilene, Texas 79604, (915) 676-9381.

The Education Service Center, Region XVI, Board of Directors, will meet at Texas Empire Room, Amarillo Club, Seventh and Tyler, Amarillo, on June 16, 1989 at 1 p.m. Information may be obtained from Kenneth M. Laycock, P.O. Box 30600, Amarillo, Texas 79120, (806) 376-5521.

The Erath County Appraisal District, Board of Directors, will meet at 1390 Harbin Drive, Board Room, Stephenville, on June 13, 1989 at 9 a.m. Information may be obtained from Jerry Lee, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434.

The Erath County Appraisal District, Appraisal Review Board, will meet at 1390 Harbin Drive, Board Room, Stephenville, on June 12, 1989 at 9 a.m. Information may be obtained from Trecia Perales, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434.

The Nortex Regional Planning Commission, General Membership Committee, will meet at Hilton Hotel, Wichita II Room, 401 Broad Street, Wichita Falls, on June 15, 1989 at Noon. Information may be obtained from Dennie R. Wilde, 2101 Kemp Blvd., Wichita Falls, Texas 76301, (817) 322-5281.

The North Texas State Planning Region Consortium, will meet at Hilton Hotel, Wichita II Room 401 Broad, Wichita, on June 15, 1989 at 1 p.m. Information may be obtained from Fritz Taylor, P.O. Box 5144, Wichita Falls, Texas 76307, (817) 322-5281.

The Rusk County Appraisal District, Appraisal Review Board, will meet at 107 North Van Buren, Administrative Offices, Henderson, on June 12-14, and June 16, 1989 at 9 a.m. Information may be obtained from Melvin R. Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (214) 657-6967.

The Upshur County Appraisal District, Board of Directors, will meet at Upshur County Appraisal District Office, Warren & Trinity Street, Gilmer, on June 12, 1989 at 1 p.m. Information may be obtained from Louise Stracener, P.O. Box 280, Gilmer, Texas 75644

The Upshur County Appraisal District, Appraisal Review Board, met at Upshur County Appraisal District, Warren & Trinity Street, Gilmer, on June 9, 1989 at 8 a.m. Information may be obtained from Louise Stracener, P.O. Box 280, Gilmer, Texas 75644, (214) 843-3041.

The Wheeler County Appraisal District Board of Directors, will meet at County Courthouse, Courthouse Square, Wheeler, on June 12, 1989 at 1 p.m.

TRD-8904915

### Meetings Filed June 6, 1989

The Archer County Appraisal District, Appraisal Review Board-Mineral Hearing, will meet at 211 South Center, Appraisal District Office, Archer, on June 9, 1989 at 9 a.m. Information may be obtained from Edward H. Trigg, P.O. Box 1141, Archer City, Texas 76351.

The Archer County Appraisal District, Appraisal Review Board-Real Estate Hearing, will meet at 211 South Center, Appraisal District, Archer, on June 12, 1989 at 8:30 a.m. Information may be obtained from Edward H. Trigg, III, P.O. Box 1141, Archer City, Texas 76351.

The Archer County Appraisal District, Board of Directors, will meet at 211 South Center, Appraisal District, Archer City, on June 21, 1989 at 4:30 p.m. Information may be obtained from Edward H. Trigg, III, P.O. Box 1141, Archer City, Texas 76351.

TRD-8904915

The Tax Appraisal District of Bell County, Board of Directors, will meet at 411 East Central, Belton, on June 21, 1989 at 7 p.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-5841.

The Tax Appraisal District of Bell County, Appraisal Review Board, will meet at 411 East Central, Belton, on June 19-22 at 9 a.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-5841.

The Blanco County Appraisal District, Board of Directors, will meet at Blanco County Courthouse Annex, Johnson City, on June 13, 1989 at 6 p.m. Information may be obtained from Hollis Petri, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624.

The Burnet County Appraisal District, Appraisal Review Board, will meet at 215 South Pierce, Blanco, on June 13, 1989 at 9 a.m. Information may be obtained from Barbara Ratliff, Drawer E, Burnet, Texas 78611.

TRD-8905000

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# In Addition

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

## State Banking Board Notice of Hearing

The hearing officer of the State Banking Board will conduct a hearing on Tuesday, July 11, 1989, at 9 a.m. at 2601 North Lamar Boulevard, Austin, on the change of domicile application for First State Bank, Austin.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1200.

Issued in Austin, Texas on May 31, 1989.

TRD-8904863 William F. Aldridge  
Director of Corporate Activities  
Texas Department of Banking

Filed: June 1, 1989

For further information, please call (512) 479-1200

## Central Texas Council of Governments Consultant Contract Award

This consultant contract award is filed in accordance with Texas Civil statutes, Article 6252-11c. The consultant proposal request was published in the March 3, 1989, issue of the *Texas Register* (14 TexReg 1118).

**Description of Project.** A feasibility study concerning improved level railroad crossing for the city of Copperas Cove, a northwest by-pass/school access road for Cop-

peras Cove, and a north-south corridor analysis for the city of Killeen. Products will be feasibility reports on the three proposed projects.

**Contractor.** The contract has been awarded to Traffic Engineers, Inc., P.O. Box 201344, Austin, Texas 78720.

**Total Value and Term of the Contract.** The contract began on May 9, 1989, and will end on October 15, 1989. Payments under the contract shall not exceed \$14,921.54.

**Due Date.** The consultant's reports are to be delivered no later than October 15, 1989.

Issued in Austin, Texas on May 24, 1989.

TRD-8904830 A. C. Johnson  
Executive Director  
Central Texas Council of Governments

Filed: May 31, 1989

For further information, please call (817) 939-1801

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

The consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

### NOTICE OF RATE CEILINGS

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Articles 1.04, 1.05, 1.11 and 15.02, Title 79, Revised Civil Statutes of Texas, as amended (Articles 5069-1.04, 1.05, 1.11 and 15.02, Vernon's Texas Civil Statutes).

