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Volume 6, Number 8; February 3, 1981  
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# TEXAS REGISTER

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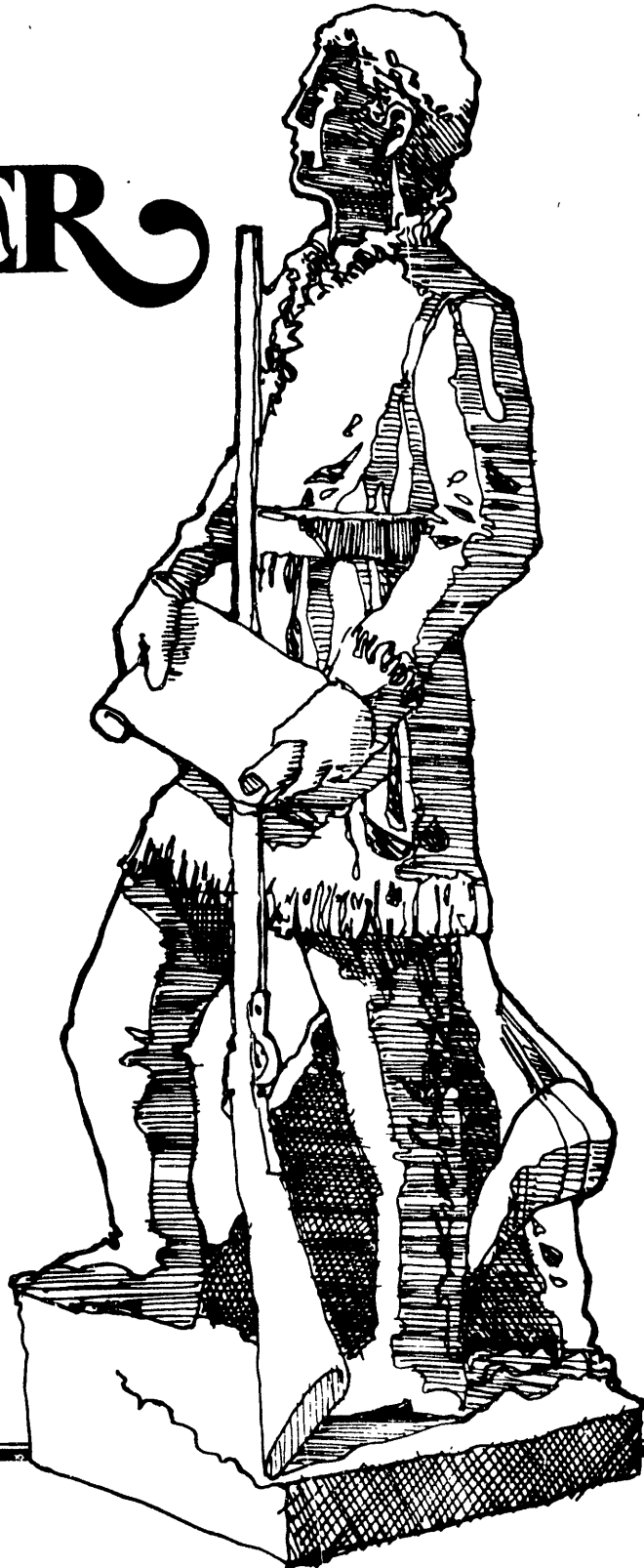
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TEXAS DOCUMENTS

The *Texas Register* is currently in the process of converting to the numbering system found in the *Texas Administrative Code* (TAC). To aid the reader in this conversion, both the 10-digit *Register* number and the new TAC number will be listed for agencies whose rules have been published in the TAC. Emergency, proposed, and adopted rules sections of the *Register* are divided into two classifications, codified and noncodified. Codified rules appear in title number order. Non-codified rules appear in alphabetical order as they have in the past. An "Index of TAC Titles Affected" appears at the end of this issue.

Titles 1, 4, 7, 10, 13, 16, 22, 31, 34, 37, and 43 only of the TAC have now been published. Documents classified in the *Texas Register* to titles not yet published and certain documents affecting titles of the code have been accepted in the non-TAC format and may be renumbered or revised, or both, when initially codified in the TAC.

Under the TAC scheme, each agency rule is designated by a TAC number. For example, in the citation 1 TAC §27.15.

1 is the title (agencies grouped together by subject title which are arranged alphabetically)

TAC is the *Texas Administrative Code*

§27.15 is the section number (27 represents the chapter number and 15 represents the individual rule within the chapter)

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Latest Texas Code Reporter  
(Master Transmittal Sheet), No. 4, Jan. 81

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**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 2404 of Volume 4 is cited as follows: 4 TexReg 2404.

*Cover illustration represents Elisabet Ney's statue of Stephen F. Austin, which stands in the foyer of the State Capitol.*

# TEXAS REGISTER



**George W. Sirake, Jr.**  
Secretary of State

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## Appointments

### Sixth Court of Civil Appeals

*Effective immediately, to be associate justice, Texarkana, until the next general election and until his successor shall be duly elected and qualified*

Charles Mills Bleil  
1207 Lavaca  
Texarkana, Texas 75503

Judge Bleil is replacing Judge C. L. Ray, Jr., who was elected to the position of associate justice of the Supreme Court of Texas.

### Finance Commission of Texas

*For a term to expire February 1, 1981*

V. F. Neuhaus  
P.O. Box 1028  
Mission, Texas 78572 (business ability)

Mr. Neuhaus will be filling the unexpired term of Oscar Brookshire of Lufkin, Angelina County, who resigned.

### Gregg County

*Effective January 10, 1981, to be criminal district attorney of Gregg County, until the next general election and until his successor shall be duly elected and qualified:*

Robert Riter Foster  
221 Bramlette Building  
Longview, Texas 75606

Mr. Foster is replacing Odis R. Hill of Longview, Gregg County, who resigned.

### Texas Historical Commission

*For a six-year term to expire January 1, 1987*

Richard H. Collins  
4821 First International Building  
Dallas, Texas 75270

Mr. Collins is replacing Mary Moody Northen of Galveston, Galveston County, whose term expired.

### 94th Judicial District Court of Texas

*Effective immediately, to be judge, Nueces County, until the next general election and until his successor shall be duly elected and qualified*

David Diaz  
807 South Port Avenue  
Corpus Christi, Texas 78405

Mr. Diaz is replacing Judge George Hamilton of Corpus Christi, Nueces County, who resigned.

### 180th Judicial District Court of Texas

*Effectively immediately, to be judge, Harris County, until the next general election and until her successor shall be duly elected and qualified*

Patricia R. Lykos  
1306 Riverview Court  
Houston, Texas 77077

Judge Lykos is replacing Judge Fred M. Hooley of Houston, Harris County, who retired.

### 220th Judicial District Court of Texas

*Effective immediately, to be judge, Bosque, Comanche, and Hamilton Counties, until the next general election and until his successor shall be duly elected and qualified*

Floyd R. Wilson  
P.O. Box 366  
Meridian, Texas 76661

Mr. Wilson will be replacing Judge Andrew Campbell of Hamilton, Hamilton County, who resigned.

### Texas A&M University

*To the Board of Regents, to be effective January 11, 1981, for six-year terms to expire January 10, 1987:*

Harvey Roberts "Bum" Bright  
2355 Stemmons  
Dallas, Texas 75207

Mr. Bright is replacing Alfred I. Davies of Dallas, Dallas County, whose term expired.

William A. McKenzie  
26th Floor, LTV Tower  
Dallas, Texas 75201

Mr. McKenzie is replacing Joe H. Reynolds of Houston, Harris County, whose term expired.

Joe Richardson, Jr.  
P.O. Box 8246  
Amarillo, Texas 79109

Mr. Richardson is replacing Ross C. Watkins of Uvalde, Uvalde County, whose term expired.

### University of Texas System

*To the Board of Regents, to be effective January 11, 1981, for six-year terms to expire January 10, 1987:*

Ms. Dolph (Janey) Briscoe  
P.O. Box 389  
Uvalde, Texas 78801

Ms. Briscoe is replacing Thomas H. Law of Fort Worth, Tarrant County, whose term expired.

Beryl Buckley Milburn  
2606 Pectus  
Austin, Texas 78703

Ms. Milburn is replacing Walter G. Sterling of Houston, Harris County, whose term expired.

Tom B. Rhodes  
1901 North Akard Street  
Dallas, Texas 75201

Mr. Rhodes is replacing Dan C. Williams of Dallas, Dallas County, whose term expired.

Doc. No. 810582-  
810585

William P. Clements, Jr.  
Governor of Texas

For further information, please call (8512) 475-3021.

Article 4399, Vernon's Texas Civil Statutes, requires the attorney general to give written opinions to certain public officials. The Texas Open Records Act, Article 6252-17a, Section 7, Vernon's Texas Civil Statutes, requires that a governmental body which receives a request for release of records seek a decision of the attorney general if the governmental body determines that the information may be withheld from public disclosure. Opinions and open records decisions issued under the authority of these two statutes, as well as the request for opinions and decisions, are required to be summarized in the *Texas Register*.

Copies of requests, opinions, and open records decisions may be obtained from the Opinion Committee, Attorney General's Office, Supreme Court Building, Austin, Texas 78701, telephone (512) 475-5445.

## Requests for Opinions

### Summary of Request for Opinion RQ-516

Request from Jane H. Macon, city attorney, San Antonio.

**Summary of Request:** Is an affidavit taken in connection with an investigation held by the Equal Employment Opportunity Commission exempted from public disclosure by Section 3(a)(1), (3), (7), or (11) of the Open Records Act?

Doc No. 810669

### Summary of Request for Opinion RQ-517

Request from W. J. Estelle, Jr., director, Texas Department of Corrections, Huntsville.

**Summary of Request:** Does an inmate of the Texas Department of Corrections have access to his medical records maintained by the department or are they made confidential by Section 27 of Article 42.12?

Doc No. 810670

### Summary of Request for Opinion RQ-518

Request from Tom O'Connell, criminal district attorney, Collin County.

**Summary of Request:** May a county make a capital contribution to a nonprofit corporation organized for the purpose of training handicapped adults to acquire job skills for the construction of a building?

Doc. No. 810671



## Opinions

### Summary of Opinion MW-292 (RQ-327)

Request from John W. Davis, O.D., chairman, Texas Optometry Board, Austin, concerning Optometry Act requirement that the business of an optician be separate from the practice of an optometrist.

**Summary of Opinion:** Article 4552-5.15(b) of the Texas Optometry Act requires premises occupied by an optometrist to be separated from premises occupied by a dispensing optician by solid partitions or walls. Such solid partitions or walls may contain glass panels but may not be broken by a door or window which opens.

Issued in Austin, Texas, on January 27, 1981.

Doc. No. 810683

Susan L. Garrison, Acting Chairwoman  
Opinion Committee  
Attorney General's Office

For further information, please call (512) 475-5445.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

Upon request, an agency shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement from the agency before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling objections to the agency's decision.

This section now contains two classifications, codified and noncodified. Agencies whose rules have been published in the *Texas Administrative Code* will appear under the heading "Codified." These rules will list the new TAC number, which will be followed immediately by the *Texas Register* 10-digit number. Agencies whose rules have not been published in the TAC will appear under the heading "Noncodified." The rules under the heading "Codified" will appear first, immediately followed by rules under the heading "Noncodified."

Symbology—Changes to existing material are indicated in *bold italics*. [Brackets] indicate deletion of existing material.

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## CODIFIED

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### TITLE 1. ADMINISTRATION

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

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

###### Elimination of Architectural Barriers

(Editor's note: The State Purchasing and General Services Commission recently proposed for adoption new §115.62 (028.13.03.586) of this title (relating to Standards and Specifications). The text of the new section was scheduled for publication in the January 27 issue but due to its length publication was delayed until the February 3 issue (6 TexReg 301). The text of §115.62 (.586) of this title (relating to Standards and Specifications) follows below. The proposed date of adoption for the new section is February 27, 1981).

The State Purchasing and General Services Commission proposes for permanent adoption §115.62 (028.13.03.586) of this title (relating to Standards and Specifications) required by paragraph (c) of Section 7.05 of Article 601b, Vernon's Texas Civil Statutes. These proposed standards and specifications are similar to those adopted on an emergency basis which were published in the November 7, 1980, issue of the *Texas Register* (5 TexReg 4373).

Specific standards and specifications were a part of the law prior to September 1, 1979, and had been enforced since its inception in 1970 as "Standards and Specifications for the

Construction of Public Buildings and Facilities in the State of Texas Usable by the Physically Handicapped and Disabled Citizens" (Senate Bill 111, Acts of the 61st Legislature, 1969, Chapter 324, page 1002; Article 678g, Vernon's Texas Civil Statutes). Essentially, these standards were the same as adopted by the American National Standards Institute (ANSI) covering the same subject. (Original enforcement of Article 678g, Vernon's Texas Civil Statutes, was given to the old State Building Commission, which was merged with the old State Board of Control in 1977; see Senate Bill 759, Acts of the 65th Legislature, 1977, Chapter 766, page 1914; Article 678m.1, Vernon's Texas Civil Statutes.) The specific standards of Article 678g, supra, were deleted from the law in 1979 when that article was repealed and some of its provisions re-enacted as Article 7 of House Bill 1673, Acts of the 66th Legislature, 1979, Chapter 773, page 1908; Article 7 of Article 601b, Vernon's Texas Civil Statutes. The authority to adopt standards and specifications as originally set out in Section 20 of Article 678g was retained in the aforementioned Section 7.05 of Article 601b, supra. Just as before, they were required to be consistent in effect to the ANSI standards.

Since September 1, 1979, this office has exercised its responsibility in this area using the old ANSI standards. The recent adoption of new standards by ANSI makes it incumbent upon the commission to adopt new standards for use in Texas that better reflects the current state of requirements. The Act itself has been gradually extended in basic coverage since its 1970 beginnings, and in 1977 was made applicable to certain privately funded buildings constructed on or after January 1, 1978. This same provision was carried into the 1979 codification (see Section 7.02(d) of Article 601b, Vernon's Texas Civil Statutes) and retained the January 1, 1978, date insofar as privately funded buildings were concerned.

Lack of current standards has impaired the commission's ability to fairly administer appropriate standards and specifications in accord with Section 7.05 and poses an immediate threat to the public safety and welfare in that context.

Section 115.54 (.578) of this title (relating to Standards and Specifications; Manual of Specifications) is basically contrary to the provisions of this proposed §115.62 (.586) of this title, and for that reason is being proposed for repeal. The proposal to repeal § 115.54 (.578) appeared in the January 27, 1981, issue of the *Texas Register* (6 TexReg 301). The repeal was adopted on an emergency basis in the November 7, 1980, issue of the *Texas Register* (5 TexReg 4373).

Promulgation of the proposed section will have no significant fiscal implications for state or local units of government (source Elimination of Architectural Barrier Section of the Building and Property Services Division). Adoption by the commission is anticipated by March 1, 1981.

Written comments are invited and may be sent to R. Douglas Lawson, Architectural Barriers Department, P.O. Box 13047, Austin, Texas 78711.

The following section is proposed under the authority of Section 7.05(c) of Article 601b, Vernon's Texas Civil Statutes.

§115.62 (028 13 03.586) *Standards and Specifications*

(a) Purpose and application.

(1) Purpose. The purpose of this section is to implement Paragraph (c), Section 7.05, of the Act, 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. The standards and specifications contained in this section are considered to be "consistent in effect" to those contained in ANSI A117.1-1980. The specifications contained in ANSI standards are based on "adult dimensions and anthropometrics" and do not set out adjusted specifications suitable for children. Some of the standards and specifications 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) by age and school grade categories.

(2) Application. The standards and specifications contained in this section shall be considered to be minimum guidelines for complying with the intent of the Act in buildings and facilities covered in Section 7.05, supra. It is not the intent of these standards and specifications to prohibit or discourage the development and use of sites with extreme conditions.

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

**Access aisle**--An accessible space between elements such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

**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.

**Accessible route**--A continuous unobstructed path having a smooth and firm surface, sufficient in width and configuration, to permit a person in a standard-sized wheelchair to obtain free access to buildings and facilities and to all elements and functional spaces within the buildings and facilities. Accessible routes may include but are not limited to walks, halls, aisles, corridors, elevators, ramps, curb ramps, and clear floor spaces at fixtures.

**Appropriate number**--A number that is sufficient to accommodate the disabled users of a site, building, facility, or element.

**Assembly area**--A room, building, or other facility large enough to accommodate 50 or more persons for purposes such as social functions, recreation, food consumption, amusements, etc. Such spaces may include but are not limited to auditoriums, gymnasiums, dining rooms, motion picture theaters, recreation halls, stadiums and grandstands, theaters for stage productions, and conference rooms.

**Automatic door**--A door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of momentary actuating signal. The switch that begins the automatic control may be a photoelectric device, floor mat, or manual switch.

**Balcony**--That portion of a seating space of an assembly room, auditorium, or theater that is raised at least four feet or more above the level of the main floor.

**Buildings or facilities**--Is all or any portion of buildings, structures, equipment, roads, walks, parking lots, park sites, or other real property.

**Circulation route**--An exterior or interior way of passage from one place to another for pedestrians including

but not limited to walks, hallways, courtyards, stairways, and stair landings.

**Component**--An element or space in a building or facility.

**Cross slope**--The slope of a pedestrian or vehicular way that is perpendicular or diagonal to the direction of travel.

**Detectable**--Preceptible by one or more of the senses.

**Element**--Means an architectural or mechanical part of a building, facility, space, or site.

**lbf**--Pounds force

**Level**--As used in these standards, shall include any surface or part of a surface not having a slope in excess of 1:50 (2.0%) at any point, in any direction.

**Mezzanine**--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 the 33-1/3% of the total floor area shall be considered a story.

**Physically handicapped**--Means any person who has a disability which limits one or more major life activities including but not limited to such functions as performing manual tasks, walking, seeing, hearing, or speaking.

**Operable part**--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 (e.g., coin slot, pushbutton, handle).

**Performing areas**--Any raised or recessed floor surface of sufficient size so that the area can be used for the same purposes as a stage (see stage).

**Power-assisted door**--A door with a mechanism that helps to open the door, or relieve the opening resistance of a door, upon the activation of a switch or a continued force applied to the door itself. If the switch or door is released, such doors immediately begin to close or close completely within three to 30 seconds (see automatic door).

**Principal (primary) entrance**--An entrance intended to be used by the occupants and visitors to enter or leave a building or facility. This may include but is not limited to the main entrance.

**Ramp**--A walking surface in an accessible space or route that has a running slope greater than 1:20 (5.0%).

**Running slope**--The slope of a pedestrian way that is parallel to the direction of travel (see cross slope).

**Service entrance**--An entrance intended primarily for delivery or service.

**Signage**--Verbal, symbolic, and pictorial information.

**Site**--A parcel of land bounded by a property line or a designated portion of a public right of way.

**Site improvements**--Landscaping, paving for pedestrian and vehicular ways, outdoor lighting, recreational facilities, and similar site additions.

**Space**--A definable area of a building, facility, or site. Examples include toilet rooms, halls, assembly areas, parking areas, courtyards, and lobbies.

**Stage**--A partially enclosed portion of an assembly building or assembly area which is designed or used for the presentation of events such as theatrical productions, musical productions, or other entertainment wherein scenery, drops, or other effects are installed and where the distance between the top of the proscenium opening in the ceiling above the stage is more than five feet (see performing areas).

**Standard**--Any standard or specification set out in this publication which provides or enhances accessibility to the handicapped.

**Tactile**—Means perceptible through the sense of touch.

**Tactile warning**—Means a surface texture applied to or built into walking surfaces, operating devices, or other elements to warn visually impaired persons of hazards in the path of travel.

(c) Design criteria. The accessibility standards and specifications contained in this section are based on space, equipment, and human data contained in this subsection.

(1) Wheelchair. The wheelchair is the basic vehicle for use by nonambulatory persons. Its specifications establish the fundamental design requirements for making buildings and facilities accessible to and usable by handicapped persons.

(A) The dimensional specifications listed below and as shown in Figures (c)1.1 and (c)1.2 represent the standard collapsible model wheelchair.

(i) Length: 42 inches (107 centimeters).

(ii) Width, open: 26 inches (66 centimeters).

(iii) Width, folded: 11 inches (28 centimeters).

(iv) Height of seat from floor: 19 inches (48 centimeters).

(v) Height of armrest from floor: 30 inches (76 centimeters).

(vi) Height of pusher handles from floor: 36 inches (91 centimeters).

(B) The space required for a wheelchair user to make a continuous 180-degree turn is a clear space having a diameter of at least 60 inches (152 centimeters) diameter. See Figure (c)2. Clear areas of 54 by 62 inches (137 by 157 centimeters) minimum as illustrated in Figure (c)3.1, or T-shaped spaces having 36 by 36 inches (91 by 91 centimeters) minimum dimensions, as illustrated in Figure (c)3.2, are also satisfactory for accomplishing 180-degree turns.

(C) The minimum clear width necessary to allow two wheelchairs to pass is 60 inches (152 centimeters). A 48-inch- (122-centimeter-) wide path will allow for passage of a wheelchair and pedestrian.

(D) The space necessary to occupy a single wheelchair at rest is 48 by 30 inches (122 by 76 centimeters). See Figures (c)4.1 through (c)4.7.

(2) Walking aids. Persons using crutches, braces, canes, or walkers are generally able to function within the dimensional standards prescribed for wheelchairs; therefore, human data relative to such devices are limited to that shown in Figure (c)5.

(3) Reach limitation. Accessible elements of a building or facility is dependent both on height and location in relation to a person sitting in a standard wheelchair.

(A) Forward reach. If clear floor space will allow only a forward approach to an object, the maximum high forward reach allowed shall be 48 inches (122 centimeters). See Figure (c)6.1. If the forward reach is over an obstruction reach and clearances shall be as shown in Figure (c)6.2.

(B) Side reach. If clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 54 inches (137 centimeters) as illustrated in Figure (c)7.1. If the side reach is over an obstruction, the reach and clearances shall be as shown in Figure (c)7.2.

(C) To be accessible, special equipment may sometimes require measurements different from those provided herein. The location and dimensional requirements should

be dictated by equipment design with mobility limitations a consideration.

(d) General. The specifications and statements contained in this subsection are common to all spaces and elements of buildings and facilities and shall have both interior and exterior application.

(1) Circulation routes. General circulation routes connecting all spaces and elements within a building or facility shall be accessible by complying with paragraphs (2) and (3) below and other appropriate standards contained in this section.

(2) Accessible routes. At least one accessible route shall be provided from accessible parking spaces, passenger loading zones, and public sidewalks to the buildings or facilities they serve and at least one accessible route shall connect applicable buildings, facilities, elements, and spaces that are on the same site. Accessible routes shall never be less than 36 inches (91 centimeters) wide at any point and shall comply with this and other appropriate standards contained in this section.