Type of Rate Ceilings	Effective Period (Dates are Inclusive)	Consumer <sup>(3)</sup> /Agricultural/Commercial <sup>(4)</sup> thru \$250,000	Commercial <sup>(4)</sup> over \$250,000
Indicated (Weekly) Rate - Art. 1.04(a) (1)	06/05/89-06/11/89	18.00%	18.00%
Monthly Rate Art. 1.04(c) (1)	06/01/89-06/30/89	18.00%	18.00%
Standard Quarterly Rate - Art. 1.04(a) (2)	07/01/89-09/30/89	18.00%	18.00%

<b>Retail Credit Card</b> Quarterly Rate - Art. 1.11 <sup>(3)</sup>	07/01/89-09/30/89	18.00%	N.A.
<b>Lender Credit Card Quar-</b> <b>terly Rate - Art. 15.02(d)</b> <sup>(3)</sup>	07/01/89-09/30/89	17.31%	N.A.
<b>Standard Annual</b> <b>Rate - Art. 1.04(a)</b> <sup>(2)</sup>	07/01/89-09/30/89	18.00%	18.00%
<b>Retail Credit Card</b> <b>Annual Rate - Art. 1.11</b> <sup>(3)</sup>	07/01/89-09/30/89	18.00%	N.A.
<b>Annual Rate Applicable to</b> <b>Pre-July 1, 1983 Retail</b> <b>Credit Card and Lender Credit</b> <b>Card Balances with Annual</b> <b>Implementation Dates from:</b>	07/01/89-09/30/89	18.00%	N.A.
<b>Judgment Rate - Art. 1.05,</b> <b>Section 2</b>	06/01/89-06/30/89	10.00%	10.00%

- (1) For variable rate commercial transactions only.
- (2) Only for open-end credit as defined in Art. 5069-1.01(f) V.T.C.S.
- (3) Credit for personal, family or household use.
- (4) Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on May 30, 1989.

TRD-8904884 Al Endsley  
Consumer Credit Commissioner

Filed: June 1, 1989

For further information, please call: (512) 479-1280

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### Texas Commission for the Deaf Request for Proposal

In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Commission for the Deaf (TCD) is requesting proposals for the provision of services to eligible deaf and hearing impaired individuals. Services to be delivered through contract include interpreter services; information and referral services; services to elderly deaf persons; and message relay services. A total of \$396,112 per year for TCD services is being considered by the 71st Legislature with possible increases or decreases in the specific amounts included in the appropriations bill agreed on by both houses and then subject to the Governor's signature.

The total will be divided into the category of services as follows: Interpreter Services, \$195,062; Information and Referral Services, \$7,500; Services to Elderly Deaf Persons, \$78,650; and Message Relay Services, \$52,500. Also, funds from interagency cooperation contracts will be added to the allocations for specific services through provision of the commission.

**Contact person.** Further information regarding the provision of the above-stated services to deaf individuals and requests for form packets necessary to submit the proposals may be directed to Mr. William F. Eckstein, Coordinator of Administrative Procedures/Program Services, Texas Commission for the Deaf, (512) 469-9891. Or for assistance with specific program information, contact M. W. Seeger, Direct Services Program Specialist.

**Deadline for submittal of proposals.** Deadline for the receipt of proposals in the offices of the Texas Commission for the Deaf is on or before July 18, 1989, at 5 p.m. Proposals received after the established deadline cannot be considered for selection. Proposals are to be addressed to William F. Eckstein, Coordinator of Program Services/Administrative Procedures, Texas Commission for the Deaf, P. O. Box 12904, Austin, Texas 78711-2904.

**Guidelines for submitting proposals.** Guidelines for delivery of service programs will provide assurances that each contractor will, as a minimum: be an agency, organization, or individual who is willing to provide service(s) to deaf and hearing impaired persons in a specified geographical area; provide a location and description of the intended headquarters to be used in the delivery of services; show an anticipated number of persons willing to utilize the services; be willing to cooperate with the commission regarding its goals, standards, requirements, and recommendations; be capable of selecting the are of service(s) most needed within a fiscally conservative budget, and submit such budget to the commission for review; possess the necessary skills, knowledge, and expertise for the planning, development, and implementation of needed services; designate a service provider for the activity; utilize, to the highest degree possible, local community, and state resources; furnish the commission with reports, as required, in the format prescribed by the commission; and establish and maintain a method to secure and maintain the confidentiality of records and services relating to clients in accordance with any and all applicable state and federal rules, laws, and regulations.

**Proposal evaluation criteria.** Proposals will be evaluated by the commission on the following basis: submission of the proposal on or before the established deadline; operation of the program within commission authority; submission of the proposal addressing all required areas; respondent's program plan; respondent's ability to provide a high-quality program aimed at meeting the individual needs of the client; letters of endorsement and/or cooperation; and ability to implement program upon receiving notification from the commission on award of contract.

**Contract award and allocation procedures.** Final selection will be made by the commission, using previously mentioned evaluation procedures. Award will not necessarily be made to the contractor or applicant offering the lowest cost. Close consideration will be given to the ability to provide quality direct services based on the commission's evaluation criteria.

The proposed contract is a continuation of current direct services presently performed by a previous contractor. The commission intends to award the contract to the previous contractor unless a substantially better proposal is submitted as determined by the stated evaluation and selection criteria. However, the commission reserves the right to accept or reject any or all proposals submitted as well as to refuse any or all renewals with previous contractors.

The commission is under no legal requirement to execute a resulting contract on the basis of this advertisement and intends the materials provided only as a means of identifying the various elements which the commission considers basic to a delivery of direct services. The commission will base its choice on demonstrated rated competence, qualifications, and evidence of superior conformance to criteria. This request does not commit the commission to pay any costs incurred prior to execution of a contract.

The commission will announce the contract award for FY 1990 when the commission's open meeting will be scheduled in August, 1989. The contracts are renewable for FY 1991. The contracted services shall begin on September 1, 1989. Contracts will include the possibility for amendments to permit additional funds or reallocation of funds during the contract period if such funds become available. Funding will be determined by the commission using a commission-approved formula in the distribution of monies among selected and approved contractors. (Note: In Dallas, Fort Worth, Sherman and other areas a telephone

relay service may be provided by the Public Utility Commission and General Telephone and Electric Company under their pilot program beginning on September 1, 1989. These areas will be entitled to a message relay service award only if the requests are justifiable.)