(3) Ground and floor surfaces. 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, relatively smooth, and nonslip under all weather conditions. Soft or loose surfaces such as sand and gravel shall not be allowed 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 or spaces and elements requiring freedom of movement.

(4) Surface slopes. Any accessible space or accessible route having a running slope greater than 1:20 shall be considered a ramp and shall comply with subsection (f) of this section. Cross slopes shall never exceed 1:50 in accessible routes and spaces required to be accessible.

(5) Changes in level. Changes in level up to 1/4 inch (six millimeters) may be vertical and without edge treatment. Changes in level between 1/4 inch and 3/4 inch (six and 19 millimeters) shall be beveled with a slope no greater than 1:2.

(6) Hazards. All circulation routes, accessible spaces, and accessible routes shall be free of conditions that may be dangerous to handicapped persons. Hazardous elements and conditions may include but are not limited to those referenced below.

(A) Protruding objects. Objects projecting from walls with their leading edges between 27 inches (68 centimeters) and 80 inches (203 centimeters) above the finished floor shall protrude no more than four inches (20 centimeters) into walks, halls, corridors, passageways, or aisles. See Figure (d)1.1. Objects mounted with their leading edges at or below 27 inches (68 centimeters) may protrude any amount provided such protrusion does not reduce the clear width of an accessible route or maneuvering space. See Figure (a)1.2.

(B) Free-standing objects. Objects mounted on posts or pylons may overhang 12 inches (30 centimeters) maximum within a range of 27 to 80 inches (68 to 203 centimeters) above the ground or floor surface. Free-standing objects and their supports shall not reduce the clear width of an accessible route or maneuvering space.

(C) Head room. Walks, halls, corridors, stairways, and all accessible routes or circulation spaces shall have at



least 80 inches (203 centimeters) clear head room measured from the walking surface. See Figure (d)1.1.

(D) Gratings. If gratings are located in pedestrian areas, they shall have spaces no greater than 1/2 inch (13 millimeters) wide in one direction. Gratings with elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel. See Figures (d)2.1 and (d)2.2.

(7) Appropriate number. In determining appropriate numbers of a particular element, space, or fixture in a building or facility, the following factors shall be considered:

- (A) population to be served;
- (B) availability of the users;
- (C) location relative to distance and time;
- (D) location relative to isolation or separation;
- (E) function of the building or facility;
- (F) equal treatment and opportunity.

The guidelines for determining "appropriate number" contained in various subsections of this section are considered minimal and the State Purchasing and General Services Commission shall have the authority to make adjustments and set out locations when it is determined that the guidelines would cause the numbers to be excessive or insufficient based on the nature, use, and other circumstances of any particular building or facility.

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

(e) Parking and passenger loading zones. If parking spaces and/or loading zones are provided by or otherwise made available to or under the control of the building or facility owner, agent, or occupant, an appropriate number of spaces shall comply with the standards of this subsection.

(1) Appropriate number. The appropriate number of parking spaces should be based on the location and function of the buildings or facilities the parking is to serve but never less than the number specified below:

Table (e)1

Total Parking Spaces Available	Minimum Number of Accessible Spaces
1-10	1
11-100	2
101-150	3
151-225	4
226-300	5
301-400	6
401-500	7
over 500	8 + 10% over 500

(2) Location. Accessible parking spaces and accessible passenger loading zones that serve a particular building should be located on an accessible circulation route and as near as reasonably possible to the accessible primary entries of the building or facility. In separate parking structures, lots, or basement garages, parking spaces shall be located on the shortest possible circulation route.

(3) Parking space specifications. 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 wheeling and walking. Accessible parking

spaces should not be located in such a place that would cause persons to wheel or walk behind parked cars.

(A) Head-in or diagonal spaces shall be at least 96 inches (244 centimeters) wide with an adjacent aisle or clear space of at least 60 inches (152 centimeters) wide. A common aisle between two 96-inch wide spaces may be shared. See Figures (e)1.1 through (e)1.3. In order to better accommodate handicapped persons using vans with side lifts, an aisle of 72 inches (183 centimeters) is preferred.

(B) Parallel parking is discouraged except when it can be situated in such a manner that persons entering and existing 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 placed in such a manner that persons are out of the flow of traffic. See Figure (e)2 for an example of a well-designed parallel space.

(C) Parked vehicle overhangs shall not intrude into or reduce the clearance of accessible routes. See Figure (e)1.

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

(E) Accessible parking spaces shall be identified and reserved for the handicapped by a sign incorporating the symbol of accessibility and placed so that it will not be obscured by parked vehicles. The signage shall be of such size that it is legible from a distance that would be reasonable for the condition. See Figure (e)3 for an example of an acceptable sign. Where conditions exist that precludes the use of vertical signage, phrases, or symbols sufficient in size, permanency, meaning, and location to adequately serve the intent of this paragraph may be accepted.

(4) Separate parking structures and off-site lots. 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 other specifications contained in this subsection.

(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.

(C) Elevators in multilevel structures shall comply with the standards and specifications contained in subsection (m) of this section.

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

(5) Passenger loading zones. If passenger loading zones are provided, there shall be an access aisle of at least 44 inches (112 centimeters) wide and 20 feet (six meters) long and adjacent to the vehicle pull up space. Curb ramps complying with subsection (f) of this section are required when curbs exist between the access aisle and the vehicle pull-up space.

(f) Curb ramps.

(1) General. Wherever curbs intersect accessible routes, curb ramps shall be provided. Where ramps are required for curbs in excess of eight inches (20 centimeters) high, the curb ramps shall comply with the standards and specifications contained in subsection (h). Where ramps are

required for curbs eight inches (20 centimeters) or less, they shall conform to the standards and specifications contained in either this subsection or subsection (b).

(2) Curb ramp requirements.

(A) Curb ramps shall be located so that they are not obstructed by parked vehicles and shall not intrude into vehicular traffic lanes.

(B) Slope. Curb ramps shall not exceed the slope and rise ratios set out in Table (f)1 or (f)1, whichever is applicable.

(C) Sloped surfaces shall have a slip-resistant texture or finish. 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 permits water accumulation are prohibited.

(D) 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.

(E) The minimum width of a curb ramp shall be 36 inches (91 centimeters), exclusive of flared sides. Curb ramps less than 48 inches (122 centimeters) wide and without side protection shall have flared sides with slopes not exceeding the slope and rise ratios set out in Table (f)1, applied at the curb line. See Figure (f)1.3.

(F) Curb ramps intersecting with pedestrian walks shall have flared sides. The maximum allowable slope of the flare shall be 1:10 (10%). See Figures (f)1.1 and (f)1.2.

(G) Curb ramps shall be designed so that the "cradle" will allow wheelchair footrests to clear the adjoining surface during transition. The minimum allowable angle from surface to surface shall be 170°. See Figure (f)2.

Table (f)1

Maximum Allowable Slope %	Maximum Rise	Maximum Horizontal Projection (Run)
16.7% (1:6)	3 inches (8 cm)	18 inches (46 cm)
12.5% (1:8)	7 inches (18 cm)	56 inches (142 cm)
11% (9)	8 inches (20 cm)	72 inches (183 cm)

(g) Sidewalks and building approaches. When sidewalks or other defined walkways are part of an accessible route to buildings or facilities, they shall adhere to the standards and specifications of this subsection.

(1) Width. Walkways in excess of 30 feet (nine millimeters) shall be a minimum of 44 inches (112 centimeters) wide. A minimum width of 36 inches (91 centimeters) is acceptable for walkways less than 30 feet (nine meters) in length and having no drop-off hazards, obstacles, or turning requirements greater than 90°.

(2) Surface. Walk finishes and materials shall provide a surface that is firm, stable, and slip resistant. Irregular surfaces such as cobblestone or improperly laid flagstone and brick are not acceptable.

(3) Changes in level. Walks shall have a continuous common surface not interrupted by steps or abrupt changes in level. Level changes not exceeding 3/4 inches (two centimeters) having beveled edges are acceptable.

(4) Slope. Walks or portions of walks exceeding a slope of 1:20 (5.0%) shall be classified as ramps and shall comply with subsection (b). Exception. A slope not exceeding 6.0% may be permitted on walks less than 30 feet (nine meters) in length.

(5) Obstructions. Extreme care should be taken so that objects such as receptacles, dispensing machines, signs,

flower boxes, trees, and other plants are not placed in such a manner that hazards are created along a walkway. See subsection (d).

(A) No protrusions shall reduce the clear width of any portion of a walkway to less than 36 inches (nine centimeters).

(B) An overhead clearance (head room) of at least 80 inches (203 centimeters) must be provided the entire length and width of a walkway.

(C) Objects projecting from walls shall conform to the specifications contained in subsection (d).

(6) Walks at entries. Walks terminating at accessible building entries shall have landings complying with the applicable standards and specifications of subsection (i).

(7) Ramps. 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. See Figures (f)1 and (f)2. Exceptions. Sloped surfaces less than 6.0% and less than 30 feet (9 meters) in length may be exempted; and aisles and floor surfaces within the seating areas of theaters and auditoriums are exempted if the slope does not exceed 1:10 (10%).

(1) Slope and rise. Ramps shall not exceed the slope and rise ratios set out in Table (f)1.

(2) Width. The minimum clear width of a ramp shall be 48 inches (122 centimeters). Exception. Single-run ramps not in excess of 30 feet (nine meters) in length may have widths of no less than 36 inches (91 centimeters).

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

(A) The landings 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 (152 centimeters) clear.

(C) There shall be a level landing of at least 60 inches (152 by 152 centimeters) wherever ramps change direction. Exception. Level platforms shall not be required when change of direction does not exceed 45° and the intersecting surfaces are blended so that an abrupt level differential is not created.

(D) If a doorway is located at a landing, then the area in front of the doorway shall comply with subsection (i)(2) of this section.

(4) Handrails. Any ramp or portion of a ramp having a horizontal projection greater than 72 inches (183 centimeters) shall have handrails on both sides. Handrails are not required on curb ramps complying with subsection (f). Ramp handrails shall comply with this paragraph.

(A) Handrails shall be provided along both sides of ramp segments. The inside handrail on switch-back or dogleg ramps shall always be continuous.

(B) Where handrails are not continuous, they shall extend at least 12 inches (30 centimeters) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface. Full extensions shall not be required where such extensions would create protruding hazards.

(C) Handrails that are wall mounted or are located adjacent to another surface or object shall have a clear space between the rail and wall surface or object of at least 1 1/2 inches (four centimeters).

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

(E) Handrails shall be mounted not less than 30 inches (76 centimeters) nor more than 34 inches (86 cen-

timeters) above the ramp surface and secured so that they can support a horizontal thrust of 50 pounds per linear foot.

(F) The diameter or width of the gripping surface of handrails shall be 1-1/4 inches to 1-1/2 inches (three to four centimeters), or shaped to provide an equivalent gripping surface. Handrails shall not rotate in their mountings.

(G) Open-sided ramp segments and landings not protected by curbs, walls, or other edge protective features shall have intermediate horizontal or vertical rails or other features arranged so that the passage of a nine-inch (23-centimeter) sphere at the ramp surface is prohibited. See Figure (f)2.

(H) Where full extensions would create protruding hazards, rail termination cues shall be provided. Such cues may include but are not limited to those illustrated in Figure (p)3.

(5) Surfaces and cross slopes. Ramp surfaces shall have a slip-resistant texture or finish such as is provided by exposed crushed stone aggregate concrete, rubber, raised abrasive strips, grooves, or other roughened finish. Surfaces that are raised, etched, or grooved in such a manner that permits water accumulation are prohibited. The cross slope of ramp surfaces shall be no greater than 1:50.

(6) Edge protection. Ramps and landings with drop-offs shall have curbs, walls, railings, or projecting surfaces that prevent persons from slipping off the ramp. Curbs shall be a minimum of two inches (five centimeters) high. See Figure (f)2.

(i) Entrances.

(1) Appropriate number. An appropriate number, but always at least one, of principle entrances to a building or facility shall be part of an accessible route and shall comply with this subsection. An appropriate number of accessible entries is dependent on the design and functions of any building, complex, or facility, and the provisions of a single accessible entry is insufficient to satisfy the need at many buildings and facilities; therefore, the State Purchasing and General Services Commission shall have the right to determine the appropriate number of accessible entrances in any given building or facility subject to this section.

(2) Entry platforms. Landings, porches, and platforms at accessible entrances shall comply with the applicable specifications shown in Figures (d)1.1 through (d)1.3. A maximum slope of 1:50 (2.0%) is permitted to allow for water run-off; less than 2.0% is preferred. Slopes expressed in terms of 1/4 inch per foot shall be considered 2.0% and shall be acceptable.

(3) Door clearances. Accessible entrances shall have doors and door openings complying with subsection (j).

(4) Internal access. All accessible entrances shall be connected by an accessible route to all spaces and elements where accessibility is required within a building or facility.

(5) Service entrances. A service entrance shall not be the sole accessible entrance unless it is the only entrance to a building or facility.

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

(1) 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.

(2) Double-leaf doorways. If doorways have two door leaves, then at least one leaf shall meet the specifications in

paragraphs (3) and (4) below. That leaf shall be an active leaf.

(3) Clear width. Doorways shall have a minimum clear opening of 32 inches (81 centimeters) with the door open 90°, measured between the face of the door and the stop. See Figures (j)1.1 and (j)1.2. Openings more than 24 inches (61 centimeters) in depth shall have minimum door widths of 36 inches (91 centimeters). See Figure (j)1.3. Door widths shall be increased in proportion to the width of the passage leading to it when turning requirements dictate. Minimum ratio requirements shall be as shown in Figures (j)3.1 through (j)3.3. Exception: Door clearances of 30 inches (76 centimeters) are permitted if:

(A) the depth of the opening is no greater than eight inches (20 centimeters),

(B) the door swings open in excess of 90°; and

(C) a clear area of 60 by 60 inches (152 by 152 centimeters) is provided on each side of the doorway.

(4) Maneuvering clearances at doors. Minimum maneuvering clearances for doors that are not automatic shall be as shown in Figures (d)1.1 through (d)1.3. The floor or ground area within the required clearances shall be level and clear. 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 (112 centimeters) wide.

(5) Two doors in series. The minimum space between two hinged or pivoted doors in series shall be 48 inches (122 centimeters) plus the width of any door swinging into the space. If the space between two doors in a series is not sufficient to provide the minimum 48 inches (122 centimeters) clearance, the doors shall swing either in the same direction or at least one shall swing away from the space between the doors. See Figures (j)2.1 and (j)2.2.

(6) Raised thresholds and floor-level changes at doorways. Changes in level at doors shall not exceed 1/2 inch (13 millimeters) in height and shall be beveled with a slope no greater than 1:2. Exception: A maximum height of 3/4 inch (19 millimeters) is permitted when doors remain open during passage such as doors without closers, sliding doors, and automatic doors.

(7) Door hardware. Handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or severe twisting of the wrist to operate. Acceptable 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. Important. Such textured surface shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

(8) 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 70°, the door will take at least three seconds to move to a point three inches (eight centimeters) from the latch, measured to the leading edge of the door.

(9) 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 (76 centimeters) 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 8-1/2 lbf. Slight increases in opening force shall be allowed where eight lbf is insufficient to compensate for air pressure differentials.

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

(C) Fire doors shall be adjusted to meet the minimum opening force permitted by the governing fire safety standard.

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

(A) Automatic doors shall comply with American National Standard for power-operated doors, ANSI A116.10-1979. Custom-designed installation utilizing slow-opening, low-powered automatic doors as described in paragraph 1.1.1 of ANSI A116.10-1979, shall not open to back check faster than three seconds and shall require no more than 15 lbf to stop door movement.

(B) When power-assisted doors are utilized, the door-opening force shall comply with paragraph (9) above except in power failure situations.

(k) Corridors, halls, and passageways. All corridors, halls, and passageways serving all applicable spaces and elements of a building or facility shall be considered part of an accessible route and shall comply with this subsection.

(1) Width. The minimum width of corridors, halls, and passageways shall be 44 inches (112 centimeters). There shall be no projections in the 44-inch (112-centimeter) clear space. Exception: Clearances of no less than 36 inches (91 centimeters) are allowed for distances less than 30 feet (nine meters) provided all intersecting passageways, doors, door openings, and maneuvering clearances comply with subsections (i) and (j) above.

(2) Floor surfaces. Floor finishes and materials shall provide a surface that is firm, stable, and slip-resistant. Irregular surfaces such as can be caused by improperly laid brick or flagstone are not permitted.

(3) Protruding objects. Objects projecting into corridors, halls, and passageways shall comply with subsection (d)(6) of this section.

(l) Toilet rooms. When toilet facilities are provided, an appropriate number but never less than one shall comply with this subsection. Note. See subsection (d)(8) and Table (d) of this section for standards and specifications for restrooms in schools and other facilities used primarily by children.

(1) Appropriate number and location.

(A) At least 33% of the total number of restroom units within a building or facility shall comply with the standards and specifications of this subsection and shall be located in places considered equitable to the remaining units. Accessible mens and womens restrooms shall be required except in buildings and facilities where only unisex restrooms are provided.

(B) In multilevel structures, toilet rooms shall be located so that handicapped persons shall not be required to travel more than one floor level to reach an accessible unit.

(C) Horizontal distances from any part of a building to at least one accessible toilet room per sex should not exceed 250 feet (76 meters) if possible.

(2) Doors and entrances. All doors to and within applicable toilet rooms shall comply with subsection (j) above. Doors shall not swing into the clear floor space required for any fixture. Alcove or vestibule entries in applicable toilet rooms shall comply with subsection (j) above, and shall not have door configurations in conflict with that subsection.

(3) 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 of at least 60 by 60 inches (152 by 152 centimeters) shall be provided in all applicable toilet rooms. The clear floor spaces at fixtures and controls, the accessible route, and the turning space may overlap provided the clear space under fixtures is at least 27 inches (68 centimeters) above the floor.

(4) Toilet stalls. If toilet stalls are provided in toilet rooms required to be accessible, then a reasonable number but always at least one shall

(A) Be on an accessible route.

(B) Have the size and arrangement complying with appropriate standards and specifications and in the configurations illustrated in Figures (d)1.1 and (d)1.2.

(C) Have a toe clearance of no less than nine inches (23 centimeters) under the front partition and at least one side partition. If the depth of the stall is greater than 60 inches (152 centimeters), then a toe clearance is not required.

(D) If doors are provided they shall be out-swinging and shall comply with subsection (j) above. Door openings greater than 32 inches shall be required when the approach and turning requirements restrict wheelchair movement. Maneuvering clearances at stall openings shall be as shown in Figure (d)1. To make it easier for users to close toilet stall doors, it is recommended that spring hinges, closers, or pull bars mounted on the inside surface of the door near the hinge side be provided. Exception: Door openings of 30 inches (76 cm) are acceptable if a clear floor area of at least 60 by 48 inches (152 by 122 cm) is provided in front of the stall.

(E) Have grab bars complying with the length and positions shown in Figures (d)1 through (d)3. Bars may be mounted by an desired method so long as they have a gripping surface at the locations shown, do not obstruct the required clear floor area, and that comply as follows:

(i) The outside diameter of the gripping surface shall be 1-1/4 inches to 1-1/2 inches (three to four centimeters).

(ii) If grab bars are mounted on or adjacent to a wall, the space between the wall and the grab bar shall be 1-1/2 inches (four centimeters).

(iii) The structural strength of grab bars, their fasteners, and mounting devices shall be such that they can support at least 250 lbf.

(iv) Primary grab bars shall be mounted so that they are horizontal to the floor at heights of 33 to 36 inches (84 to 91 centimeters) above the floor. Secondary or supplemental grab bars may be mounted vertically or diagonally provided they do not interfere with the use of the primary

bars. All grab bars and any wall or other adjacent surface shall be free of any sharp or abrasive elements.

(e) Have water closets complying with paragraph (5) below.

(f) Have toilet paper dispenser within easy reach of the water closet but shall not interfere with the use of the grab bars. See Figure (D)2.2 for preferred location.

(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 applicable dimensions per Figure (D)3.1 through (D)3.3. Clear floor space may be arranged to allow either a left-handed or right-handed approach.

(B) Height. The height of accessible water closets shall be 17 to 19 inches (43 to 48 centimeters) measured from the floor to the top of the toilet seat. Thick seats and filler rings may be used to adapt standard fixtures to the proper height.

(C) Flush controls. Flush controls shall be hand operated and shall be mounted on the wide side of the toilet area no more than 44 inches (112 centimeters) nor less than 28 inches (71 centimeters) above the floor.

(6) Urinals. If urinals are provided, a reasonable number but always at least one, shall be on an accessible route and shall comply with this paragraph.

(A) Height. Urinals shall be floor-mounted or wall-hung with an elongated rim mounted no higher than 17 inches (43 centimeters).

(B) Clear floor space. A clear floor area of at least 30 by 48 inches (76 by 122 centimeters) shall be provided in front of urinals to allow a forward approach.

(C) Flush controls. Flush controls shall be hand-operated and shall be mounted on the wide side of the toilet area no more than 44 inches (112 centimeters) nor less than 28 inches (71 centimeters) above the floor.

(7) Lavatories. If lavatories are provided, a reasonable number but always at least one shall comply with this paragraph. Lavatory approach accessibility may be satisfied by complying with either subparagraph (A) or (B) below.

(A) Frontal approach accessibility shall be achieved by complying with the height and space requirements shown in Figures (D)4.1 and (D)4.2.

(B) Side approach accessibility can be achieved by complying with the height and space requirements shown in Figures (D)4.3 and (D)4.4.

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

(D) Faucet controls and other operating devices relative to the use of lavatories shall be within the reach limitations prescribed in subsection (c) and as shown in Figure (D)4. Faucet controls shall be operable with one hand and shall not require tight grasping, pinching, or severe twisting of the wrist. The force required to activate controls shall be no greater than five lbf. Lever-operated, push-type, and electronically controlled mechanisms are examples of preferred designs. Self-closing valves shall remain open for at least 10 seconds.

(8) Toilet room fixtures and equipment.

(A) Mirrors. If mirrors are provided, an appropriate number but never less than one shall be mounted so that the bottom edge is no higher than 40 inches (102 cen-

timeters) from the floor. They shall be mounted on an accessible route at a location consistent with that of other mirrors in the same restroom. 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 (102-centimeter) height at a distance of approximately 48 inches (122 centimeters). See Figure (D)5.

(B) Controls, dispensers, and other equipment. At least one of each type of control, dispenser, or other operable equipment that is provided in a toilet room shall be on an accessible route and shall:

(i) Be no higher than 48 inches (122 centimeters) above the floor for frontal approach and 54 inches (137 centimeters) maximum for side approach. A minimum height of 28 inches is recommended.