**Conditions for termination of services.** Services provided may be terminated if the contractor fails to comply with contract requirements.

Issued in Austin, Texas on May 31, 1989.

TRD-8904844

Larry D. Evans  
Executive Director  
Texas Commission for the Deaf

Filed: June 1, 1989

For further information, please call (512) 469-9891.

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**Office of the Governor Criminal  
Justice Division  
Crime Victims Assistance Programs  
(VOCA)**

Under the provisions of the Victims of Crime Act of 1984 (VOCA), as amended, Texas will receive a federal grant to continue the funding of a Crime Victims Assistance Program. The Governor has designated the Criminal Justice Division, Office of the Governor, to continue to administer that program in the form of grants to units of government and to nonprofit organizations. The Criminal Justice Division (CJD) is now accepting grant applications for eligible projects from state agencies, units of local government, and nonprofit organizations.

The Crime Victims Assistance Program is intended to start or expand projects that provide assistance (but not compensation) to victims of crime for needs resulting directly from the crime and to assist in their participation in criminal justice proceedings. Projects presently receiving VOCA grant funding are not required to start or expand services further to be eligible for continuation funding, but are required to achieve and sustain the presently approved levels/scope of service and to maintain the existing level of matching cash contribution.

**Eligible Projects.** Only those projects which provide services to victims of crime are eligible for grant funding. Such services must directly benefit individual crime victims; must address needs directly resulting from the crime; and may include the required coordination of those services and the training of service providers. Additionally, to be eligible, each project must, if it is a new project, receive at least 35% of its budget in cash or in-kind contributions from sources other than state grants/contracts or federal grants for categorical programs; or, if it is an existing project, must have a record of providing not less than one completed year of effective services, in a cost-effective manner, to victims of crime, and must receive at least 20% of its total budget from either in-kind contributions or in cash from sources other than state grants/contracts or federal grants for categorical programs, (exceptions are permitted for projects operated on Indian reservations); be operated by a state agency, unit of local government, or nonprofit organization, or by a combination thereof; utilize volunteers, unless a waiver of this requirement based on compelling justification is requested by the applicant and is approved by the executive director of the CJD; promote, within the community served, coordinated public and private efforts to aid crime victims; and assist victims in seeking available benefits under the Texas Crime Victims Compensation Program.



## Intent to Revoke a Certificate of Registration

The Bureau of Radiation Control, Texas Department of Health, is seeking the revocation of Certificate of Registration Number R12329, issued to Ed De Coux, because the agency determined that the registrant is no longer located at 2408 Avenue I, Bay City, Texas 77414. The registrant has not notified the agency of a change of address and no forwarding address is available.

All attempts by the agency to contact the registrant by telephone, by certified mail, and by inspection have been unsuccessful. Therefore, the Texas Department of Health, Bureau of Radiation Control, recommends that the certificate of registration be revoked immediately.

In accordance with *Texas Regulations for Control of Radiation* 13.8, this notice affords the opportunity for a hearing to show cause why the certificate of registration should not be revoked. A written request for a hearing must be received within 30 days from the date of publication of this notice to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control, (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed, the certificate of registration will be revoked at the end of the 30-day period of notice.

Issued in Austin, Texas on May 31, 1989.

TRD-8904859      Robert A. MacLean, M.D.  
Deputy Commissioner for Professional  
Services  
Texas Department of Health

Filed: June 1, 1989

For further information, please call (512) 835-7000

The Bureau of Radiation Control, Texas Department of Health, is seeking the revocation of Certificate of Registration Number R14235, issued to Colonnade Health Corporation, because the agency determined that the registrant is no longer located at 3100 Commercial Drive, Northbrook,

Illinois 60062. The registrant has not notified the agency of a change of address and no forwarding address is available.

All attempts by the agency to contact the registrant by telephone, and by certified mail have been unsuccessful. Therefore, the Texas Department of Health, Bureau of Radiation Control, recommends that the certificate of registration be revoked immediately.

In accordance with *Texas Regulations for Control of Radiation* 13.8, this notice affords the opportunity for a hearing to show cause why the certificate of registration should not be revoked. A written request for a hearing must be received within 30 days from the date of publication of this notice to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control, (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed, the certificate of registration will be revoked at the end of the 30-day period of notice.

Issued in Austin, Texas, on May 31, 1989.

TRD-8904880      Robert A. MacLean, M.D.  
Deputy Commissioner for Professional  
Services  
Texas Department of Health

Filed: June 1, 1989

For further information, please call (512) 835-7000

## Licensing Actions for Radioactive Materials

The Texas Department of Health has taken actions regarding licenses for the possession and use of radioactive materials as listed in the table below. The subheading labeled "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout Texas" indicates that the radioactive material may be used on a temporary basis at job sites throughout the state.

**NEW LICENSES ISSUED:**

<u>Location</u>	<u>Name</u>	<u>License#</u>	<u>City</u>	<u>Amend- ment #</u>	<u>Date of Action</u>
Edgewood	Amoco Production Company	L04289	Houston	0	05/02/89
Throughout Texas	Ashok H. Gajria & Associates	L04295	Dallas	0	05/02/89
Tyler	NuTech, Inc.	L04274	Tyler	0	04/28/89