(ii) Have controls that are operable with one hand and not requiring tight grasping, pinching, or severe twisting of the wrist. The force required to activate operating controls shall be no greater than five lbf.

(m) 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 general occupants and visitors, and shall comply with the standards and specifications contained in this subsection. Exception: Exemptions may be allowed for mezzanines, balconies, porches, galleries, verandas, basements, penthouses, and other areas having insufficient functions 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.

(1) 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 (13 millimeters) 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.

(2) Hall call buttons. Call buttons in elevator lobbies and halls shall be no higher than 54 inches (137 centimeters) above the floor for parallel approach and 48 inches (122 centimeters) 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 (19 millimeters) in the smallest dimension. When two call buttons in a set are provided the button designating the up direction shall be on top.

(3) Hall lanterns. A visible and audible signal shall be provided at each doorway 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" or "down." Visible signals shall have the following features:

(A) Hall lantern fixtures shall be mounted so that their center line is at least 72 inches (183 centimeters) above the lobby floor.

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

(C) Signals shall be visible from the vicinity of the hall call button. In-car lanterns, visible from the vicinity of

hall call buttons, and conforming to the above requirements, shall be acceptable.

(4) Raised or indented characters on hoistway entrances. All elevator hoistway entrances shall have raised or indented floor designations provided on both jambs. The center line of the characters shall be 60 inches (152 centimeters) from the floor. Such characters shall be two to four inches (five to 10 centimeters) high, shall be raised or indented at least 1/8 inch (three millimeters), and shall comply with subsection (s)(1) and (2) of this section. Applied plates are acceptable if they are permanently fixed to the jambs.

(5) Door protective and reopening device. 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 the doors become obstructed by an object or person. The device shall be capable of completing these operations without requiring contact for an obstruction passing through the opening at heights of five and 29 inches (13 and 74 centimeters). Door reopening devices shall remain effective for at least 20 seconds if the doorway remains unobstructed. After 20 seconds, the door may begin to close; however, door closing movement must be stoppable when a person or object exerts minimal pressure on the door edge.

(6) 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.

$$T \text{ equals } D \quad \text{or} \quad T \text{ equals } D$$

$$1 \text{ to } 5 \quad \quad \quad 46 \text{ cm.}$$

where T equals total time in seconds and D equals distance from a point in the lobby or corridor 60 inches (152 centimeters) directly in front of the farthest call button controlling that car to the center line of its hoistway door. See Figure (m)1. 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.

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

(8) Door and floor plan of elevator cars. The floor area of elevator cars shall provide space for wheelchair users to enter the car, maneuver with in reach of controls, and exit the car. Acceptable door openings and inside dimensions shall be as shown in Figures (m)3.1 through (m)3.4. Door openings shall never be less than 32 inches (81 centimeters) wide. The clearance between the car platform sill and the edge of any hoistway landing shall be no greater than 1-1/4 inches (three centimeters).

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

(10) Car Controls. Elevator control panels shall have the following features:

(A) Buttons. All control buttons shall be at least 3/4 inch (two centimeters) in their smallest dimension. They may be raised, flush, or recessed.

(B) Tactile and visual control indicators. All control buttons shall be designated by raised or indented standard alphabet characters for letters, Arabic characters for numerals, or standard symbols as shown in Figure (m)2. Raised and indented characters and symbols shall comply

with subsection (s). The call button for the main entry floor shall be designated by a raised or indented star at the left of the floor designation. See Figure (m)2. All raised or indented 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 or indented 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) Height. No floor buttons shall be higher than 54 inches (137 centimeters) above the floor for parallel approach and 48 inches (122 centimeters) for frontal approach. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and should have their center lines no less than 35 inches (89 centimeters) from the floor. See Figure (m)g.

(D) Location. Controls shall be located on a front wall if cars have center opening doors, and at the side or front wall next to the door if cars have side opening doors. See Figure (m)3.2 through (m)3.3.

(E) 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. As the car passes or stops at a floor served by the elevators, the corresponding numeral shall illuminate and an audible signal shall sound. A single-sounding tone shall be sufficient. The audible signal shall be no less than 20 decibels with a frequency no higher than 1,500 hertz. An automatic verbal announcement of the floor number at which a car passes may be substituted for the audible signal. The visual indicator numerals shall be at least 1/2 inch (13 millimeters) high.

(F) Emergency communications. If an emergency two-way communication system is provided, the in-cab controlling devices shall be no higher than 54 inches (137 centimeters) for side approach or 48 inches (122 centimeters) for frontal approach, measured from the floor. They shall be identifiable by symbols and lettering complying with subsection (s) and located adjacent to the devices. If the system uses a handset, the length of the cord from the panel to the handset shall be at least 29 inches (74 centimeters).

(11) Handrails. At least one in-cab handrail shall be provided. If only one handrail is provided, it should be located on the rear wall.

(A) Handrails shall be mounted not less than 32 inches (81 centimeters) nor more than 36 inches (91 centimeters) above the floor measured to the top of the rail and secured to support a horizontal thrust of 50 pounds per linear foot and not rotate in their mountings.

(B) The diameter or width of the gripping surface of handrails shall be 1-1/4 to 1-1/2 inches (three to four centimeters), or shaped to provide an equivalent gripping surface.

(C) The clear space between the handrail and the wall surface shall be no less than 1-1/2 inches (four centimeters).

(D) Drinking fountains and water coolers. If drinking fountains or water coolers are provided, an appropriate number but never less than one shall be on an accessible route and shall comply with the standards and specifications of this subsection. Note: See subsection (d)(8) and Table (d)1 for mounting heights suitable in schools and other facilities used primarily by children.

(1) Appropriate number. A minimum of 30% of the total number of units located within a building or facility shall be considered appropriate provided they are strategically located throughout the facility. At least one accessible drinking unit on each floor level of a multistory building or facility shall be provided. The appropriate number of accessible units in exterior locations, such as in parks and recreational and sports facilities, shall be based on the total number of units provided and the distance and location of the units.

(2) Clearances.

(A) For frontal approach, wall and postmounted cantilevered units shall have a clear knee space between the bottom of the apron and the floor or ground, of 25 to 27 inches (64 to 69 centimeters) high, 30 inches (76 centimeters) wide, and 17 to 19 inches (43 to 48 centimeters) deep. Such units shall also have a minimum clear floor space of 30 by 48 inches (76 by 122 centimeters) to allow a person in a wheelchair to approach the unit facing forward. See Figure (a)1.1 and (a)1.2. Such units shall not create protruding hazards per subsection (d)(6).

(B) Free-standing or built-in units not having a clear space under them shall have a clear floor space in front sufficient in size to allow a person in a wheelchair to make a parallel approach to the unit. See Figures (a)1.3 and (a)1.4.

(C) Spouts. Accessible drinking units shall have up-front spout outlets no higher than 36 inches (91 centimeters) measured from the floor. The spout shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water approximately four inches (10 centimeters) high so that a cup or glass may be inserted under the flow of water.

(4) Controls. Controls shall be up-front no higher than 36 inches (91 centimeters) nor lower than 28 inches (71 centimeters) above the floor. They shall be operable with one hand and shall not require tight grasping, pinching, or severe twisting of the wrist. The force required to activate controls shall be no greater than five lbf.

(a) Telephones. If public telephones are provided, they shall comply with this subsection.

(1) Appropriate number. When single units are scattered throughout a building or facility, at least one on each level located no farther than 200 feet (91 meters) from any point of the building or facility at that level shall be provided. At least one unit in every "bank" of units shall be considered appropriate.

(2) Clear floor or ground space. A clear floor or ground space sufficient in size to allow either a forward or parallel approach by a person using a wheelchair shall be provided at telephones. See Figures (c)1 and (c)4 for minimum space requirements. Bases, enclosures, and fixed seats shall not impede approaches to telephones by people who use wheelchairs.

(3) Mounting height. The highest operable part of the telephone shall be within the reach ranges specified in subsection (c) of this section. Also see Figure (c)1.

(4) Enclosures. If telephone enclosures are provided, they may overhang the clear floor space required in paragraph (2) of this subsection, within the following limits.

(A) Side reach. The overhang as shown in Figure (a)1.2 shall be no greater than 12 inches (30 centimeters). The height of the lowest overhanging part shall be no greater than 27 inches (68 centimeters) as shown in Figure (a)1.1.

(B) Full-height enclosures. Entrances to full-height enclosures shall have a minimum clear opening of 30 inches (76 centimeters). See Figures (a)1.2.

(C) Forward reach. If the overhang is greater than 12 inches (30 centimeters), then the clear width of the enclosure shall be 30 inches (76 centimeters) minimum. See Figures (a)1.3.

(D) Where telephone enclosures protrude into halls, corridors, or aisles, they shall not be in violation of subsection (d)(6) of this section.

(a) Controls. Telephones should have push-button controls where service for such equipment is available.

(p) Stairs. All stairs or sets of steps, both interior and exterior, in excess of four in a series and connecting levels not served by an elevator, shall comply with this subsection.

(1) Treads and risers. On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths (run). Stair treads shall have runs no less than 11 inches (28 centimeters) measured from riser to riser. See Figure (p)1.

(2) 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 (13 millimeters). Risers shall be sloped or the underside of the nosings shall have an angle not less than 60° from the horizontal. Nosings shall project no more than 1-1/2 inches (four centimeters) measured from the face of the risers. See Figure (p)1.

(3) Handrails. Stairways shall have handrails at both sides of all stairs. Exception: Stairways of less than 44 inches (112 centimeters) in width may have handrails on only one side provided that no open-sided conditions exist. 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 where the normal flow of traffic would be expected.

(A) Handrails shall be mounted not less than 32 inches (81 centimeters) nor more than 34 inches (86 centimeters) above the leading edge of the treads and secured to support a horizontal thrust of 50 pounds per linear foot. Note: See subsection (d)(8) and Table (d)1 of this section for handrail mounting heights in schools and other facilities used primarily by children.

(B) The diameter or width of the gripping surface of handrails shall be 1-1/4 to 1-1/2 inches (three to four centimeters), or shaped to provide an equivalent gripping surface. Handrails shall not rotate in their mountings.

(C) Handrails shall be continuous wherever possible. The inside handrail on switch back or dogleg stairs shall always be continuous. When it is not possible for handrails to be continuous, they shall extend at least 12 inches (30 centimeters) beyond the top and bottom riser. The top extension shall be parallel with the floor or ground surface. At the bottom, the handrails shall continue to slope for the distance of the width of one tread from the bottom riser then be horizontal for the minimum 12-inch (30-centimeter) distance. See Figure (p)2. Full extensions shall not be required where such extensions would create protruding hazards.

(D) When handrails are attached to or mounted adjacent to a wall or other surface, the clear space between the surface and the handrail shall be no less than 1-1/2 inches (four centimeters).

(E) Gripping surfaces shall be uninterrupted by newel posts, balusters, or other construction elements or obstructions.

(f) Where full extensions would create protruding hazards, rail termination cues shall be provided. Such cues may include but are not limited to those illustrated in Figure (p)3.

(q) Alarms. If emergency warning systems 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 appropriate, such as in hospitals and places of detention.

(1) Audible alarms. Audible emergency alarms should produce a sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 decibels. Sound levels for alarm signals shall not exceed 120 decibels.

(2) Visual alarms. If electrically powered internally illuminated emergency exit signs are provided, they shall flash as visual emergency alarms in conjunction with audible emergency alarms. The flashing frequency of visual alarm devices shall be less than five hertz. If such alarms use electricity from the building as a power source, then they shall be installed on the same system as the audible emergency alarms. If exit signs are not provided or are not internally illuminated, alternate light units shall be used as visual alarms. The units shall be installed on the same system as the audible devices and shall flash when in emergency mode. They shall be located in a manner that will help identify exit routes.

(3) Manually activated. If warning devices have manually operated controls, such controls shall be on accessible routes and shall be located in compliance with subsection (r).

(r) Controls and operating mechanisms. 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. Note: See subsection (d)(8) and Table (d)1 of this section for mounting heights suitable for schools and other facilities used primarily by children.

(1) Clear floor space. A clear floor space that allows a forward or parallel approach by a person using a wheelchair shall be provided at all controls. The space shall never be less than an area 30 by 48 inches (76 by 122 centimeters) and shall be situated in a manner complying with subsection (c) of this section.

(2) Height. The highest operable part of any device, control, or mechanism shall be no higher from the floor than 48 inches (122 centimeters) for frontal approach or 54 inches (137 centimeters) for side approach except where the use of special equipment dictates otherwise. Electrical and communications systems receptacle on walls shall be mounted no less than 12 inches (38 centimeters) above the floor.

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

(s) Signage. When signage is used for emergency information or general circulation directions or for the identifica-

tion of rooms and spaces, at least one unit of signage shall be provided for each function and each room or space that is identified.

(1) Character proportion. Letters and numbers on signs shall have width-to-height ratios between 3.5 and 1:1, and a stroke width-to-height ratio between 1:5 and 1:10.

(2) Color contrast. Characters and symbols shall contrast with their background.

(3) Raised or indented characters or symbols. Letters, numbers, symbols, or pictographs on signs shall be raised or incised at least 1/32 inch (80 millimeters). Raised characters or symbols shall be at least 5/8 inch (16 millimeters) high. Indented characters or symbols shall have a stroke width of at least 1/4 inch (six millimeters). Note:

(A) Some blind persons have difficulty in distinguishing excessively large characters. It is recommended that characters no higher than two inches (five millimeters) in height be used for purposes of identification for the blind.

(B) Braille characters may be used in addition to standard alphabet characters and numbers. Braille characters should be placed to the left of standard characters. Raised borders around raised characters are discouraged.

(4) Mounting height and location. Room identification signs shall be mounted on the wall surface on the handle side of doors at approximately 60 inches (152 centimeters) above the floor and within eight inches (20 centimeters) from the outside edge of the door frame. See Figure (s)1. Where it is appropriate for tactile signage to be used for purposes other than room or space identification, the characters and symbols shall be placed to the left of the feature to be identified.

(1) Tactile warning. Doors that lead to areas that might prove dangerous to blind persons shall be 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. Openings without doors that lead to dangerous areas shall be identifiable by a textured border on the floor surface in front to the dangerous area. The border shall be at least 24 inches (61 centimeters) wide and sufficient in length to cover the hazardous area. The texture shall significantly contrast with that of the surrounding floor or ground surface and may consist of exposed aggregate, concrete, rubber, plastic cushioned surfaces, raised strips, grooves, or any other roughened or abrasive finish. If grooves are used, they must be placed in such a manner that water accumulation is not possible. Caution: Textured surfaces shall not be provided on emergency exit doors or any doors other than those to hazardous areas.

(u) Areas of assembly. Assembly areas as defined in subsection (b) shall comply with this subsection.

(1) Spectator areas.

(A) Appropriate number. The appropriate number of seating spaces usable by persons in wheelchairs shall be based on building or facility function and the configuration of the spectator areas, as a whole, but never less than the numbers specified in Table (u)1.

Table (u)1

Seating Capacity	Minimum Number of Spaces
50-75	2
76-100	3
101-150	4
151-200	5
201-250	6



251-350	7
351-500	8
Over 500	8 + 1.0% over 500

(B) Placement of wheelchair seating. The location of wheelchair areas shall be on accessible routes and shall be an integral part of any seating plan and shall be dispersed so that they are located on a basis equal to that provided for the majority of the audience. Provisions shall be made so that spectators in wheelchairs can sit next to at least one non-disabled spectator. Examples of equitable and nonequitable locations follow.

(i) Wheelchair locations on each side of a football stadium or gymnasium and located within 1/3 of either side of the center line of the playing surface and at levels comparable to the regular seating would be considered equitable.

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

(iii) If all regular seating were raised above a playing surface, wheelchair spaces located on that surface would not be considered equitable unless other accessible wheelchair spaces were also located within the regular raised seating areas.

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

(v) 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 other accessible and equitable seating locations were available.

(C) Size and configuration of wheelchair seating areas. The ground or floor surface at wheelchair locations shall be level (within 2.0% slope) and shall provide clear spaces as shown in Figure (u)1 and shall accommodate two people in wheelchairs. Exception: When more than four wheelchair spaces (two pairs) are provided in any given area, the remaining number of spaces shall not be required to be situated in pairs.

(D) Placement of listening devices. If listening devices are provided at individual fixed seats, then such seats should be located within a 50-foot (15-meter) viewing distance of the stage, playing, or performing area and shall have a complete view of such area.

(2) Performing areas. An accessible route shall connect wheelchair seating locations with performing areas including gymnasium floors, stages, arena floors, and support areas such as dressing rooms, rehearsal areas, locker rooms, etc. Exceptions:

(A) Performing areas containing less than 800 square feet of floor space may be exempted from compliance.

(B) Dressing rooms, locker rooms, equipment rooms, or other performing area support facilities containing a total of less than 600 square feet of floor space or that serve functions that are available in other accessible locations may be exempted from compliance.

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

(v) Platform lifts. Under certain conditions and with the approval of the State Purchasing and General Services

Commission, platform lifts may be used as an alternative to ramps or elevators as a means of vertical accessibility. When lifts are considered appropriate, they shall comply with applicable safety regulations in addition to the following:

(1) Platform size. The minimum clear floor area shall be no less than 48 inches (122 centimeters) deep (in line of travel) and 30 inches (76 centimeters) wide. Exception: A minimum depth of 40 inches (102 centimeters) is allowed if adequate protection and footrest clearances are provided.

(2) Controls. Operating mechanisms shall be located so that a forward or side approach reach is possible from either direction of travel and shall be mounted between 28 inches (71 centimeters) and 48 inches (122 centimeters) above the platform floor. All control devices shall be operable with one hand and shall not require tight grasping, pinching, or severe twisting of the wrist.

(3) Handrails. There shall be at least one handrail or other gripping surface complying with the following:

(A) Handrails shall be mounted not less than 32 inches (81 centimeters) nor more than 36 inches (91 centimeters) above the floor, and secured to support a horizontal thrust of 50 pounds per linear foot. Rails shall not rotate in their mountings.

(B) The diameter or width of the gripping surface of handrails shall be 1-1/4 to 1-1/2 inches (three to four centimeters), or shaped to provide an equivalent gripping surface.

(C) The clear space between the handrail and the wall surface shall be no less than 1-1/2 inches (four centimeters).

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

(5) Approach. Lifts shall be considered part of an accessible route and shall be approachable in accordance with dimensional requirements of subsections (c)(1) and (j)(4) of this section.

(w) 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 handicapped 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, swimming pools, concession stands, atriums, fishing piers, hike and bike trails, picnic areas, outdoor amphitheatres, courtyards, and plazas.

(x) Dwelling units. If dwelling units are provided in a building or facility covered by law, a reasonable number shall be made accessible and usable by complying with this and other appropriate subsections of this section. In multiunit buildings or complexes, all portions that are considered to have essential or equivalent use by handicapped occupants shall be on accessible routes and shall comply with this and other appropriate subsections. Such portions and areas may include but are not limited to dining areas, laundry rooms, study areas, game rooms, visitor areas, and recreation rooms.

(1) Appropriate number. The appropriate number of dwelling units in multiunit facilities shall be 10% for housing projects designated for the exclusive use of the handicapped and elderly, and 5.0% for all others. Exception: In some cases where it is determined, with approval of the State Purchasing and General Services Commission, that the applicable per-

centage 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 together with the extent of compliance required to be accomplished during construction or renovation.

(2) **Minimum requirements.** An accessible dwelling unit shall be on an accessible route and shall have the following accessible elements and spaces as a minimum:

(A) Common spaces and elements serving individual accessible dwelling units shall be connected to the dwelling unit by an accessible route and shall have maneuvering spaces complying with subsection (c) of this section.

(B) At least one accessible route shall connect the accessible entrances with all accessible spaces and elements within the dwelling units.

(C) If parking spaces are assigned for use with individual dwelling units, then at least one parking space per accessible dwelling unit shall comply with subsection (e)(2) and (3) of this section.

(D) Doors to and within accessible spaces that are intended for passage shall comply with subsection (j) of this section.

(E) A reasonable number, but always at least one, of accessible entrances to the dwelling unit shall comply with subsection (i) of this section.

(F) All controls in accessible spaces shall comply with subsection (r)(3) of this section. Those portions of heating, ventilating, and air-conditioning equipment requiring regular periodic maintenance and adjustment by the resident of a dwelling shall be accessible to people in wheelchairs. If air distribution registers must be placed in or close to ceilings for proper air circulation, this specification shall not apply to the registers.

(G) If emergency alarms are provided, a reasonable number, but always at least one, of alarm connections complying with subsection (q) shall be provided in the dwelling unit.

(H) If telephones are installed in the dwelling unit, a reasonable number but always at least one shall comply with subsection (o)(2)-(4) of this section.

(I) A reasonable number, but always at least one, of full bathrooms shall comply with paragraph (3) of this subsection. A full bathroom shall include a water closet, a lavatory, and a bathtub or shower.

(J) The following spaces shall be accessible and shall be on an accessible route:

- (i) the living room,
- (ii) the dining area,
- (iii) the kitchen area,

(iv) the sleeping area, or the bedroom in one-bedroom dwelling units, or at least two bedrooms or sleeping spaces in dwelling units with two or more bedrooms;

(v) patios, terraces, balconies, carports, and garages, if provided with the dwelling unit.

(3) **Bathrooms.** Bathrooms shall be on an accessible route and shall comply as follows:

(A) **Doors.** Doors shall not swing into the clear floor space required for any fixture.

(B) **Water closets.**

(i) Clear floor space at the water closet shall be as shown in Figures (b)3.1, (b)3.2, and (b)3.3.

(ii) The height of the water closet shall be at least 15 inches (38 centimeters) measured to the top of the toilet seat.

(iii) If provided, grab bars shall be installed as shown in Figures (b)1, (b)2, and (b)3. If grab bars are not installed during construction or renovation, structural reinforcement or other provisions that will allow installation of grab bars at a later time shall be provided in locations matching those shown in Figures (b)2.1 and (b)2.2.

(iv) The toilet paper dispenser shall be installed as shown in Figure (b)2.2.

(C) **Lavatory, mirrors, and medicine cabinets.**

(i) The lavatory and mirror shall comply with subsection (b)(7) and (8) of this section.

(ii) If a medicine cabinet is provided above the lavatory, then the bottom of the medicine cabinet shall be located with a usable shelf no higher than 44 inches (112 centimeters) above the floor.

(D) **Bathtubs.** If a bathtub is provided, then it shall have the following features:

(i) **Floor space.** Clear floor space at bathtubs shall be as shown in Figure (x)1.

(ii) **Seat.** An in-tub or a seat at the head end of the tub shall be provided as shown in Figure (x)1. The structural strength of seats and their attachments shall be able to support 250 lbf. Seats shall be securely mounted and shall not slip during use.