**AMENDMENTS TO EXISTING LICENSES ISSUED:**

<u>Location</u>	<u>Name</u>	<u>License#</u>	<u>City</u>	<u>Amend- ment #</u>	<u>Date of Action</u>
Abilene	James T. Walker	L01205	Abilene	10	04/28/89
Amarillo	Northwest Texas Hospital	L02054	Amarillo	29	05/08/89
Archer City	Archer County Hospital	L03405	Archer City	5	05/08/89
Austin	Allan Shivers Radiation Therapy Center	L01761	Austin	21	04/28/89
Beaumont	Baptist Hospital of Southeast Texas	L00358	Beaumont	54	05/03/89
Beaumont	St. Elizabeth Hospital	L00269	Beaumont	43	05/04/89
Bedford	Northeast Community Hospital	L03455	Bedford	10	04/28/89
Crosby	Energy Technology, Inc.	L03400	Crosby	7	05/11/89
Dallas	Humana Hospital Medical City Dallas	L01976	Dallas	56	04/28/89
Dallas	Aviall	L04271	Dallas	1	05/02/89
Dallas	R. H. D. Memorial Medical Center	L02314	Dallas	19	05/08/89
Deer Park	Quantum Chemical Corporation	L00204	Deer Park	19	04/21/89
El Paso	Providence Memorial Hospital	L02353	El Paso	32	04/28/89
Groves	Doctors Hospital	L02091	Groves	15	05/08/89
Houston	St. Luke's Episcopal-Texas Children's Hospitals	L00581	Houston	36	04/28/89
Houston	General Welding Works, Inc.	L02895	Houston	18	05/10/89
Houston	St. Joseph Hospital	L01070	Houston	18	05/04/89
Houston	Engineers and Fabricators Company	L00981	Houston	37	05/08/89
Kaufman	Presbyterian Hospital of Kaufman	L03337	Kaufman	7	04/20/89
Longview	Good Shepherd Medical Center	L02411	Longview	26	04/28/89
Lubbock	Amoco Pipeline Company	L02640	Oakbrook, IL	5	05/03/89
Lufkin	Lufkin Diagnostic Center, Inc.	L04155	Lufkin	5	04/28/89
McAllen	Rio Grande Regional Hospital	L03288	McAllen	16	05/05/89
Orange	E.I. DuPont de Nemours & Company	L00005	Orange	54	05/01/89
Palestine	National Scientific Balloon Facility	L02009	Palestine	14	05/03/89

AMENDMENTS TO EXISTING LICENSES ISSUED CONTINUED:

Pasadena	Rexene Products Company	L02153	Pasadena	10	04/20/89
Pasadena	Phillips Petroleum Company	L00230	Pasadena	48	04/21/89
Pasadena	Rexene Products Company	L02153	Pasadena	11	05/05/89
Port Arthur	Bone Scanner Associates	L03863	Port Arthur	3	05/04/89
Port Arthur	Park Place Hospital	L01707	Port Arthur	19	05/04/89
San Angelo	Angelo State University	L01584	San Angelo	9	04/28/89
San Antonio	Synco International Corporation	L02033	San Antonio	46	04/28/89
San Antonio	Southwest Foundation for Biomedical Research	L00468	San Antonio	33	04/21/89
San Antonio	Longhorn Cement Company	L02654	San Antonio	6	04/20/89
Throughout Texas	Gearhart Industries, Inc.	L02113	Fort Worth	55	04/20/89
Throughout Texas	Mobil Research and Development Corporation	L00194	Dallas	28	04/21/89
Throughout Texas	JTM Industries, Inc.	L04045	Jewett	2	04/19/89
Throughout Texas	Halliburton Logging Services, Inc.	L03284	Fort Worth	15	04/19/89
Throughout Texas	Langley-Pittman Testing Laboratories	L02131	Rio Hondo	6	04/19/89
Throughout Texas	Superior Production Logging, Inc.	L01983	Snyder	29	04/21/89
Throughout Texas	Western Atlas International, Inc.	L00446	Houston	91	04/20/89
Throughout Texas	Geo-Tag	L04018	Midland	1	04/17/89
Throughout Texas	Penwood Wireline, Inc.	L02644	Lafayette, LA	31	04/19/89
Throughout Texas	Precision Inspection, Inc.	L00203	Houston	31	05/05/89
Throughout Texas	Southwestern Laboratories, Inc.	L00299	Houston	59	05/03/89
Throughout Texas	H & H X-Ray Services, Inc.	L02516	Tyler	15	05/05/89
Throughout Texas	GCI Inspection, Inc.	L02378	South Houston	23	05/05/89
Throughout Texas	Midland Inspection Incorporated	L03724	Midland	15	05/05/89
Throughout Texas	Gearhart Industries, Inc.	L00442	Fort Worth	67	05/02/89
Throughout Texas	Zack Burkett Company	L04102	Graham	2	05/03/89
Throughout Texas	Halliburton Services	L01835	Duncan, OK	38	05/02/89
Throughout Texas	Schlumberger Well Services	L01833	Houston	70	05/02/89
Throughout Texas	CBI NA-CON, Inc.	L01902	Houston	16	05/08/89
Throughout Texas	Western Stress, Inc.	L04084	Houston	5	05/08/89
Throughout Texas	Texas Instruments, Inc.	L00946	Dallas	48	05/04/89
Throughout Texas	W.H. Henken Industries, Inc.	L00967	Arlington	21	05/05/89
Throughout Texas	Petroleum Industry Inspectors	L04081	Houston	6	05/11/89
Throughout Texas	Global X-Ray & Testing Corp.	L03663	Morgan City, LA	5	05/11/89
Waller	Progressive Metals, Inc.	L02831	Waller	15	05/05/89

RENEWALS OF EXISTING LICENSES ISSUED:

<u>Location</u>	<u>Name</u>	<u>License#</u>	<u>City</u>	<u>Amend- ment #</u>	<u>Date of Action</u>
Austin	Syncor International Corporation	L02117	Austin	43	04/19/89
Throughout Texas	PetroFac, Inc.	L02363	Tyler	10	05/10/89
Throughout Texas	X-Cel NDE, Inc.	L03548	Odessa	12	05/11/89
Throughout Texas	Linac Services, Inc.	L03573	Houston	14	05/11/89

TERMINATIONS OF LICENSES ISSUED:

<u>Location</u>	<u>Name</u>	<u>License#</u>	<u>City</u>	<u>Amend- ment #</u>	<u>Date of Action</u>
Dallas	City of Dallas	L02700	Dallas	5	05/03/89
Throughout Texas	The North American Coal Corporation	L03147	Dallas	5	04/20/89



In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with *Texas Regulations for Control of Radiation* in such a manner as to minimize danger to public health and safety or property and the environment; the applicants proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the *Texas Regulations for Control of Radiation*.

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or "person affected" within 30 days of the date of publication of this notice. A "person affected" is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or "person affected" may request a hearing by writing David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189.

Any request for a hearing must contain the name and address of the person who considers himself affected by Agency action, identify the subject license, specify the reasons why the person considers himself affected, and state the relief sought. If the person is represented by an agent, the name and address of the agent must be stated.

Copies of these documents and supporting materials are available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m. Monday-Friday (except holidays).

Issued in Austin, Texas, on May 26, 1989.

TRD-8904772      Robert A. MacLean  
Deputy Commissioner  
Texas Department of Health

Filed:

For further information, please call (512) 835-7000.

## Public Hearing

The department will conduct a public hearing on the following municipal solid waste disposal site.

The Montgomery Contractors, Inc., has filed Application 1752-A with the Texas Department of Health to amend a permit to operate an existing Type I municipal solid waste site located approximately 4.5 miles east of Cut and Shoot, approximately 2.4 miles east of the junction of State Highway 105 and Old Highway 105, 0.2 mile south of State Highway 105, and approximately 0.4 mile south of the Midway Community, in Montgomery County.

The application covers approximately 330.254 acres of land and seeks to amend an existing permit to receive solid waste under the regulatory jurisdiction of the Texas Department of Health for disposal or other processing in

accordance with the said department's Municipal Solid Waste Management Regulations.

Pursuant to the provisions of the Texas Solid Waste Disposal Act (Texas Civil Statutes, Article 4477-7), the department's said regulations, and the Administrative Procedure and Texas Register Act (Texas Civil Statutes, 6252-13a), a prehearing hearing conference on the aforesaid application will be held at Del Lago Resort, 600 Del Lago Boulevard, Montgomery, in Montgomery Rooms Three and Four at 9 a.m. on Friday, July 14, 1989. The purpose of the prehearing conference is to receive evidence for and against the designation of any person as a person affected, i.e. party status, and to determine discovery procedures if any are necessary.

Pursuant to the same authorities as cited above, a public hearing on the aforesaid application to amend the said permit will be held at Del Lago Resort, 600 Del Lago Boulevard, Montgomery, in Montgomery Rooms Three and Four at 1:30 p.m. on Monday, August 14, 1989. The purpose of the hearing is to receive evidence for and against the issuance of a permit for the aforesaid application. The hearing will be conducted and the final decision will be rendered in accordance with the applicable rules contained in the department's said regulations, including all changes in effect as of May 10, 1988. All parties having an interest in this matter shall have the right to appear at the hearing, present evidence and be represented by counsel. Pursuant to Texas Civil Statutes, Article 6252-13a, and the department's formal hearing procedures, the cost of a written hearing transcript may be assessed against one or more of the designated parties.

A copy of the complete application may be reviewed at the Texas Department of Health, 1100 West 49th Street, Austin, or at the department's Public Health Region 4 office located at 10500 Forum Place Drive, Suite 200, Houston, Texas 77036; (713) 995-1112.

Issued in Austin, Texas on June 2, 1989.

TRD-8904900      Robert A. MacLean, M.D.  
Deputy Commissioner for Professional  
Services  
Texas Department of Health

Filed: June 2, 1989.

For further information, please call: (512) 458-7271

The department will conduct a public hearing on the following municipal solid waste disposal site.

Medipure, Inc., has filed Application 2133 with the Texas Department of Health for a permit to operate a proposed Type V municipal solid waste processing site (one incinerator facility for infectious and pathological wastes) to be located approximately 1.2 miles south of the southwest city limits of Somerset, 1.5 miles southeast of the junction of FM Road 476 with FM Road 2790, 500 feet north of the junction of Somerset Road with Smith Road, and adjacent to and west of Somerset Road in Atascosa County.

The site consists of approximately 2.06 acres of land, and is to daily receive approximately 9.0 tons of solid wastes under the regulatory jurisdiction of the department when disposed of or otherwise processed in accordance with the department's municipal solid waste management regulations.

Pursuant to the provisions of the Texas Solid Waste Disposal Act (Texas Civil Statutes, Article 4477-7), the department's said regulations, and the Administrative

Procedure and Texas Register Act (Texas Civil Statutes, 6252-13a), a public hearing on the aforesaid application will be held at El Cid Motor Inn, I.H. 35 at F.M. 2790, Lytle, at 9:30 a.m. on Thursday, July 6, 1989. The purpose of the hearing is to receive evidence for and against the issuance of a permit for the aforesaid application. The hearing will be conducted and the final decision will be rendered in accordance with the applicable rules contained in the department's said regulations, including all changes in effect as of May 10, 1988. All parties having an interest in this matter shall have the right to appear at the hearing, present evidence and be represented by counsel. Pursuant to Texas Civil Statutes, Article 6252-13a, and the department's formal hearing procedures, the cost of a written hearing transcript may be assessed against one or more of the designated parties.

A copy of the complete application may be reviewed at the Texas Department of Health, 1100 West 49th Street, Austin, or at the department's Public Health Region 6 office located at Old Memorial Hospital, Garner Field Road, Uvalde, Texas 78801; (512) 278-7173.

Issued in Austin, Texas on May 31, 1989.

TRD-8904783 Robert A. MacLean, M.D.  
Deputy Commissioner for Professional  
Services  
Texas Department of Health

Filed: May 31, 1989.

For further information, please call (512) 458-7271.

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**Texas Higher Education Coordinating  
Board**

**Notice of Meeting**

The Texas Academic Skills Council (TASP) will meet on Friday, June 9, 1989, from 10 a.m. to 4 p.m. The meeting will be held in Room 255 at the Coordinating Board at 200 East Riverside Drive in Austin. For additional information contact the Texas Academic Skills Program (TASP) office at the Coordinating Board at (512) 462-6485. The contact person is Ron Swanson.

Note: Will be open to the public

Issued in Austin, Texas on May 25, 1989.