(iii) **Grab bars.** If grab bars are not installed during construction or renovation, structural reinforcement or other provisions that will allow installation of grab bars at a later time shall be provided in the locations matching the grab bars shown in Figure (x)3.1 through (x)3.5.

(iv) **Controls.** Faucets and other controls shall be located as shown in Figure (x)3.1 and shall not require tight grasping, pinching, or severe twisting of a wrist. The force required to operate controls shall be no greater than five lbf.

(v) **Shower unit.** A shower spray unit with a hose at least 60 inches (152 centimeters) long that can be used as a fixed shower head or as a hand-held shower shall be provided.

(E) **Showers.** If a shower is provided, it shall have the following features:

(i) **Size and clearances.** Shower stall size and clear floor space shall comply with Figure (x)4.1. The shower stall should be no less than 36 by 36 inches (91 by 91 centimeters).

(ii) **Seat.** A seat shall be provided in the shower stall as shown in Figure (x)4.2. The seat shall be 17 to 19 inches (43 to 48 centimeters) high measured from the bathroom floor and shall extend the full depth of the stall. The seat shall be on the wall opposite the controls. The structural strength of seats and their attachments shall be able to support at least 250 lbf. Seats shall be securely mounted and shall not slip during use.

(iii) **Grab bars.** If provided, grab bars shall be installed and comply as shown in Figures (x)4.4 and (x)4.5. If grab bars are not installed during construction or renovation, structural reinforcement or other provisions that will allow installation of grab bars at a later time shall be provided in

the locations matching the grab bars shown in the same figures.

(iv) Controls. Faucets and other controls shall be located as shown in Figure (x)4.5 and shall not require tight grasping, pinching, or severe twisting of the wrist. The force required to activate operating controls shall be no greater than five lbf.

(v) Shower unit. A shower spray unit with a hose at least 60 inches (152 centimeters) long that can be used as a fixed shower head at various heights or as a hand-held shower head shall be provided.

(f) Bath-tub and shower enclosures. Enclosures for bath-tubs or shower stalls shall not obstruct controls or impede transfer from wheelchairs onto shower or bath-tub seats. Enclosures on bath-tubs shall not have tracks mounted on their rims.

(Editor's note: See figures and tables, pages 456-482.)

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Doc. No. 810546      Homer A. Foerster  
                                 Executive Director  
                                 State Purchasing and General Services  
                                 Commission

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For further information, please call (512) 475-5966.



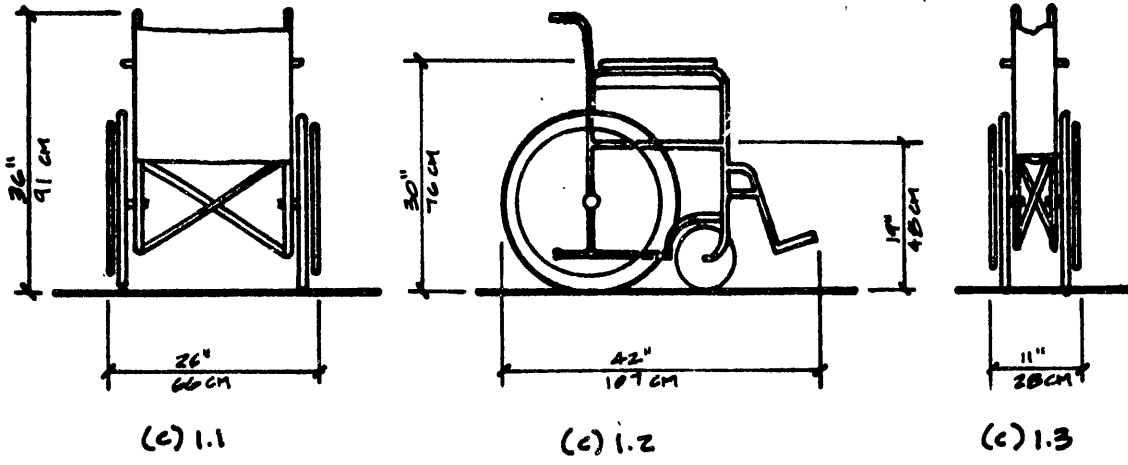


FIGURE (c) 1

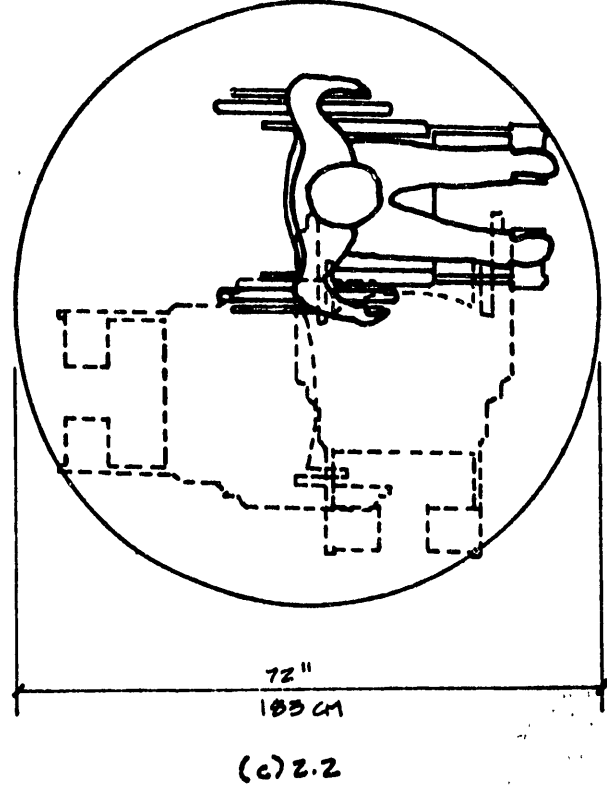
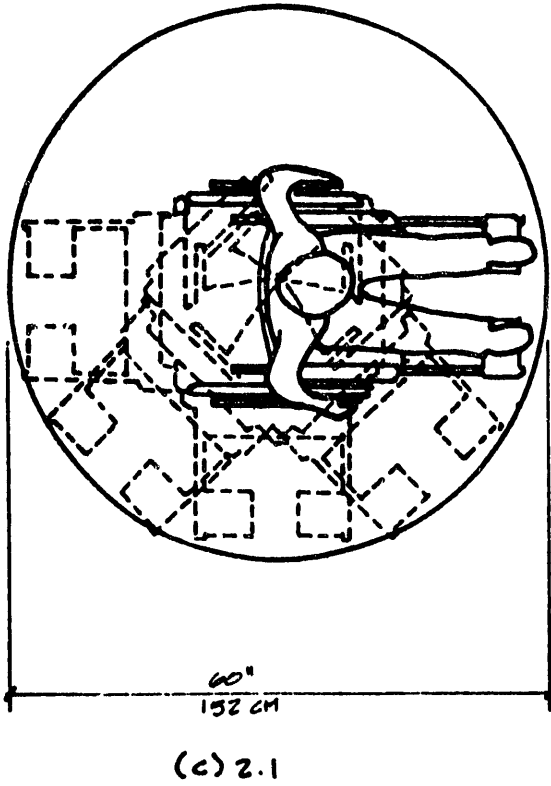
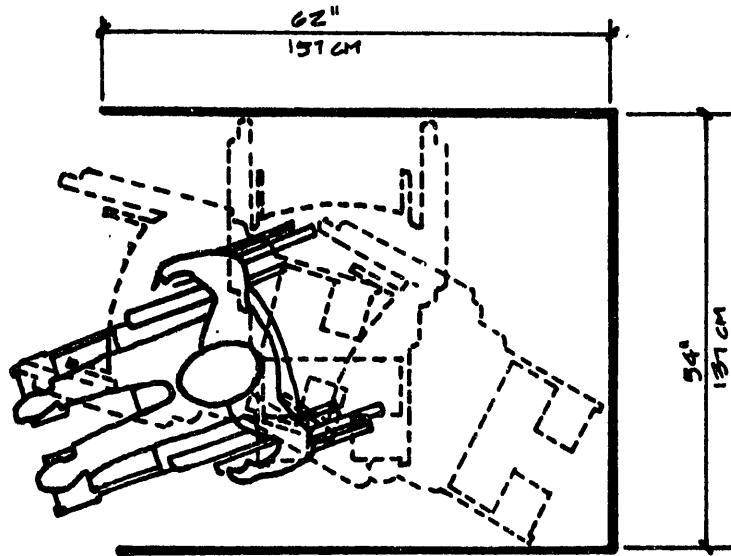
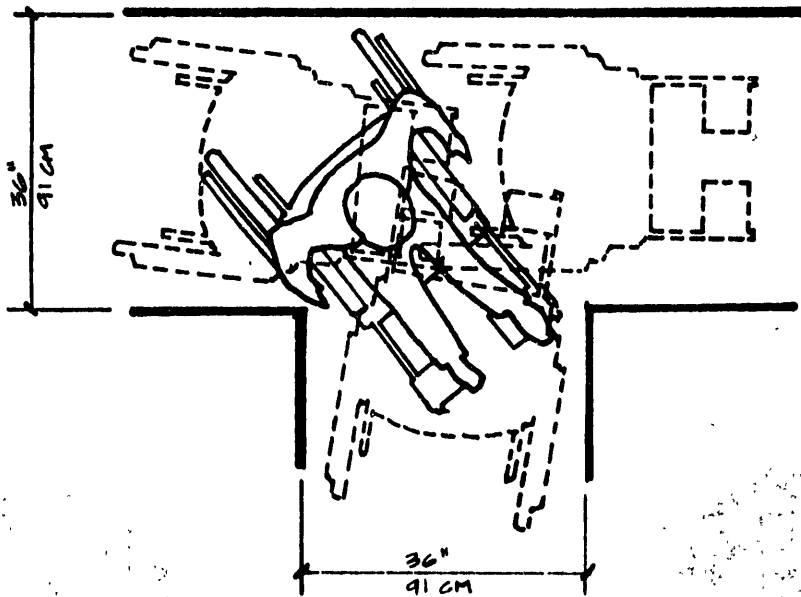


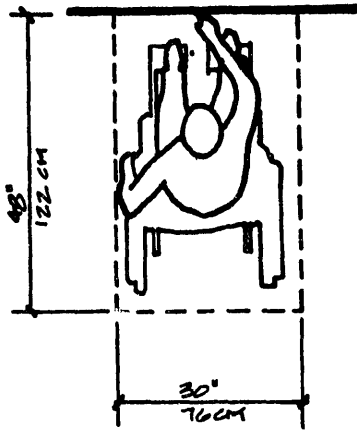
FIGURE (c) 2



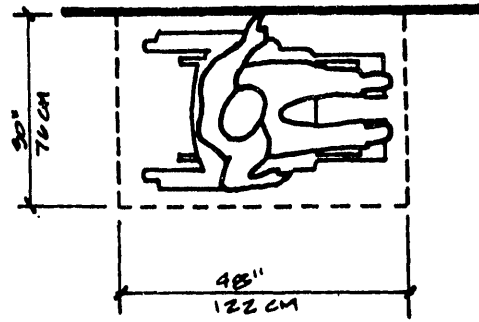
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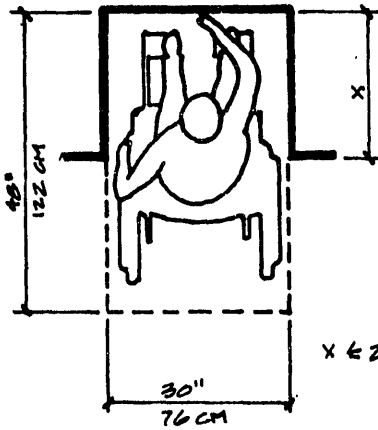
(c) 3.2  
FIGURE (c) 3



(c) 4.1

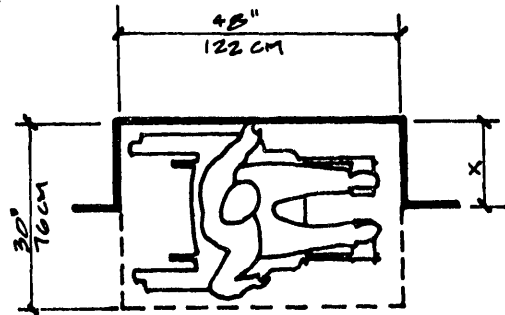


(c) 4.2



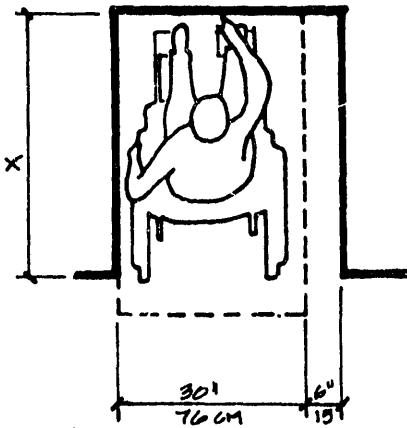
$X \leq 24" (61 \text{ cm})$

(c) 4.3



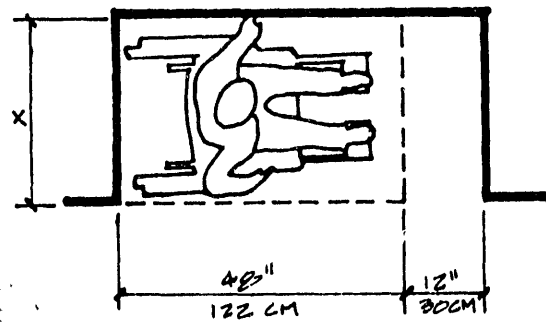
$X \leq 15" (38 \text{ cm})$

(c) 4.4



IF  $X > 24" (61 \text{ cm})$ , ADD 6" (15 CM) TO WIDTH AS SHOWN.

(c) 4.5



IF  $X > 15" (38 \text{ cm})$ , ADD 12" (30 CM) TO WIDTH AS SHOWN

(c) 4.6

FIGURE (c) 4

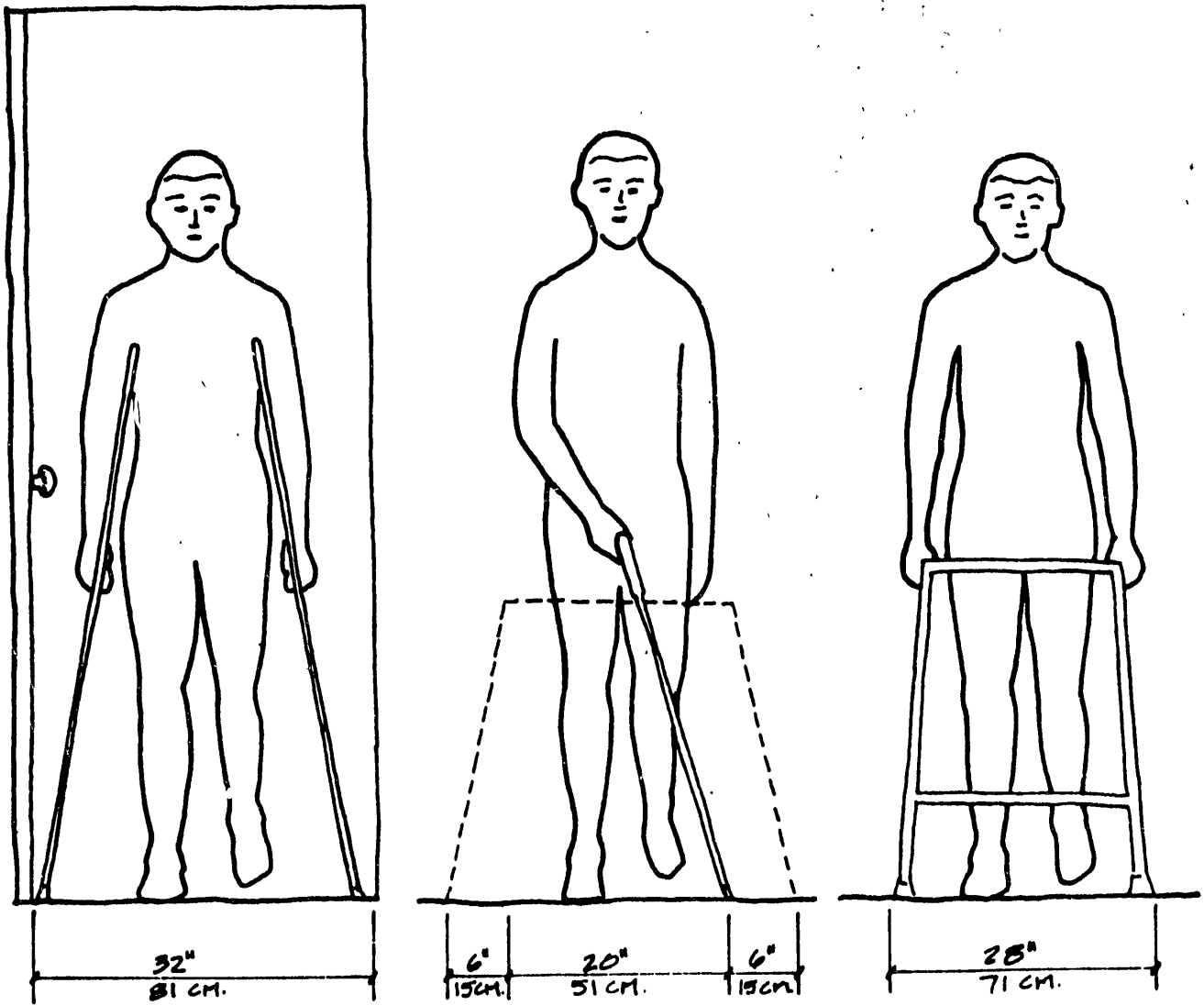
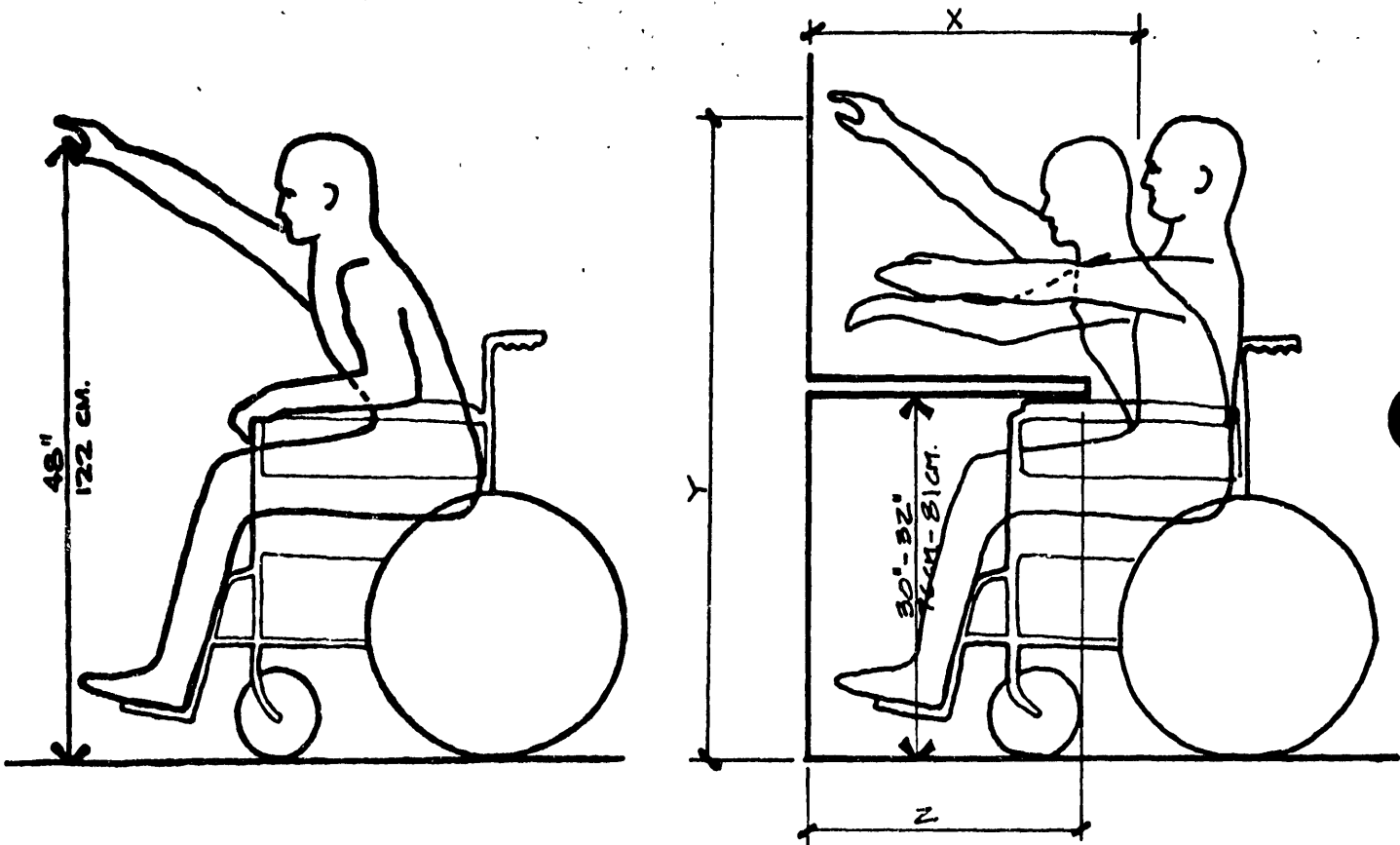


FIGURE (c) 5



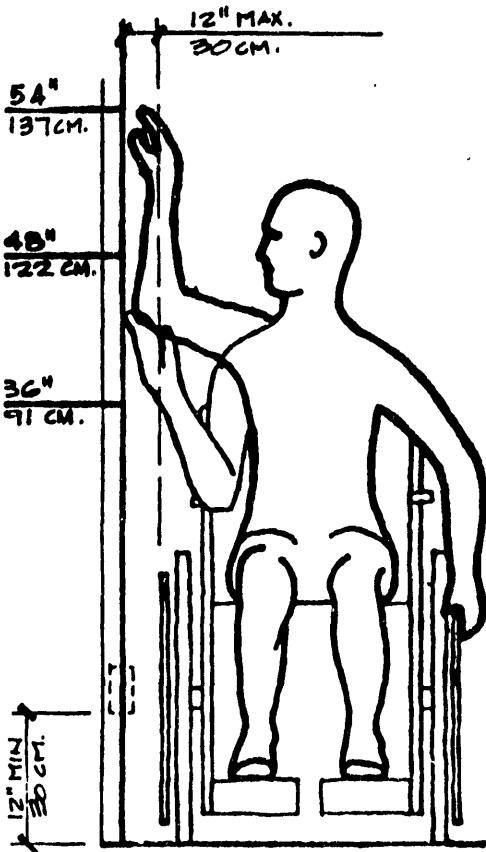
(c) 6.1

(c) 6.2

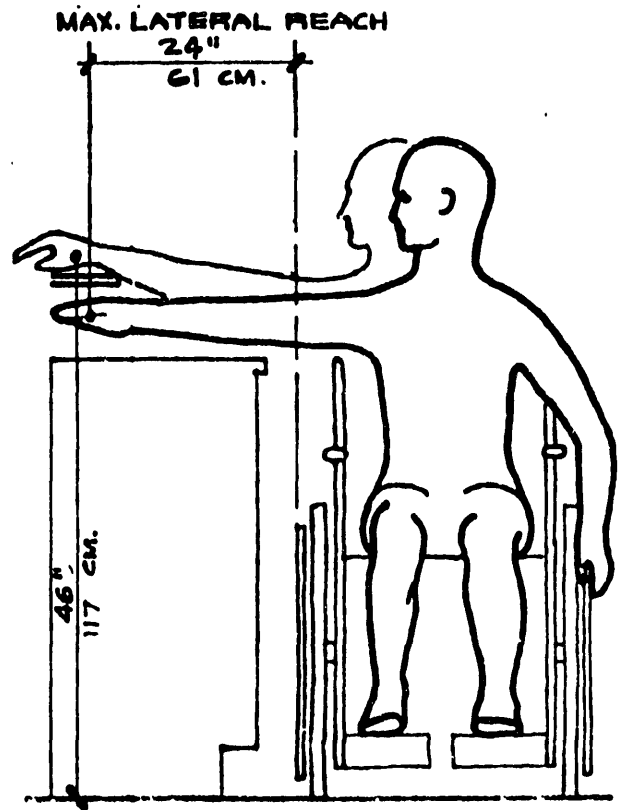
X SHALL BE  $\leq$  25" (63CM); Z SHALL BE  $\geq$  X. IF X  $<$  20" (51CM), Y SHALL BE 48" (122CM) MAXIMUM. IF X = 20" TO 25" (51CM. TO 63CM.), Y SHALL BE 44" (112CM) MAXIMUM.

FIGURE (c) 6





(c) 7.1



(c) 7.2

FIGURE (c) 7

Table (d)1

	<u>Ages: 5 thru 10 or 11</u> <u>Grades: K thru 5 or 6</u>	<u>Ages: 11 thru 14 or 15</u> <u>Grades: 6 thru 8 or 9</u>
<b>Restrooms:</b>		
Water Closet. To top of seat.	14"-15" (36 - 38 cm)	15" - 17" (38 - 43 cm)
Urinal. To basin opening.	14" ( 36 cm)	16" ( 41 cm)
Grab Bars. To top.	28"-30" (71 - 76 cm)	30" - 32" (76 - 81 cm)
Laboratories. To bottom of apron.	26" ( 66 cm)	28" ( 71 cm)
Mirrors. Maximum to bottom.	34" ( 86 cm)	37" ( 94 cm)
Shelves and Dispensers. Maximum to control device.	42" ( 107 cm)	45" ( 114 cm)
Drinking Fountains. Maximum to spout opening.	32" ( 81 cm)	34" ( 86 cm)
<b>Switches and Controls (Telephones Included) Maximum to Center Line</b>		
Front Approach	42" ( 107 cm)	45" ( 114 cm)
Side Approach	48" ( 122 cm)	51" ( 130 cm)
Stair and Ramp Handrails. To top.	28"-34" (71 - 86 cm)	30" - 34" (76 - 86 cm)

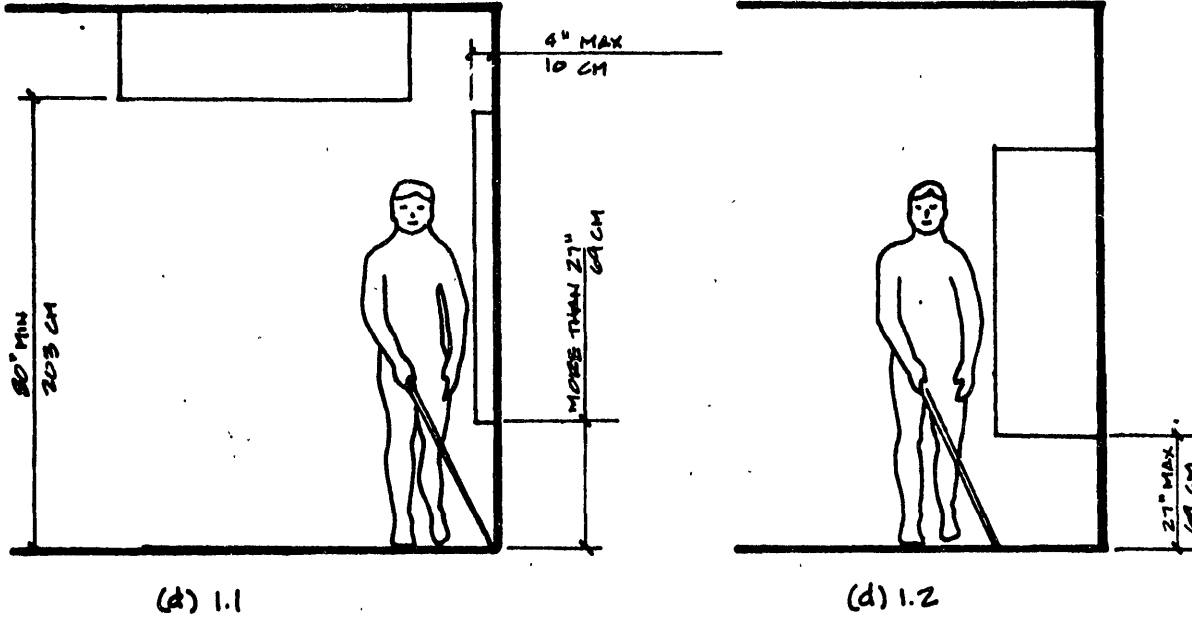


FIGURE (d) 1

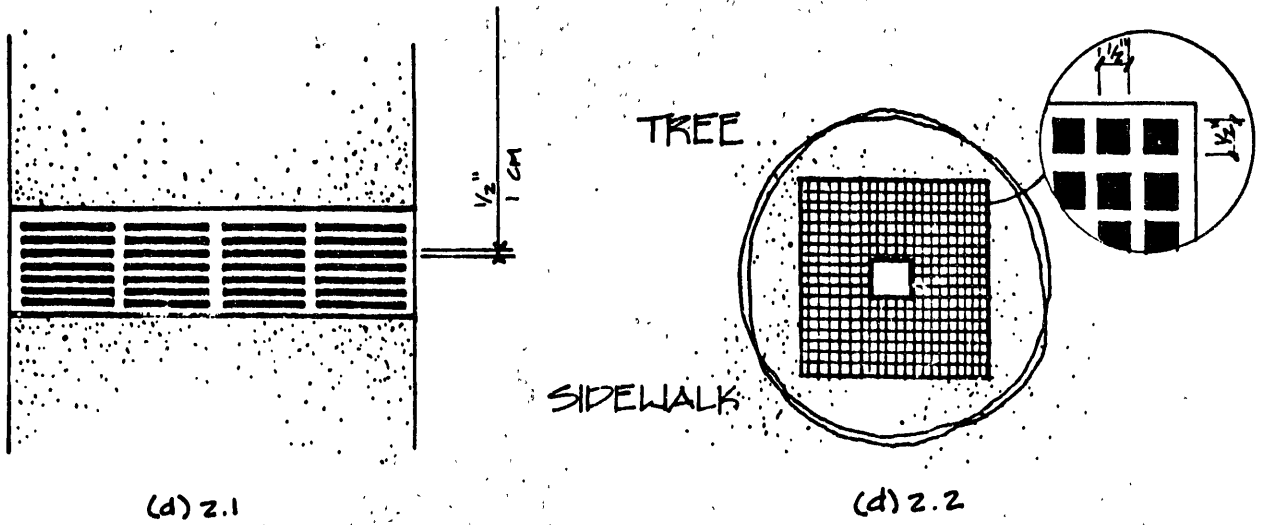
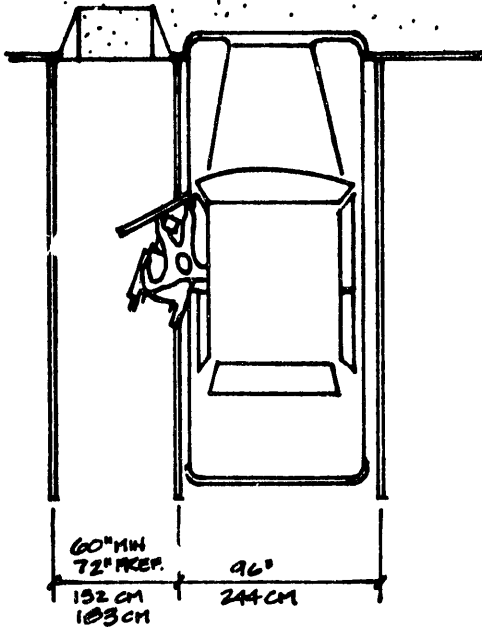
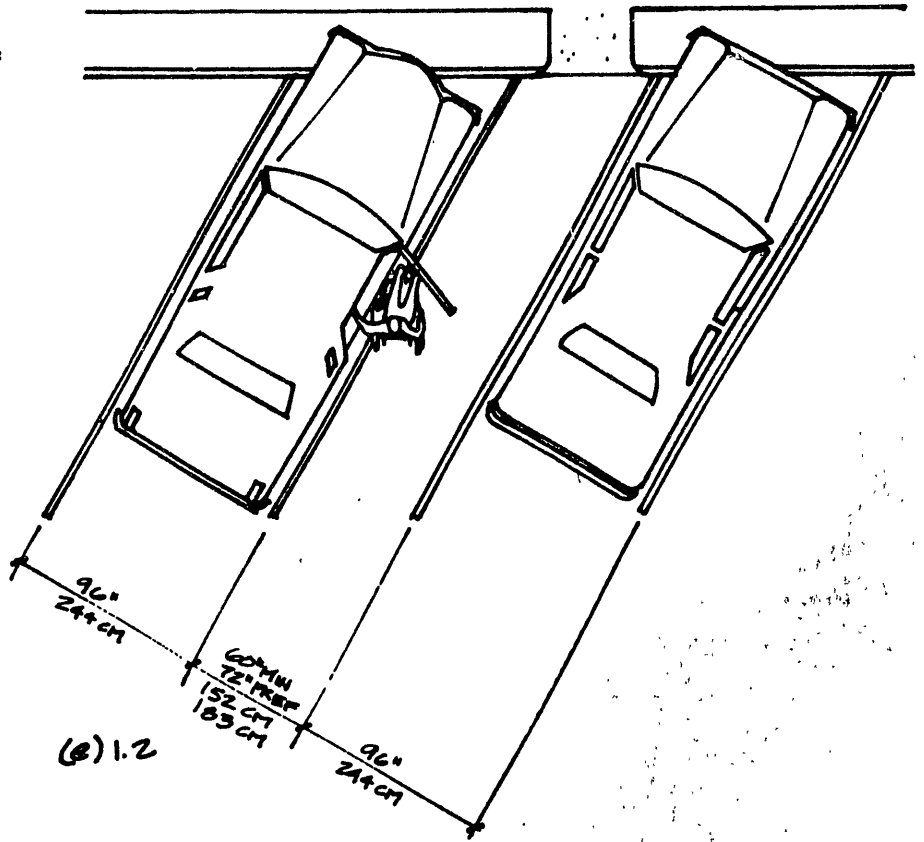


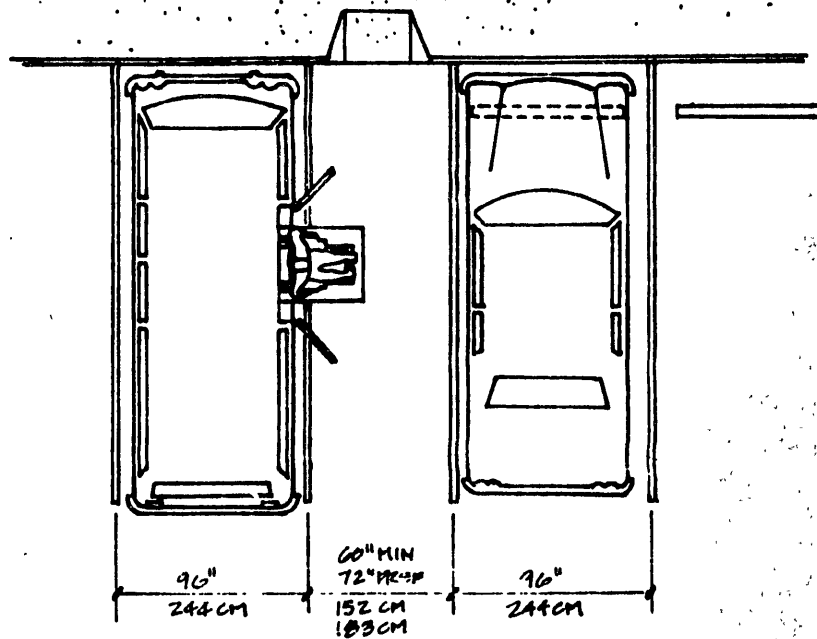
FIGURE (d) 2



(e)1.1



(e)1.2



(e)1.3  
FIGURE (e)1

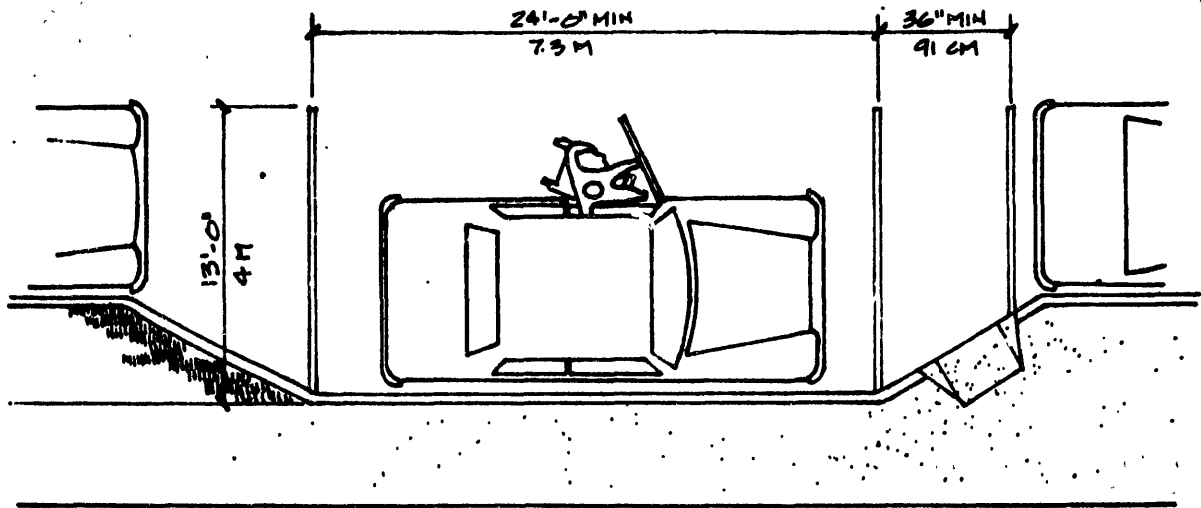


FIGURE (e) 2



FIGURE (e) 3

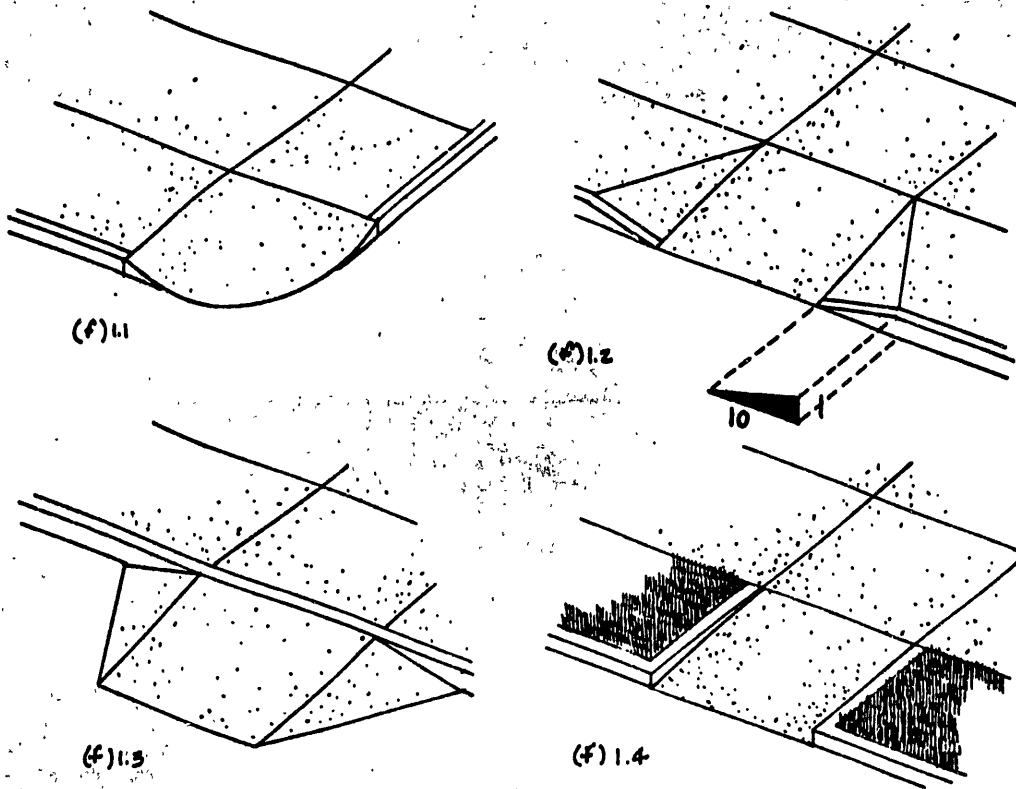
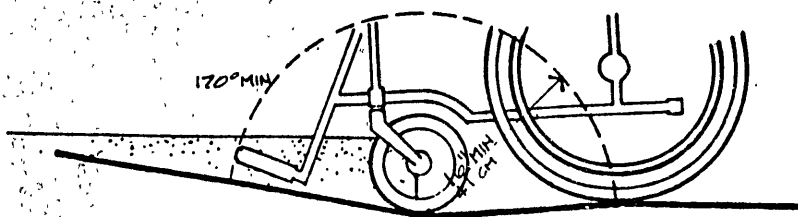