TRD-8904831 James McWhorter  
Assistant Commissioner  
Texas Higher Education Coordinating Board

Filed: May 31, 1989

For further information, please call (512) 462-6420

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**Texas Housing Agency  
Notice of Public Hearing**

The Texas Housing Agency (the agency) hereby gives notice that it will hold a public hearing on Monday, June 19, 1989, at 9 a.m., in the conference room of the agency, 811 Barton Springs Road, Third Floor, Austin, with respect to its proposed issuance of the following bonds, in the following approximate amounts: \$50,000,000 Texas Housing Agency, Residential Mortgage Revenue Bonds, Series 1989A, (the Series 1989A Bonds); and \$50,000,000 Texas Housing Agency, Residential Mortgage Revenue Bonds, Series 1989B, (the Series 1989B Bonds).

The Series 1989A Bonds will be issued to refund certain outstanding bonds of the agency, thereby permitting the

agency to use certain funds available to it (including prepayments of mortgage loans acquired by the agency with the proceeds of such refunded bonds) to finance an estimated 650 single family residential mortgage loans made to eligible low- and moderate-income homebuyers to finance the purchase of homes located within the State of Texas. The Series 1989B Bonds will be a new-money issue that will finance an additional estimated 650 such mortgage loans.

For purposes of the agency's mortgage loan finance programs, eligible borrowers generally will include individuals and families whose family income does not exceed: for families of three or more persons, 115% (140% in certain targeted areas) of the median area income; and for individual and families of two persons, 100% (120% in certain targeted areas) of the median area income. In addition, substantially all of the borrowers under the programs will be required to be persons who have not owned a principal residence during the preceding three years.

Further, residences financed with loans under the programs will be subject to certain other limitations, including limits on the purchase prices of the residences being acquired. All the limitations described in this paragraph are subject to revision and adjustment from time to time by the agency pursuant to applicable federal law

All interested persons are invited to attend this public hearing and to express their views on the proposed issuance of the bonds. Questions or requests for additional information may be directed to Timothy Kenny, Executive Administrator, or Scott McGuire, Chief Financial Officer, Texas Housing Agency, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974 or 1-800-792-1119. Persons who plan to attend the hearing are encouraged, in advance of the public hearing, to inform the agency either in writing or by telephone. Any interested persons who are unable to attend the public hearing may submit their views in writing to the agency prior to the date scheduled for the hearing.

Issued in Austin, Texas on June 2, 1989.

TRD-8904903 Patricia F. Broline  
General Counsel  
Texas Housing Agency

Filed: June 2, 1989

For further information, please call (512) 474-2974 or 1-800-792-1119.

◆ ◆ ◆  
**Texas Department of Human Services  
Consultant Proposal Request**

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Services (DHS) is inviting proposals for consultant services. This invitation for bids is for continuation of work performed by Dr. Robert C. Godbout under a previous contract. DHS intends to award the contract to this consultant unless a substantially superior proposal is received.

**Description of Services.** The consultant shall provide technical assistance in developing case mix methods and implementation procedures.

**Geographic Area.** The consultant services will be performed in Austin.

**Total Value and Term of the Contract.** The contract period is September 1, 1989–August 31, 1991. Payments under this contract will not exceed \$100,000.

**Contact Person.** To request a RFP package please con-

tact Hazel Rydell, Provider Systems Branch MC 340-W, P.O. Box 149030, Austin, Texas 78714-9030, phone (512) 450-3164. One completed original RFP response is required, two additional legible copies are requested. The RFP response must be received in the Provider Systems Branch, 701 West 51st Street, Fifth Floor, West Tower, Austin, no later than 5 p.m. on June 30, 1989. The notification of award will be sent by July 15, 1989.

Issued in Austin, Texas on June 2, 1989.

TRD-8904879 Charles Stevenson  
Acting Commissioner  
Texas Department of Human Services

Filed: June 2, 1989.

For further information, please call: (512) 450-3765

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**Texas Parks and Wildlife Department**  
**Notice of Public Hearing to Remove**  
**Sand and Gravel**

Notice is hereby given that the Freeway San Pit Company, whose address is 2016 Tangle Lane, Richmond, Fort Bend County, Texas 77469, on March 13, 1989, filed an application with the Texas Parks and Wildlife Commission for a sand and gravel permit to remove 1,500 cubic yards of sand and 500 cubic yards of gravel per month from the Brazos River in Fort Bend County approximately five miles southeast of Richmond, being adjacent to the properties of Ervin and Gilbert Vallet, the Ransom Ranch, and the Texas Department of Corrections. The area of dredging would extend over approximately a 500 foot reach of the river, 1,500 feet upstream of the US Highway 59 Bridge.

This permit is being requested under the authority granted to the Commission in the Texas Parks and Wildlife Code, Chapter 86

Pursuant to commission rule, the executive director has appointed an examiner to conduct a hearing on this application at 2 p.m., Monday, June 20, 1989, Room C-200, Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Travis County, at which time all interested parties may appear and be heard. Evidence or testimony may be presented orally or in writing by affidavit or deposition. All evidence offered must be subject to cross-examination or otherwise qualify as admissible evidence under the Texas rules of Civil Evidence in order to be considered by the commission. Written evidence should be filed with the examiner prior to the hearing date.

This hearing will be held under the authority of Article 6252-13a, §18(a), and the rules of the Texas Parks and Wildlife Commission, 31 TAC §57.61 et. seq. and 31 TAC §51.21 et. seq. The record of this proceeding will include evidence in testimony taken at the public hearing. The hearing may be continued from time to time and place to place, if necessary, to develop all relevant evidence bearing on the subject of the hearing. The examiner retains the authority to schedule or reschedule hearings as deemed necessary. Further information concerning any aspect of the application, if available, may be obtained by contacting Rollin MacRae, Wetlands Coordinator, Resource Protection Division, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4639. Information concerning any procedures of the hearing or scheduling may be obtained by contacting Jennifer Mellett, Hearing Examiner, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 (512) 389-4867.

Issued in Austin, Texas on June 5, 1989.

TRD-8904945 Jennifer Mellett  
Hearing Examiner  
Texas Parks and Wildlife Department

Filed: June 5, 1989

For further information, please call (512) 389-4805

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**State Purchasing and General Services**  
**Commission**  
**Summary of Other State Bidding**  
**Preference Laws**

The State Purchasing and General Services Commission publishes this summary of other state bidding preference laws in accordance with Texas Civil Statutes, Article 601g(b)(1), which requires the publication of a list of states which have laws or regulations regarding the award of contracts for general construction, improvements, services, or public works projects or purchases of supplies, materials, or equipment to nonresident bidders, together with a citation to and summary of the most recent law or regulation of each state relating to the evaluation of bids from and award of contracts to nonresident bidders.