FIGURE (F) 1



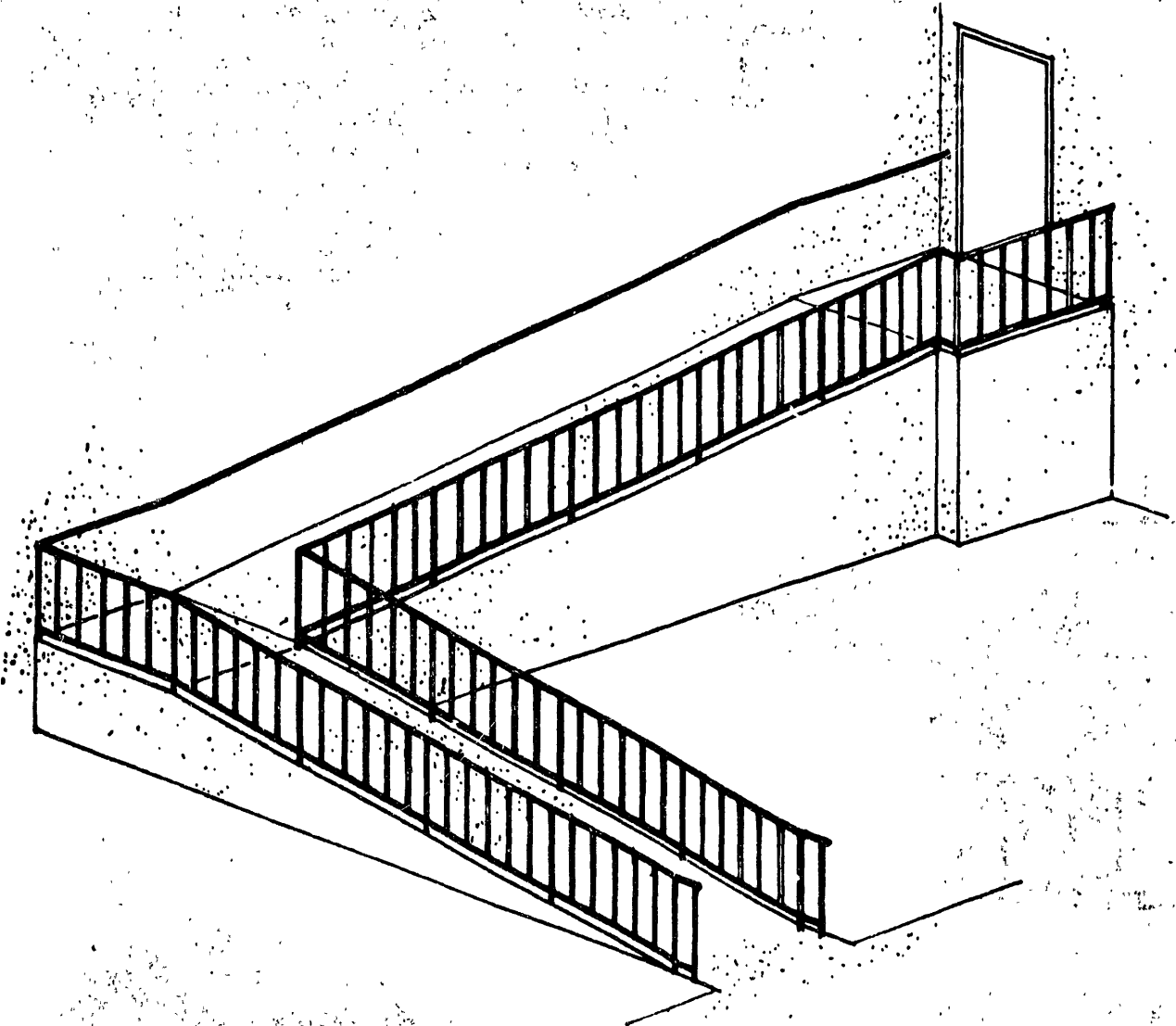


FIGURE (h) 1

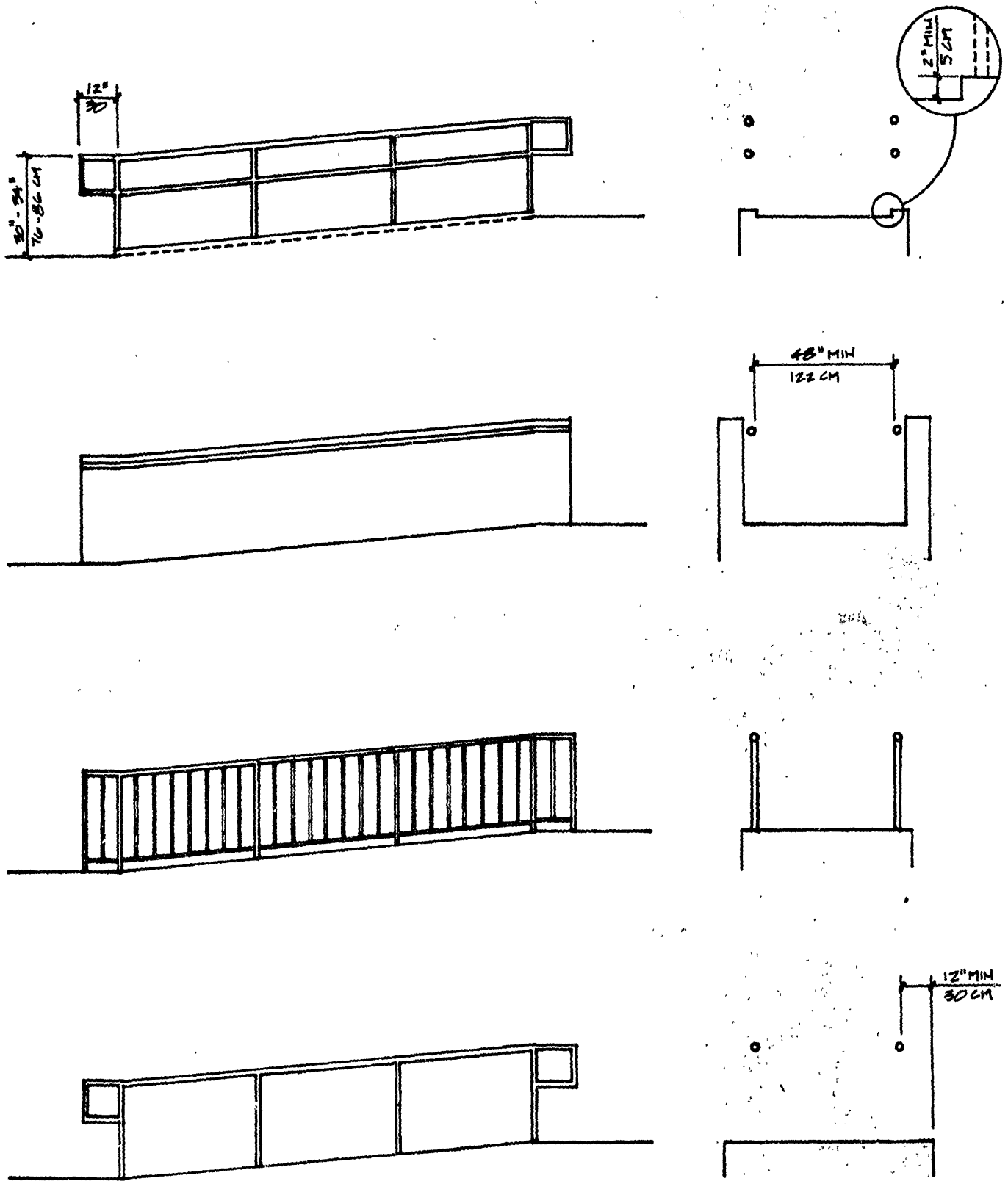
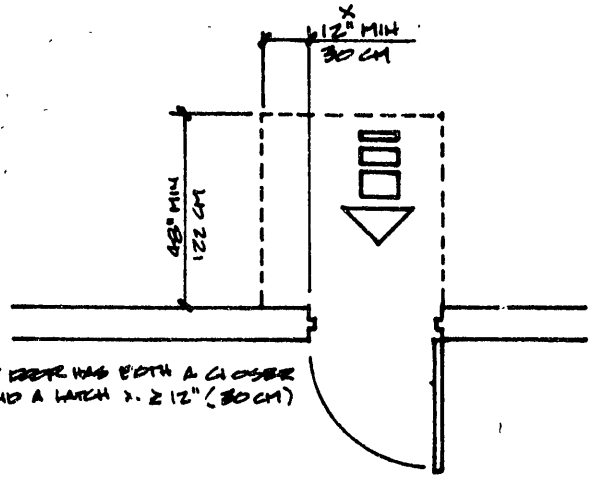
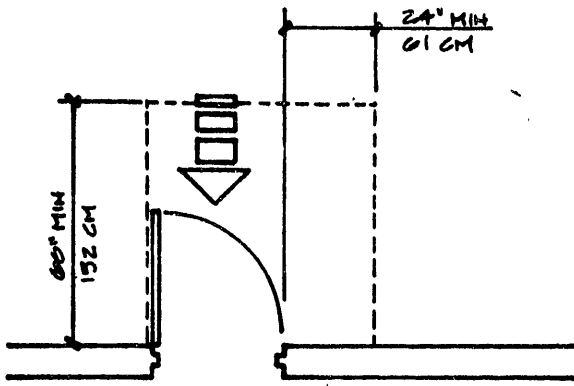
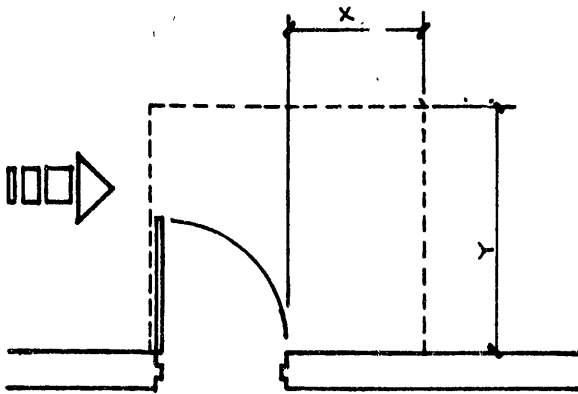


FIGURE (h) 2

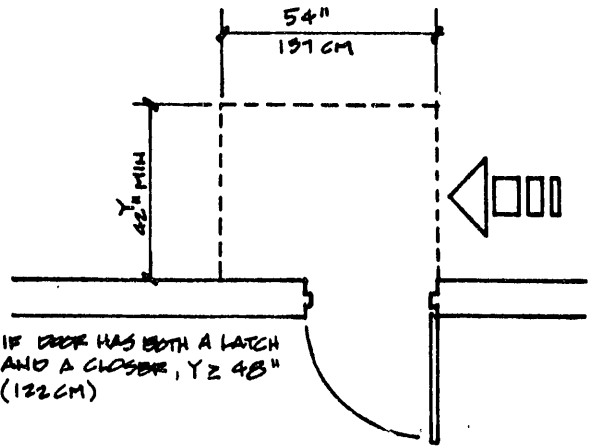




(i) 1.1

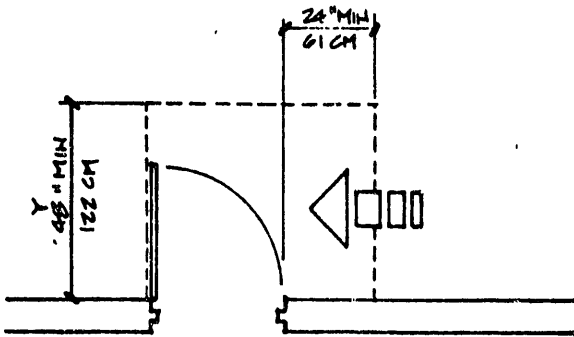


IF  $Y \geq 60"$  (152 CM),  $X \geq 36"$  (91 CM)  
 IF  $Y \geq 54"$  (137 CM),  $X \geq 42"$  (107 CM)

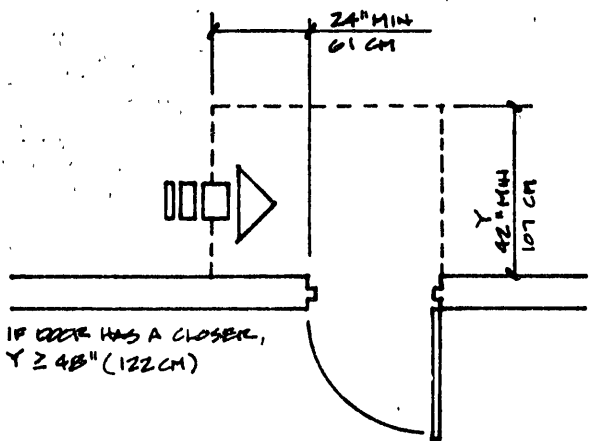


IF DOOR HAS BOTH A LATCH AND A CLOSER,  $Y \geq 48"$  (122 CM)

(i) 1.2



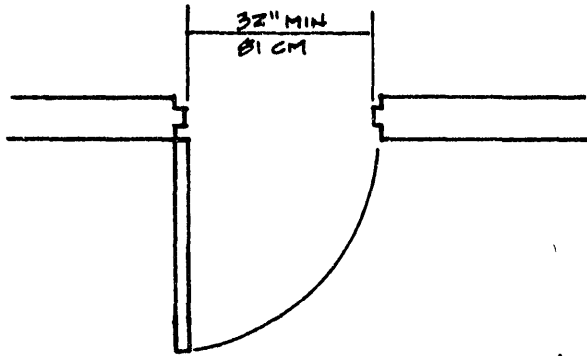
IF DOOR HAS A CLOSER,  $Y \geq 54"$  (137 CM)



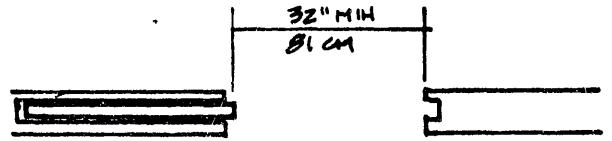
IF DOOR HAS A CLOSER,  $Y \geq 48"$  (122 CM)

(i) 1.3

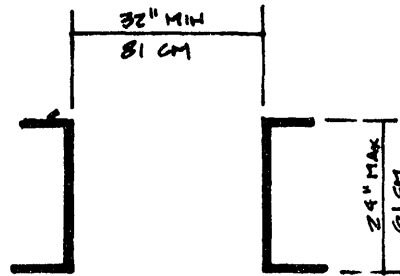
FIGURE (i) 1



(j) 1.1



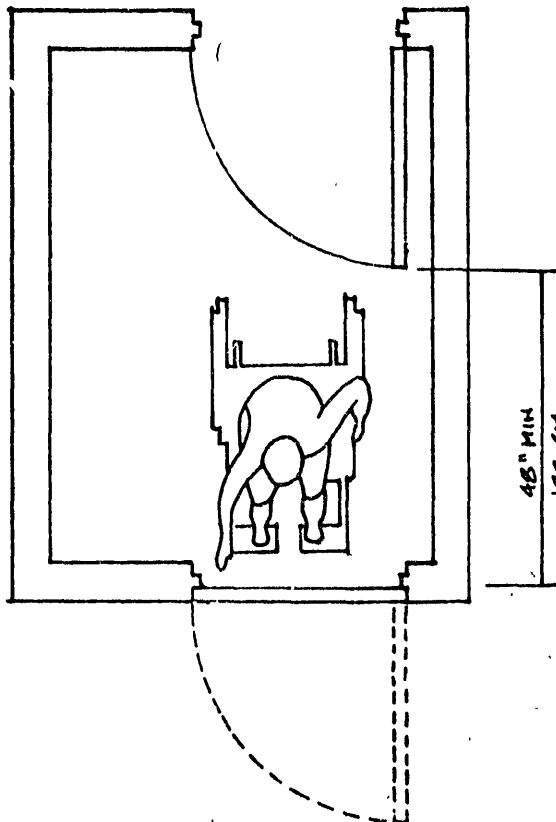
(j) 1.2



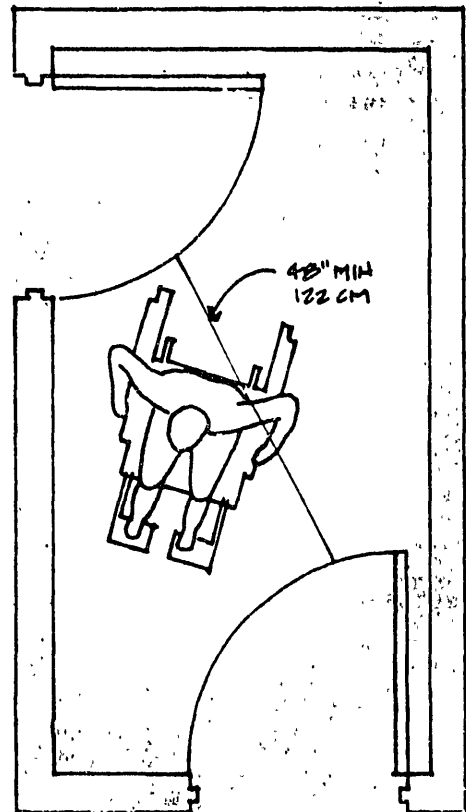
(j) 1.3

DOOR (OPENINGS) MUST HAVE  
A 36" (91 CM) MIN. WIDTH  
WHEN DEPTHS EXCEED  
24" (61 CM)