**Alabama**

**Alabama Code**

Sec. 41-4-139 (1987)—Class 2(a), 2(b) and 4 printing, generally official state documents specifically defined in Sec. 41-4-131 (1982), must be done in the City of Montgomery.

Sec. 41-16-57 (1987)—Products produced in state or sold by residents preferred in tie bids.

**Alaska**

**Alaska Statute**

Sec. 36.15.050 (1987)—Preference of 7% to agricultural and fisheries products produced or harvested in the state, including timber and lumber, and products manufactured from timber and lumber harvested in the state. Preference is applicable to all purchases using state money, which includes state reimbursement to municipalities and school districts.

Sec. 36.30.332 (1987)—Preference of 3% to Class I products (more than 25% but less than 50% value added in state); 5% to Class II products (more than 50% but less than 75% value added in state); and 7% to Class III products (75% or more value added in the state). Preferences apply to state procurements.

**Arizona**

**Arizona Rev. Stat. Ann.**

Sec. 34-241 (1988)—Preference of 5% to contractors who have paid state or county taxes for at least two years, of at least \$200 per year.

Sec. 34-242 (1988)—Preference of 5% to construction materials produced or manufactured in the state.

Sec. 34-243 (1988)—Preference of 5% to construction materials bid by a resident dealer. Preferences apply to state and political subdivision contracts to be paid for from public funds.

**Arkansas**

**Arkansas Stat. Ann.**

Sec. 14-293 (1985)—Preference of 5% to firm resident in

Arkansas on competitively bid purchases of all commodities by the state and all political subdivisions.

Secs. 14-294 to 14-294.5 (1985)—Preference of 15% to private industries located in the state bidding against out-of-state correctional institutions on sales of products to the state.

California—None.

Colorado

Colorado Rev. Stat.

Sec. 8-19-103—Reciprocal preferences.

Connecticut

Connecticut Gen. Stat.

Sec. 4-119 (1988)—Printing contracts must be awarded to firms having a printing establishment in the state.

Delaware—None.

Florida

Florida Statute

Sec. 287.084 (1989)—Reciprocal preferences applicable to political subdivisions only.

Georgia

Georgia Code Ann.

Secs. 50-5-60, 50-5-61, 50-5-62 (1986)—Resident and product preferences in tie bids.

Sec. 50-5-63 (1986)—Any contract for construction, addition to, or repair of a facility, to be paid for by the state or a political subdivision must stipulate Georgia forest products will be used, if such products are required and are available. Preferences apply to state and political subdivisions.

Hawaii

Hawaii Rev. Stat.

Secs. 103-41, 103-42 (1985)—Preference of 3% to Class I products (i.e., 25-50% value added in state); 5% to Class II products (i.e., 50-75% value added in state) and 10% to Class III products (i.e., 75% or more value added in state). Preferences apply to any expenditure of public funds by a governmental agency, defined as the state and its political subdivisions and a public officer or employee thereof.

Idaho

Idaho Code

Secs. 60-101, 60-103 (1987)—Preference of 10% to printing, binding, engraving and stationery work performed in the state, for the state unless exception in Sec. 60-103 applies.

Sec. 60-102 (1976)—All county printing, binding, and stationery work for counties must be performed within the county; if proper facilities do not exist to do the work in the county, it must be done within the state unless Sec. 60-103 is applicable.

Sec. 67-5718 (1987)—Product preference in tie bids.

Illinois

Illinois Ann. Stat.

Ch 29, Sec. 36 (Smith-Hurd 1989)—Preference of 10% to coal mined in the state purchased for fuel by any state agency or political subdivision.

Title 127, Sec. 132.6 (Smith-Hurd 1989)—Reciprocal preferences.

Indiana

Indiana Code

Sec. 5-17-3-1 (1982)—Public institutions that purchase coal for fuel must purchase coal mined in Indiana unless low-sulphur coal is required by federal regulations.

Iowa

Iowa Code

Sec. 18.6 (1978)—Product and resident preference in tie bids.

Sec. 73.1 (1987)—Products preferred in tie bids.

Sec. 73.6 (1987)—Coal mined or produced in Iowa is given preference of up to 5%.

Sec. 23.21 (1987)—Reciprocal preferences. Sec. 18.6 applies to state; remaining provisions apply to state and political subdivisions.

Kansas

Kansas Stat. Ann.

Sec. 75-3740a (1984)—Reciprocal preferences.

Sec. 75-3740(b)—Residents preferred in tie bids.

Kentucky—None.

Louisiana

La. Rev. Stat. Ann.

Sec. 1595 (West 1988)—Preference of 7% to meat and meat products, seafood or seafood products grown, canned, frozen, or produced in state. Preference of 4% to domesticated catfish grown outside state but processed in state and meat and meat products further processed in state under the state's grading and certification process.

Sec. 1595.2 (West 1988)—Public works contractors reciprocal provision.

Sec. 1595.3 (West 1988)—Preference of 5% to vendors of services to organize or administer rodeo and livestock shows in state-owned facilities.

Sec. 1595.5 (West 1988)—Preference of 5% to Louisiana retail dealers for any public agency retail purchase.

Sec. 1595.6 (West 1988)—Preference of 10% to steel rolled in Louisiana.

Maine

Maine Rev. Stat. Ann.

Title 26, Sec. 1301 (1974) Residents preferred on tie bids for public works contracts.

Maryland

Maryland State Fin. and Proc. Code Ann.

Sec. 11-145 (1987)—Reciprocal preferences.

Massachusetts

Massachusetts Ann. Laws

Ch. 7, Sec. 22(17) (1989)—Products preferred in tie bids.

Michigan

Mich. Comp. Laws Ann.

Sec. 18.1261 (West 1987)—Products and residents preferred on tie bids.

Sec. 24.61 (West 1981)—Printing for state chargeable to state must be performed within the state and bear a local union label.