FIGURE (j) 1

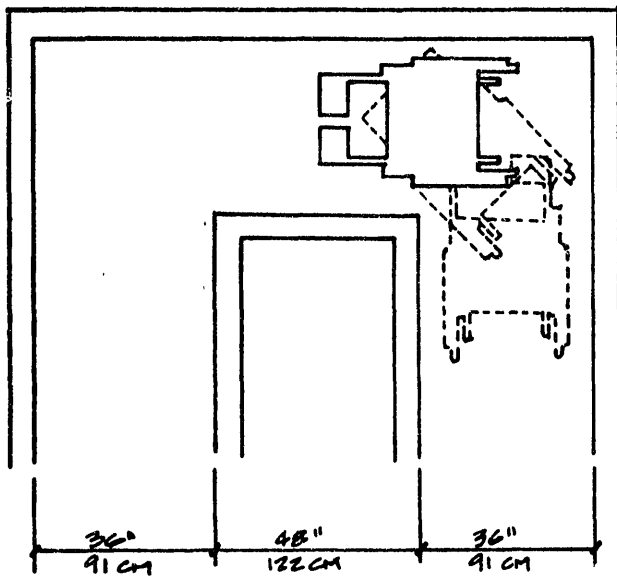


(j) 2.1

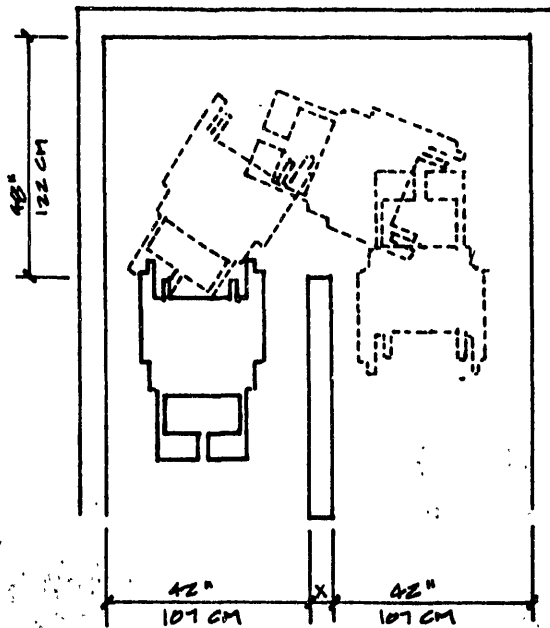


(j) 2.2

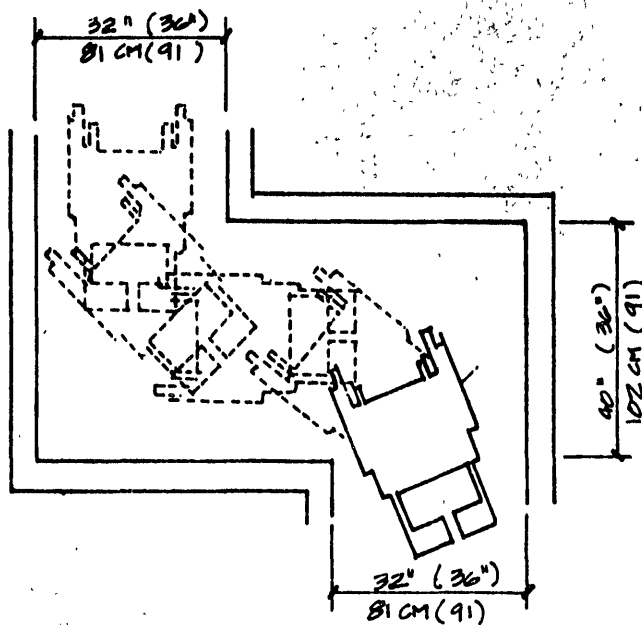
FIGURE (j) 2



(j) 3.1

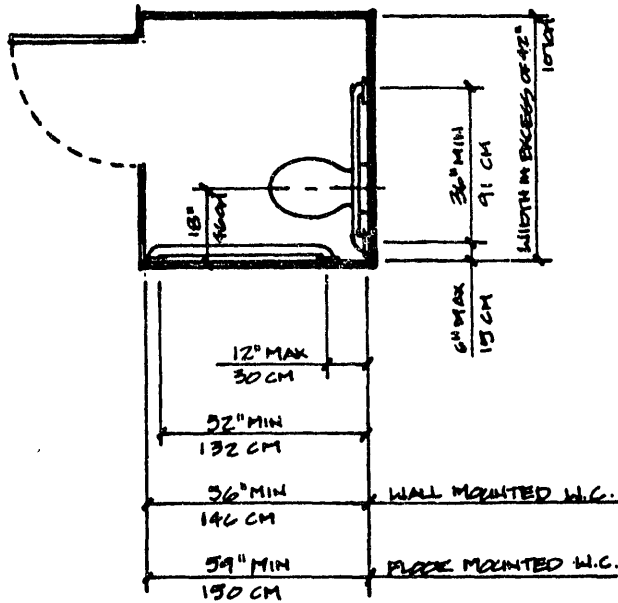


(j) 3.2

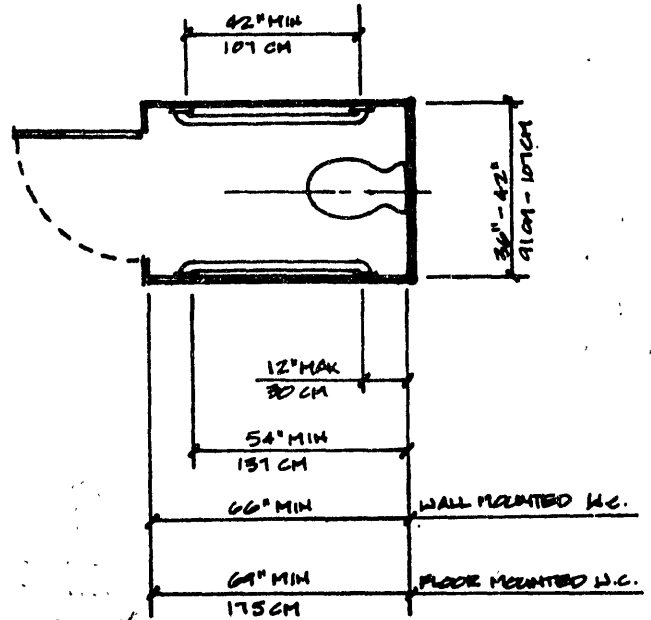


(j) 3.3

FIGURE (j) 3

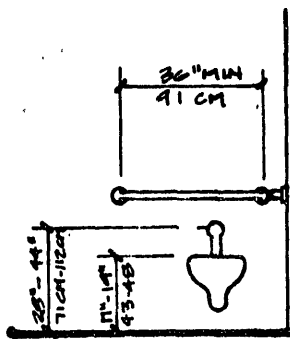


(1) 1.1

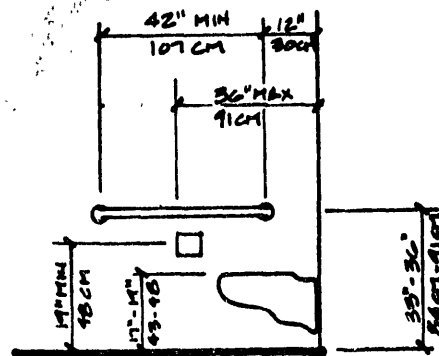


(1) 1.2

FIGURE (1) 1



(1) 2.1



(1) 2.2

FIGURE (1) 2

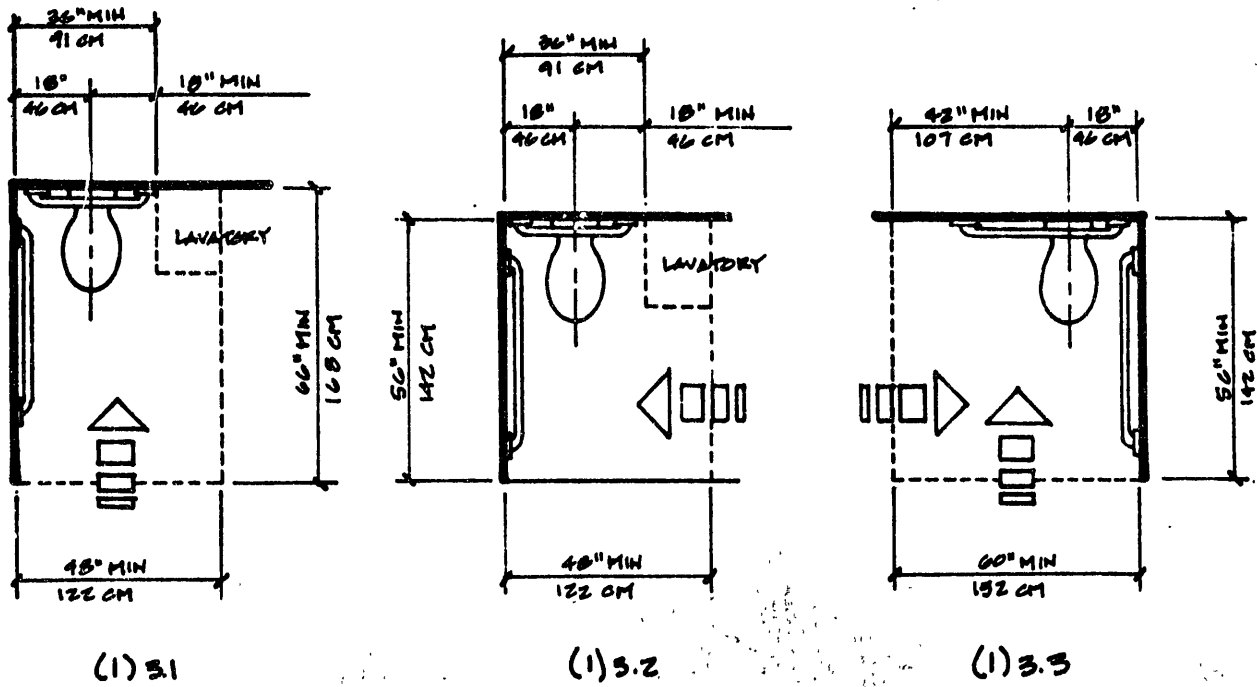


FIGURE (1) 3

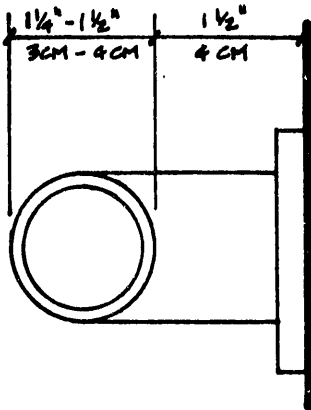


FIGURE (1) 6

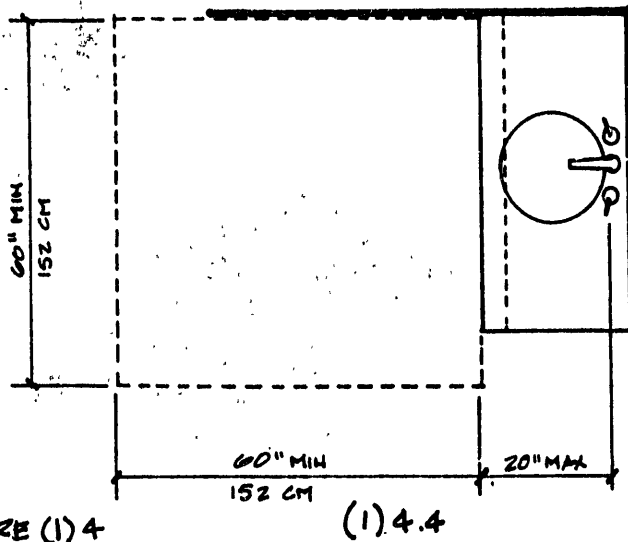
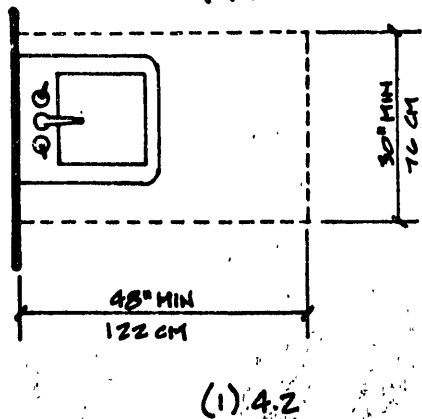
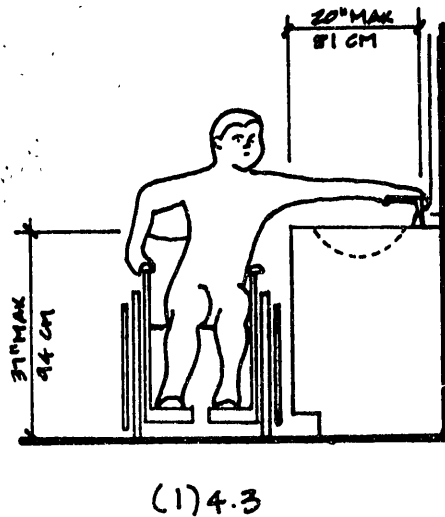
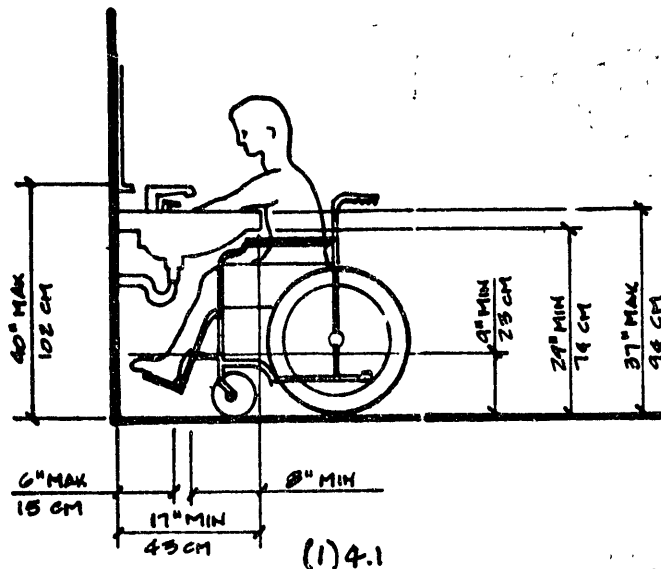


FIGURE (1) 4

(1)4.4

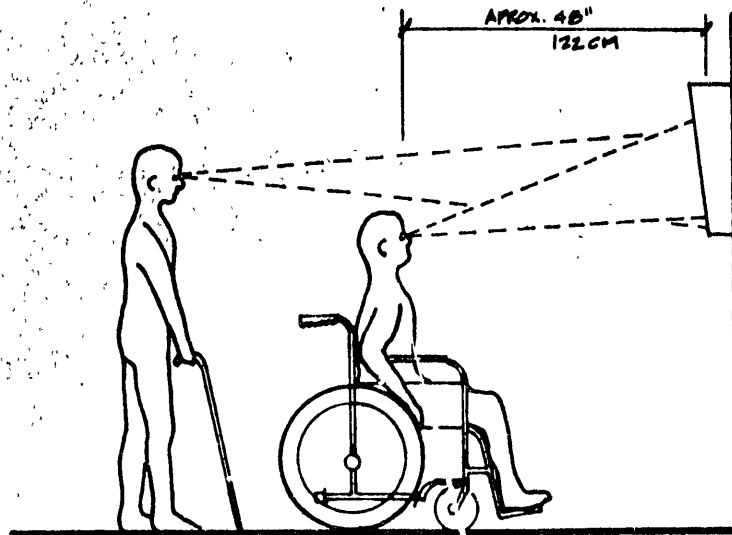


FIGURE (1)5

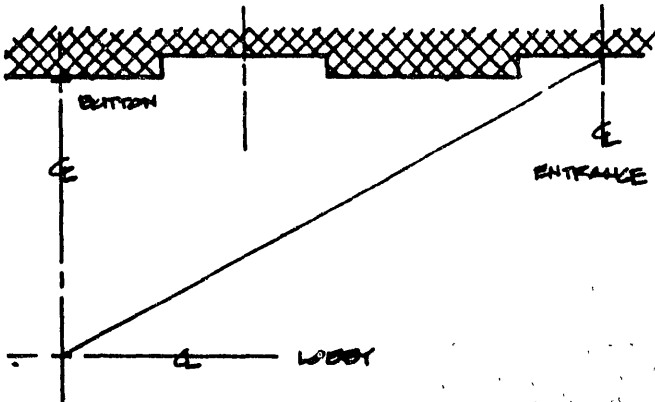


FIGURE (m) 1

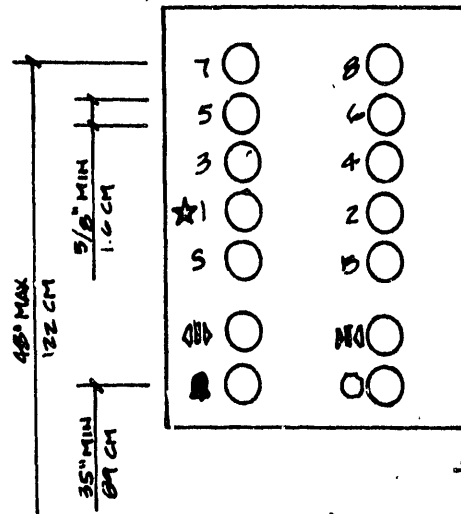
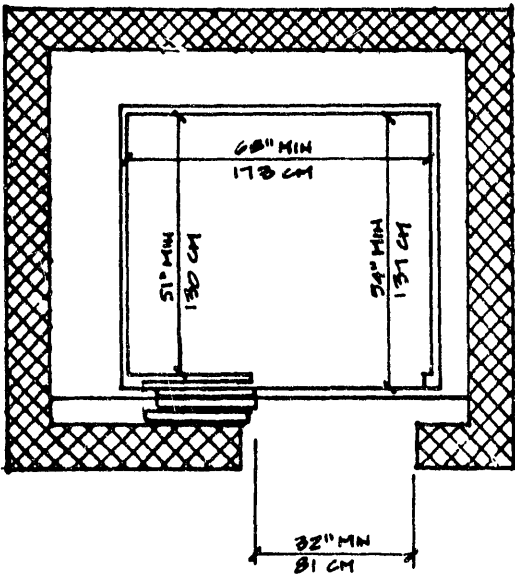
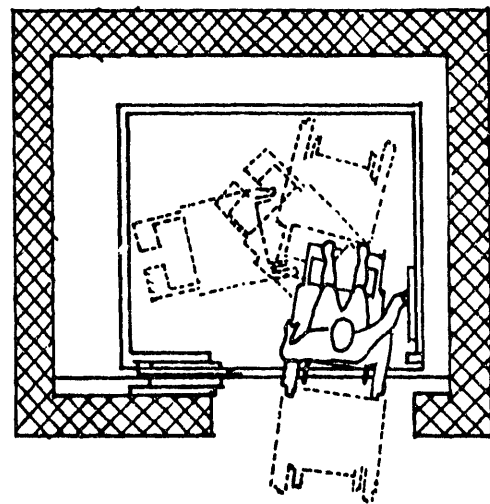


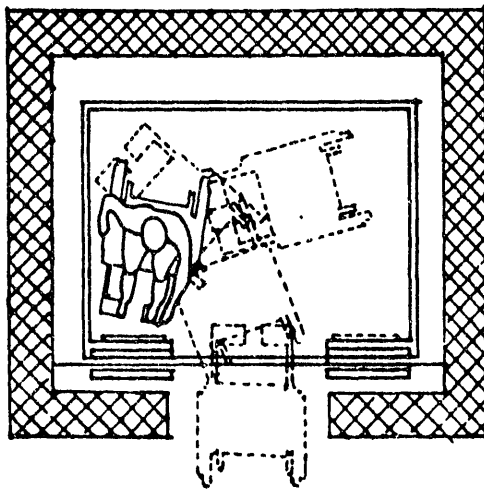
FIGURE (m) 2



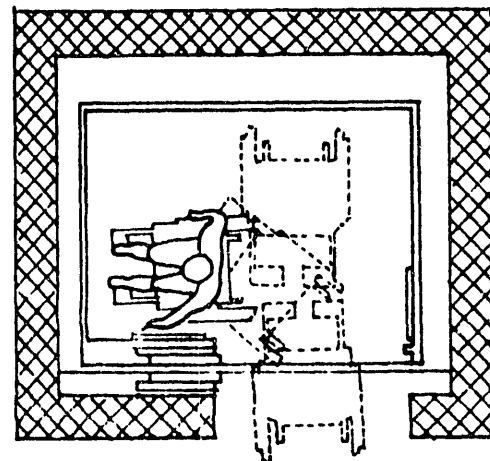
(m) 3.1



(m) 3.2

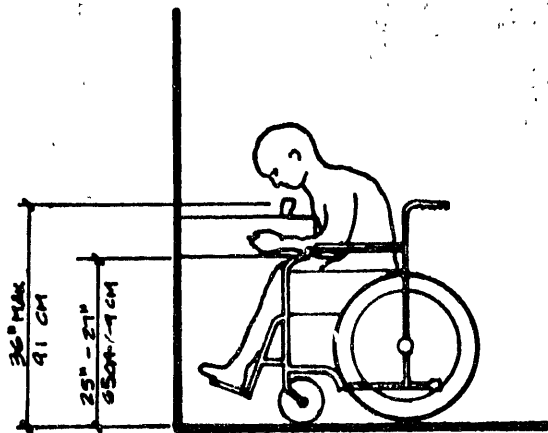


(m) 3.3

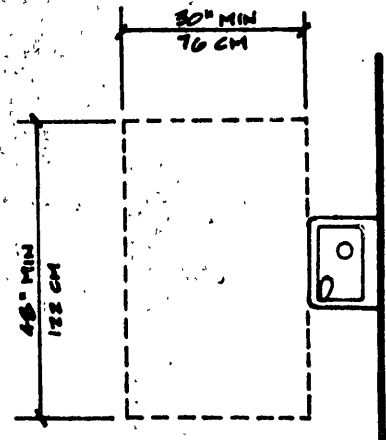


(m) 3.4

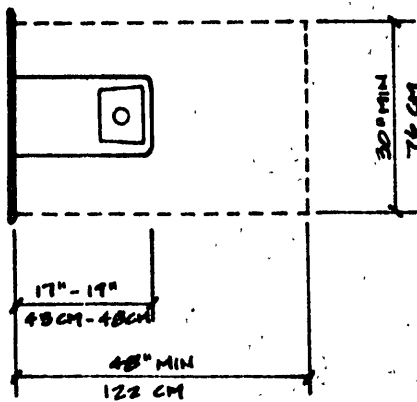
FIGURE (m) 3



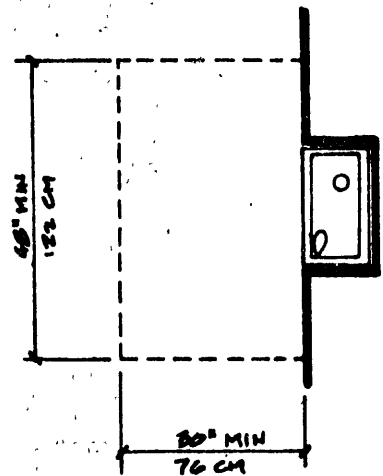
(n) 1.1



(n) 1.3



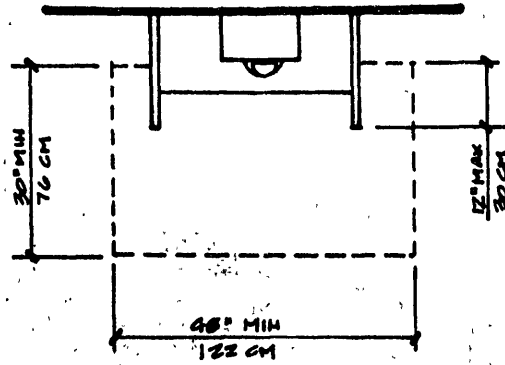
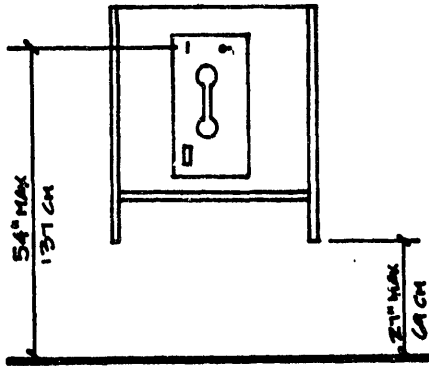
(n) 1.2



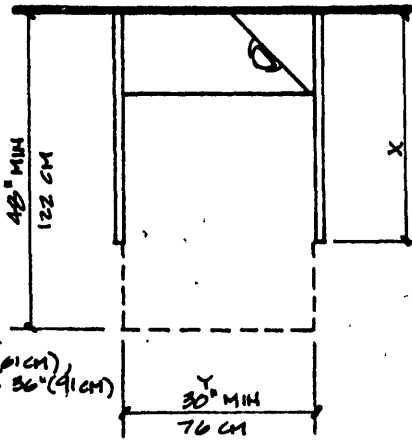
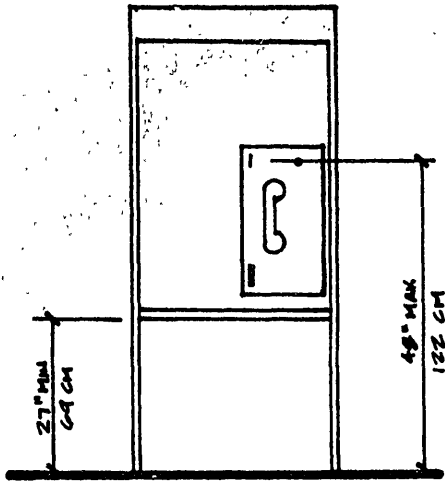
(n) 1.4

FIGURE (n) 1

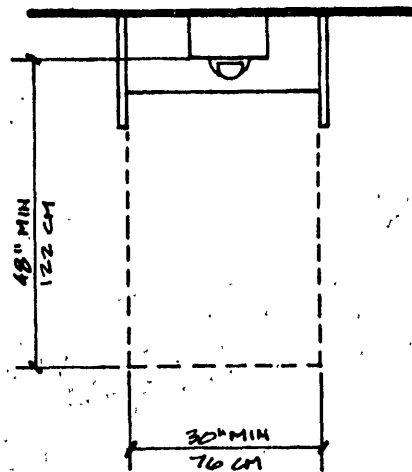
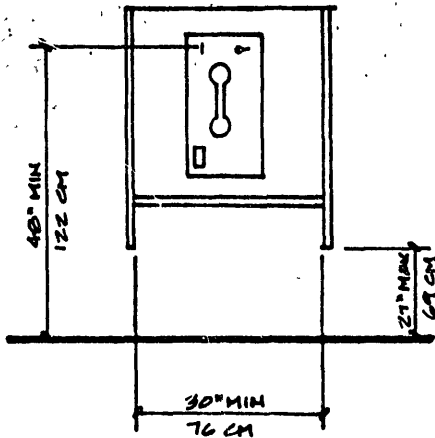