Minnesota

**Minnesota Statute**

Sec. 16B.102 (1988)—Reciprocal preferences.

**Mississippi**

Mississippi Code Ann.

Sec. 31-7-15 (1972)—Products preferred in tie bids.

Sec. 31-7-47 (1987)—Reciprocal preferences.

**Missouri**

Missouri Ann. Stat.

Sec. 34.070 (Vernon 1969)—Residents and products preferred in tie bids.

Sec. 34.076 (Vernon 1988)—Reciprocal preferences. Preferences apply to state and political subdivisions.

**Montana**

Montana Code Ann.

Secs. 18-1-101, 18-1-102, 18-1-103 (1987)—Preference of greater of 3% or the reciprocal preference to resident bidder for construction, repair, or public works contracts of state agencies and political subdivisions. Preference of 5% to resident bidders offering Montana made goods; or 3% to any bidder offering Montana made goods over resident bidder offering non-Montana made goods.

**Nebraska**

Nebraska Rev. Stat.

Sec. 73-101.01 (1986)—Reciprocal preferences.

Nevada—None.

New Hampshire—None.

**New Jersey**

New Jersey Stat. Ann.

Sec. 52:32-1.4 (1986)—Reciprocal preferences.

Sec. 52:36-3 (1986)—Printing for state must be performed in the state.

**New Mexico**

New Mexico Stat. Ann.

Secs. 13-4-1, 13-4-2 (1985)—All governmental entities have duty to award public works construction contracts to resident contractors whenever practicable. Preference of 5% to resident contractors.

Sec. 13-1-21 (1985)—Preference of 5% to resident manufacturers and resident businesses.

Sec. 13-1-22 (1985)—Businesses and manufacturers must be precertified as resident firms before being given a preference.

**New York**

New York State Fin.

Sec. 174A (McKinney 1988)—Preference of 3% for New York agriculture products.

**North Carolina**

N. Carolina Gen. Stat.

Sec. 143.59 (1987)—Residents preferred on tie bids.

**North Dakota**

N. Dakota Century Code

Sec 44-08-01 (1987)—Reciprocal preferences.

**Ohio**

**Ohio Rev. Code Ann.**

Sec. 125.11 (1988)—Contracts are awarded for products produced or mined in Ohio if there is sufficient competition to insure against excessive price or inferior quality. Sufficient competition is deemed to exist with two or more qualified bids offering Ohio produced or manufactured products. Preferences are mandatory on state but optional for political subdivisions. Sec. 153.012 (1983) Reciprocal preferences on construction contracts.

**Oklahoma**

Oklahoma Statute

Title 74 Sec. 85.32 (1987)—Preference of 5% to products grown, produced or manufactured in state, unless a reciprocal preference applies. Preference is applicable to contracts of the state and its political subdivisions.

**Oregon**

Oregon Rev. Statute

Sec. 282.210 (1987)—Printing, binding and stationery work for the state or political subdivisions must be performed within the state unless it cannot be done, the price is higher than that customarily charged private persons, or all bids are excessive.

Sec. 279.021 (1987)—Products preferred in tie bids.

Sec. 279.029 (1989)—Reciprocal preferences.

**Pennsylvania**

72 P.S. Sec. 203 (1962)—Reciprocal prohibition.

**Rhode Island—None.**

**South Carolina**

S. Carolina Code Ann.

Sec. 11-35-1520 (1987)—Residents and products preferred in tie bids. Preference of 2% to residents on procurements under \$2.5 million, and 1%, over \$2.5 million. Preferences are applicable to state and political subdivision contracts, but do not apply to construction contractors, subcontractors or to procurements, regardless of total amount, if any individual item is more than \$10,000.

**South Dakota**

S.D. Codified Laws Ann.

Sec. 5-19-3 (1987)—Reciprocal preferences. Bureau of Administration must maintain list of other state preference laws.

Sec. 5-23-13 (1985)—Residents and products preferred in tie bids.

**Tennessee—None**

**Texas**

Tex. Rev. Civ. Stat. Ann.

Art. 601b, Sec. 3.28 (Vernon 1988)—Residents and products grown in state preferred in tie bids.

Art. 601g (Vernon 1988)—Reciprocal preference. State Purchasing and General Services Commission must publish list of other state preference laws at least annually. Art. 601b applies to state agencies only; Article 601g applies to state agencies and political subdivisions.

**Utah**

Utah Code Ann.

Sec. 63-56-20.5 (1989)—Reciprocal preferences.

**Vermont**

Vermont Stat. Ann.

Title 6, Ch. 207, Sec. 4601 (1987)—Resident products preferred in tie bids.

Virginia

Virginia Code Ann.

Sec. 11-47 (1985)—Residents preferred in tie bids; reciprocal preferences.

Sec. 11-47.1 (1987)—Preference of 4% to coal mined in state purchased for use in state facilities with state funds.

Washington—None.

West Virginia

West Virginia Code

Sec. 5A-3-44 (1987)—Preference of 2% to resident bidders for state commodities and printing contracts. Same preference may be granted by political subdivisions at their option.

Sec. 5A-3-45 (1987)—Reciprocal preferences.

Wisconsin

Wisconsin Stat. Ann.

Secs. 16.75 and 16.855 (1986)—Residents and products preferred on tie bids. Reciprocal preferences

Wyoming

Wyoming Statute

Sec. 16-1-101 et seq. (1987)—Preference of 5% to (1) resident contractors; (2) supplies, materials, equipment or provisions produced, manufactured or grown in the state offered by residents.

Sec. 16-6-301 (1982)—Preference of 10% to resident bidders for public printing. Preferences apply to state agencies and political subdivisions.

Issued in Austin, Texas on June 2, 1989.

TRD-8904916

John R. Neel  
General Counsel  
State Purchasing and General Services  
Commission

Filed: June 2, 1989

For further information, please call (512) 463-3446.

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**Texas Real Estate Commission**  
**Correction of Error**

The Texas Real Estate Commission submitted an adopted section which contained an error as published in the May 30, 1989, issue of the *Texas Register* (14 *TexReg* 2613).

The effective date for §531.18 should read: "Effective date : February 1, 1990."

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