(O) 1.1



(O) 1.2



(O) 1.3

FIGURE (O) 1

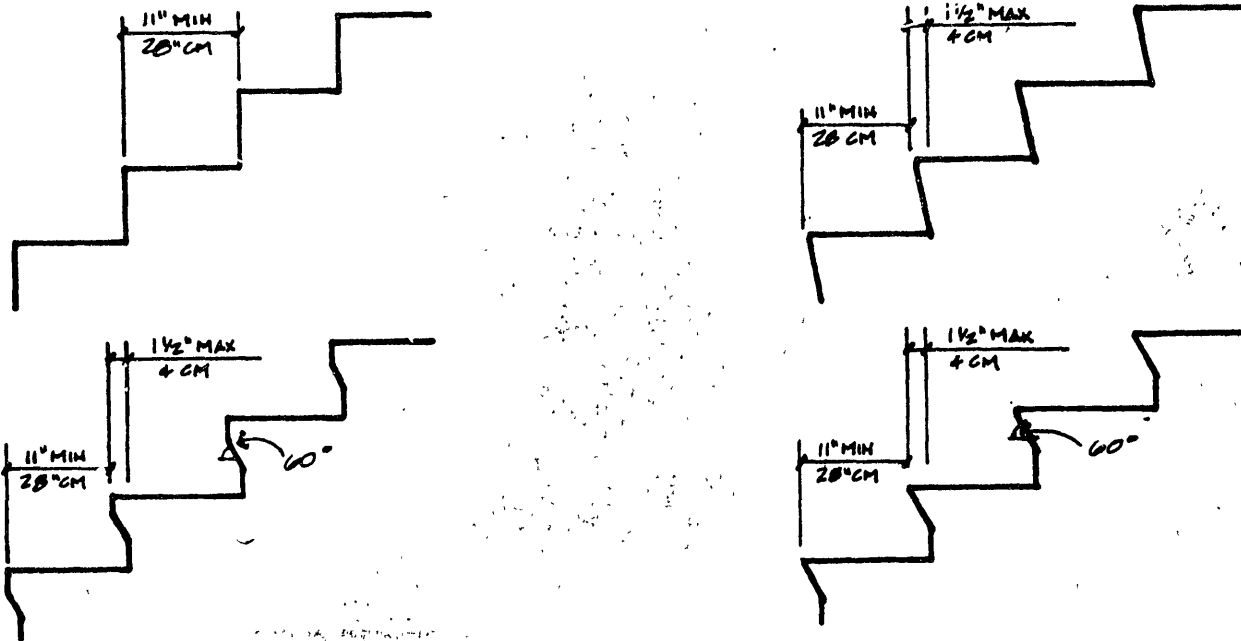


FIGURE (P) 1

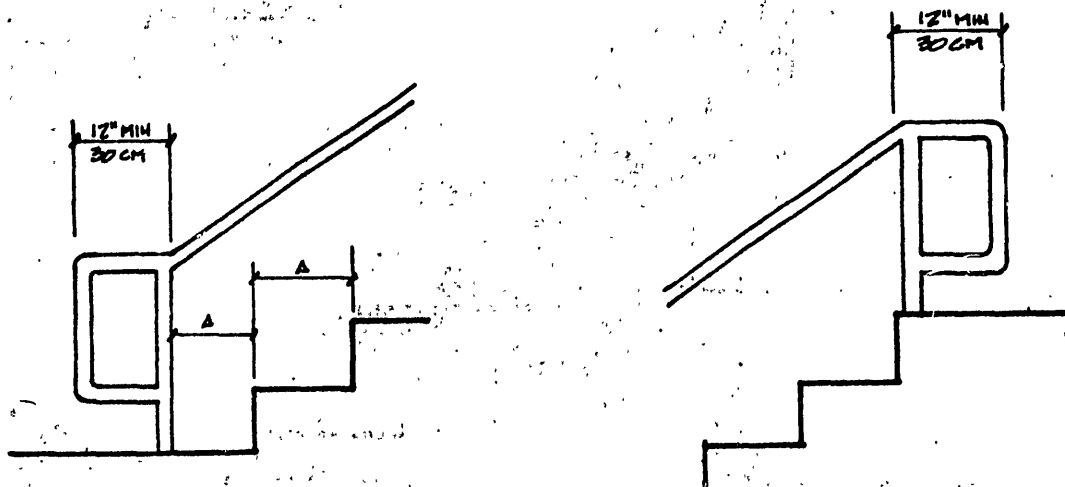


FIGURE (P) 2

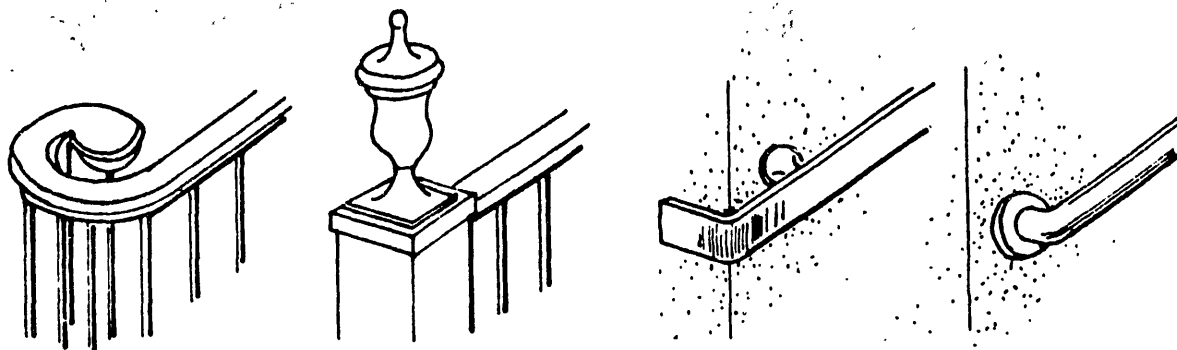


FIGURE (P) 3



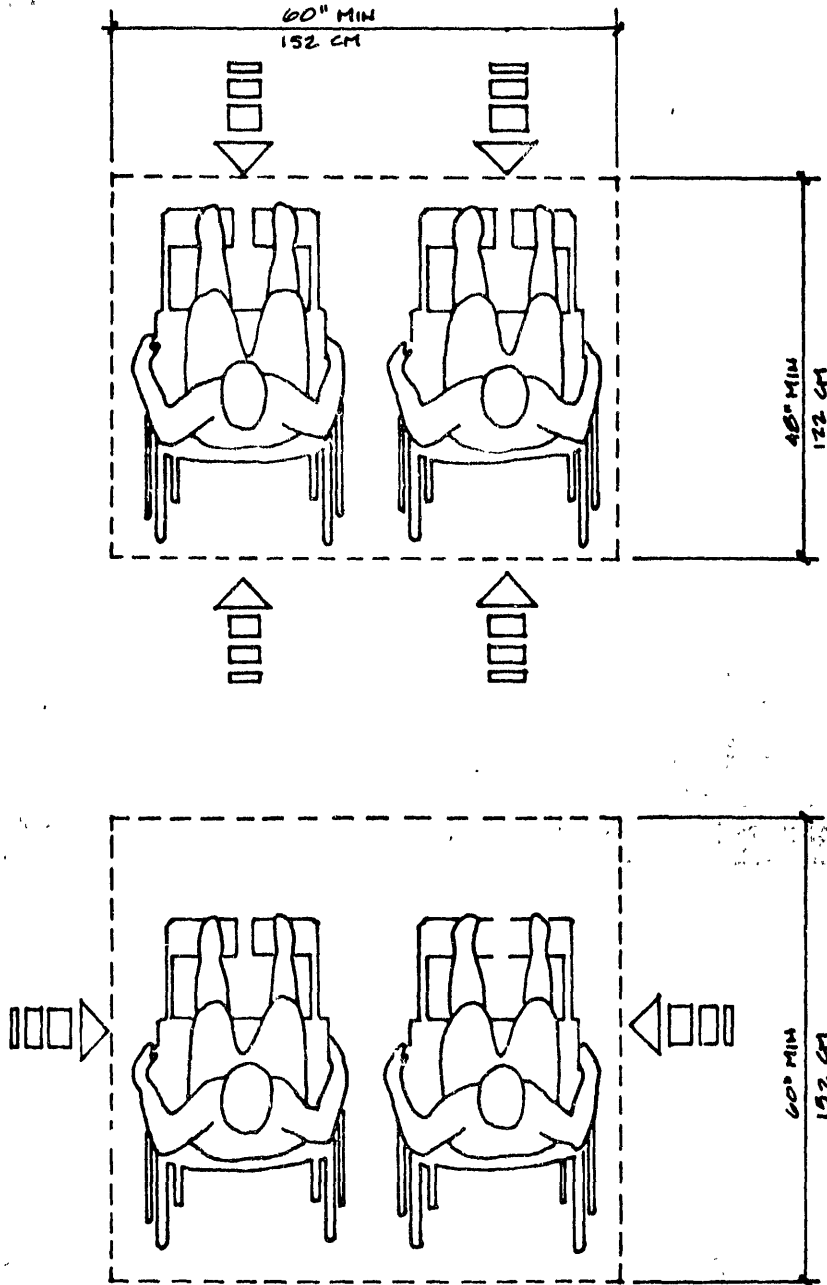


FIGURE (u) 1

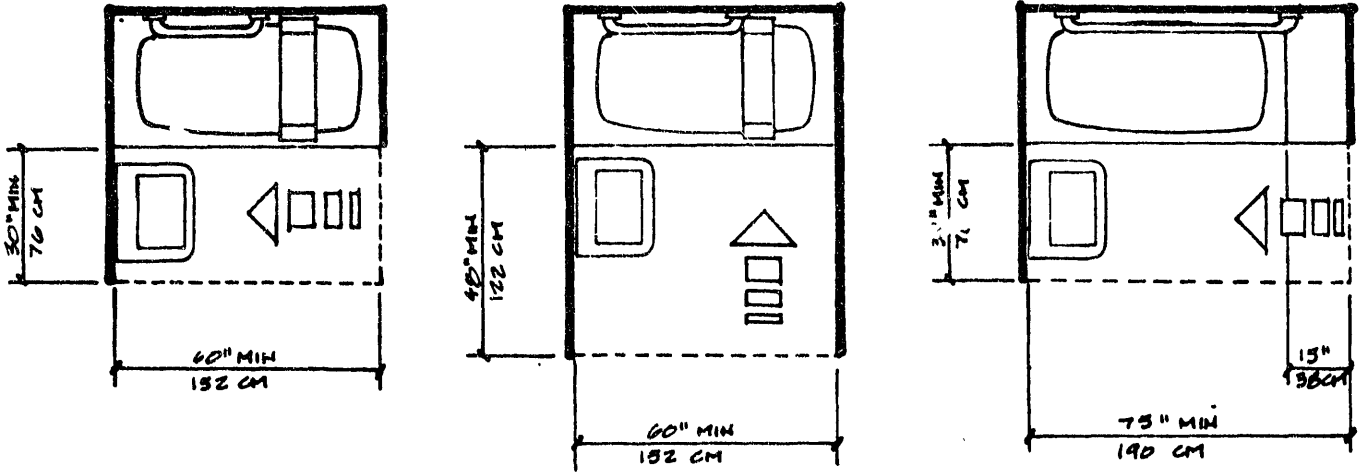


FIGURE (x) 1

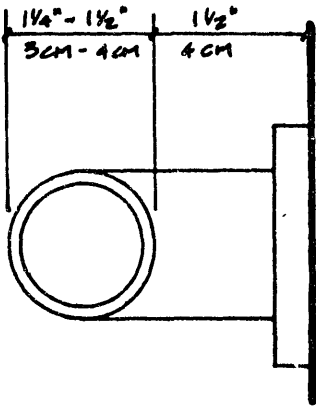
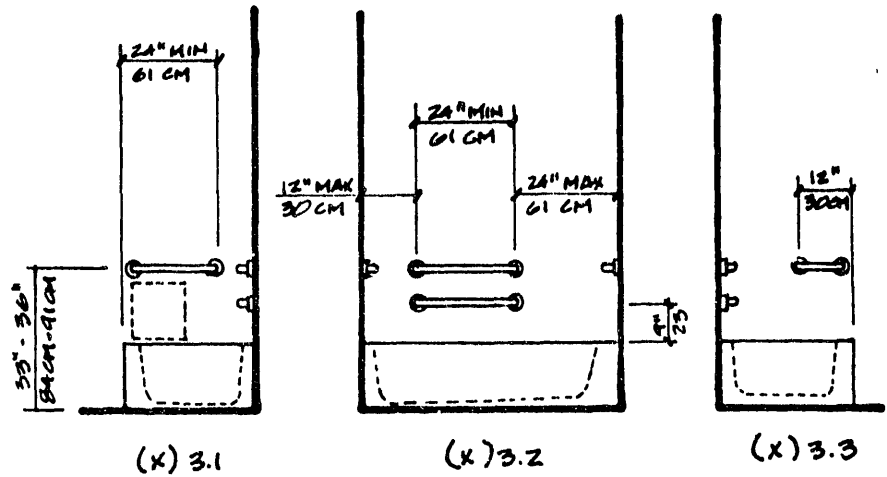


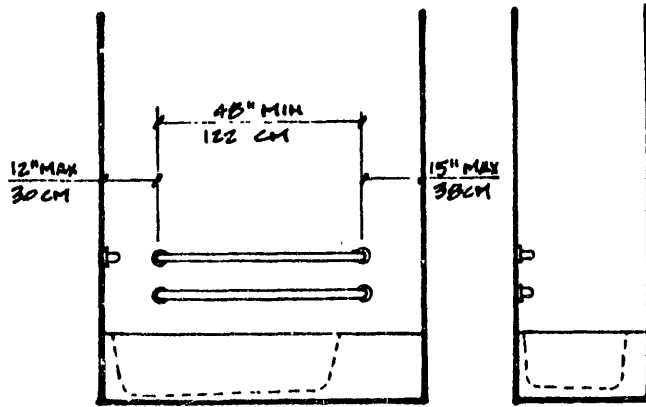
FIGURE (x) 2



(x) 3.1

(x) 3.2

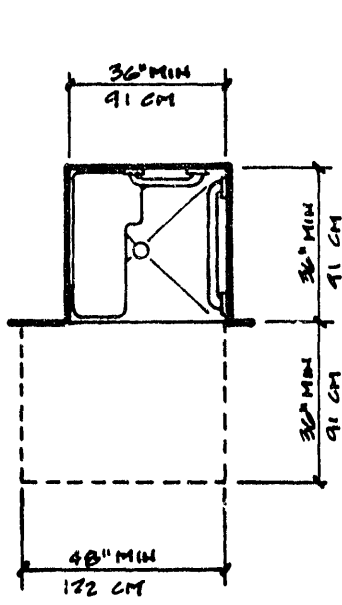
(x) 3.3



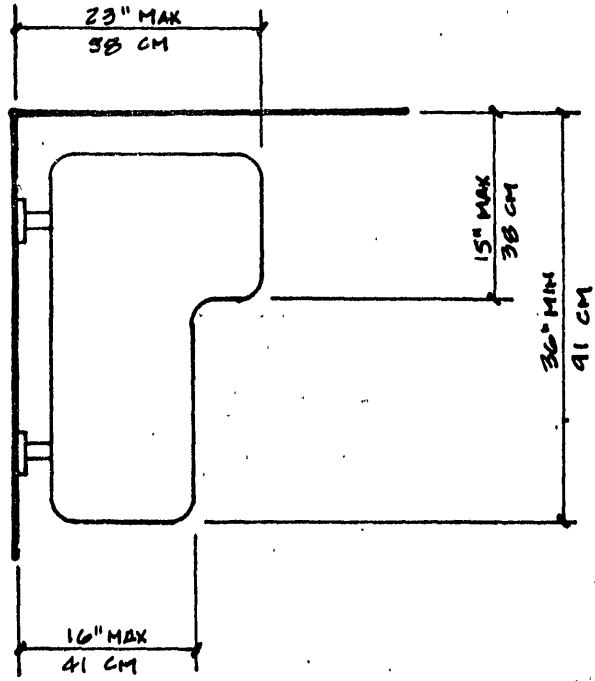
(x) 3.4

(x) 3.5

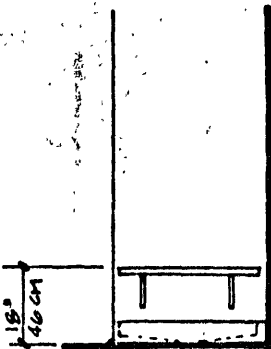
FIGURE (x) 3



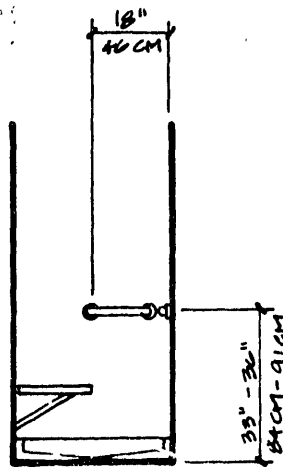
(x) 4.1



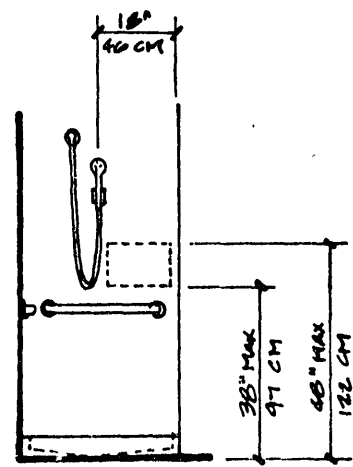
(x) 4.2



(x) 4.3



(x) 4.4



(x) 4.5

FIGURE (x) 4

## TITLE 4. AGRICULTURE

### Part II. Texas Animal Health Commission

#### Chapter 41. Fever Ticks

(Editor's note The text of the following section proposed for repeal will not be published The section may be examined in the offices of the Texas Animal Health Commission, 1020 Sam Houston Building, Austin, or in the Texas Register Division office, 503E Sam Houston Building, Austin)

The Texas Animal Health Commission proposes to repeal §41.1 (177.11.00.012) of this title (relating to Tick Eradication) This section provides regulations for the eradication of the fever tick in livestock in the State of Texas. Substantive and numerous changes will be proposed for a new tick eradication regulation which would make this regulation obsolete The proposed repeal will become effective on the same date that new fever tick regulations for the commission go into effect.

The commission has determined that the proposed repeal has no fiscal implications for the state or for units of local government

Written comments are invited and may be sent to Dr. John W. Holcombe, executive director, Texas Animal Health Commission, P.O. Box 12966, Austin, Texas 78711, within 30 days of publication in the *Texas Register*.

This repeal is proposed under the authority of Article 7014g-1, Vernon's Annotated Civil Statutes.

§41.1 (177.11.00.012) *Tick Eradication*

Doc No 810613

The Texas Animal Health Commission proposes to adopt §41.1 (177.11.00.016) of this title (relating to Tick Eradication) for the purpose of bringing about the effective control leading to eradication of the fever tick The fever tick, because of its potential of carrying the deadly Texas Cattle Fever, poses a constant threat of economic loss to the livestock producers of the State of Texas. In addition, outbreaks of the ticks threaten the state with cattle embargoes from other states and countries.

The proposed section does not have any fiscal implication for the state or for units of local government according to agency personnel.

Written comments are invited and may be sent to John W. Holcombe, DVM, executive director, Texas Animal Health Commission, P. O. Box 12966, Austin, Texas 78711, within 30 days of publication in the *Texas Register*.

This section is proposed under authority of Article 6252-13a, Texas Revised Civil Statutes, and Article 7014g-1, Vernon's Texas Civil Statutes.

§41.1 (177.11.00.016) *Tick Eradication*

(a) Definition of terms. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

Adjacent premise—A premise located contiguous to an exposed or infested premise.

Certificate—A document issued by an authorized representative of the commission, for movement of livestock after said livestock have been treated in a manner prescribed by the commission for the area and premise from which they originate.

Check premise—A premise located in a tick eradication area, temporary preventative area, or control purpose area that is not classified as an infested, exposed, or adjacent premise.

Control purpose quarantine area—Areas designated by the commission for a systematic inspection of livestock and premises and control of the movement of livestock in order to investigate and control a suspected exposure of ticks outside the tick eradication quarantine area The extent of the area shall be determined by the appropriate barriers to the potential spread of ticks.

Dip, dipped, dipping, or treated—Submerging livestock in a vat, spraying livestock in an adequate facility, or any sanitary treatment of livestock as may be approved by the Texas Animal Health Commission In order for such treatment for ticks to be officially recognized, it must be supervised by an authorized representative of the commission, written records maintained in the area tick office of the United States Department of Agriculture of all treatments, and each animal paint-marked so that it can be identified for a period of 17 days

Exposed livestock—Livestock that have entered an infested or exposed premise and have not been dipped within 14 days after the entry and removed from the infested or exposed premise, or livestock that have occupied exposed premises and have not completed treatment required for movement from an exposed premise, or livestock which have entered Texas from the Republic of Mexico without a certificate from the United States Department of Agriculture

Exposed premise—A premise on which ticks have been found on livestock that have been on said premise less than 14 days or a premise that has received exposed livestock or equipment or material capable of carrying ticks from an infested or exposed premise, and systematic treatment has not been completed

Free area—Areas designated by the commission as being free of ticks or exposure to ticks. The extent of said area shall be determined by the appropriate barriers to the potential spread of ticks

Infested livestock—Livestock on which ticks have been found, or livestock which occupy a premise on which ticks have been found on livestock that have been on said premise more than 14 days and upon which eradication treatment has not been completed for movement from an infested premise

Infested premise—A premise on which ticks have been found on livestock that have been on said premise more than 14 days and systematic treatment has not been completed.

Livestock—Any domestic animal or captured wild animal that is capable of hosting or transporting ticks capable of carrying babesia (causating agent of cattle tick fever) including but not limited to cattle, horses, mules, jacks, jennets, zebras, buffalo, giraffe, and deer

Permit—A document issued by an authorized representative of the commission allowing the livestock specific movement privileges.

**Premise**—An area which can be defined by recognizable physical barriers creating its boundaries that prevent livestock from crossing said boundary under ordinary circumstances or an area that livestock do not ordinarily inhabit which the commission defines by recognizable features.

**Premise inspection**—A routine inspection of premise boundaries and the livestock within for the purpose of documenting exposure of said premise by an authorized representative of the commission. A written record of all inspections must be recorded in the area tick office of the United States Department of Agriculture for the inspection to be official.

**Premise under vacation**—A premise from which all livestock have been removed as prescribed by the commission.

**Range inspection of livestock**—An inspection of livestock under conditions which will allow the person inspecting the animal to see the animal close enough to detect ticks on the animal. A written record of inspections must be recorded in the area tick office of the United States Department of Agriculture for the inspection to be official.

**Scratch inspection of livestock**—An inspection of livestock by an authorized representative of the commission in an approved facility which will allow the person inspecting the animal to touch and see all parts of the livestock. A written record of all scratch inspections must be recorded in the area tick office of the United States Department of Agriculture for the inspection to be official.

**Temporary preventative quarantine area**—Areas designated by the commission for a systematic inspection of livestock and premises and treatment and control of movement of livestock in order to investigate, eradicate, and eliminate additional infestation and exposure from infested or exposed premises outside of the tick eradication quarantine area. The extent of said area shall be determined by the appropriate barriers to the potential spread of ticks.

**The commission**—The Texas Animal Health Commission.

**Tick**—Any tick capable of transmitting *Bovine Babesiosis* (cattle tick fever or *bovine piroplasmosis*).

**Tick eradication quarantine area**—Areas designated by the commission for a systematic inspection of livestock and premises and treatment and control of movement of livestock in order to investigate, eradicate, and eliminate additional infestation from infested or exposed premises. The extent of said area shall be determined by the appropriate barriers to the potential spread of ticks. This is the permanent quarantine area which is designated in Texas Animal Health Commission Proclamation No. 426, §41.2 (177.11.05.014) of this title (relating to Quarantine Line; Defining and Establishing Tick Eradication Areas), and in the United States Department of Agriculture Code of Federal Regulations Part 72.5, parallel to the Rio Grande River, commonly known as the buffer zone or systematic area.

(b) Designation of an area

(1) All areas of the state shall be classified by the commission as one of either a free area, control purpose quarantine area, temporary preventative quarantine area, or tick eradication quarantine area. The commission shall immediately redesignate an area upon the change in circumstances that warrants reclassification. All areas, except free areas, shall be determined by the Animal Health Commission according to the needs of inspection and treatment for known or suspected infestations of ticks.

(2) Upon the designation of any area other than the free area, and upon the request of five livestock owners within the area, the commission shall appoint an area advisory committee from recommendations made by livestock owners within the area. The area committee shall be kept informed at all times of the general plan of inspection and treatment for the area, of the results of all inspections of livestock and premises, of changes in boundaries due to straying or change in area designation.

(3) The commission shall notify all livestock owners within an area, except the free area, as to the type area in which their livestock are located. All changes in designation of an area shall be in writing with the reason for change given.

(c) Designation of a premise.

(1) All premises within a tick eradication quarantine area, temporary preventative quarantine area, or control purpose quarantine area shall be classified by the commission as either infested, exposed, adjacent, or check premise. The commission shall immediately redesignate a premise upon the change in circumstances that warrants reclassification. The boundaries of all premises shall be determined according to the needs of inspection and treatment for known or suspected infestations of ticks.

(2) The commission shall notify livestock owners within an area, except the free area, as to the type premise on which their livestock are located. All changes in designation of premises shall be in writing with the reason for change given.

(d) Movement of livestock.

(1) When livestock are moved from a quarantined area, the person in charge of the movement (trail boss, truck driver) shall have a copy of any certificate or permit required of the livestock for movement.

(2) All permits or certificates shall be void unless the livestock begin movement to the stated destination immediately upon issuance.

(3) Movement must be direct to the destination stated on the permit or certificate. If moved on foot, the movement must follow a designated route. No livestock may be unloaded at any other destination than shown on the permit or certificate.

(4) Any livestock that become exposed during movement shall be scratch inspected and dipped within 14 days of such exposure.

(5) No certificate for movement shall be issued unless the owner of the livestock to be moved has fully complied with all regulations of this tick program.

(6) On any movement allowed following a required dip, the livestock to be moved shall be loaded in the transporting conveyance wet or placed in a pen approved by an authorized representative of the commission or unless a special permit is issued by the commission pursuant to an authorized research project.

(7) No movement shall be made when a dip is required prior to movement and rain occurs prior to the drying of the dip that results in the dip dripping to the ground. In such event, the certificate for movement is void and another dip is required before movement.

(e) Restrictions on movement of livestock

(1) Movement originating in the free area. There are no restrictions on the movement of livestock from a designated free area.



(2) Movement originating in the tick eradication quarantine area, temporary preventative quarantine area, or temporary control purpose quarantine area. The owner or caretaker of livestock located in the tick eradication area shall not move, or allow the movement of any livestock from the said area, or from any premise therein without a permit or certificate covering the livestock to be moved issued by an authorized representative of the commission; nor shall any person accept such shipment in or from the said area, unless the owner first delivers unto them an original permit or certificate for the livestock.

(A) Movement originating in an infested premise or exposed premise. Certificates for movement shall be issued either after the livestock to be moved have been dipped by three consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section; or, if moving directly to slaughter by sealed conveyance, have been dipped by two consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section.

(B) Movement from an adjacent premise or check premise. Certificates for movement shall be issued after the livestock to be moved have been found free from ticks by scratch inspection and have then been dipped; or, have been dipped by three consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section; or, if moving directly to slaughter by sealed conveyance, have been dipped by two consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section.

(3) Certificates for movement originating in a premise within the control purpose quarantine area shall be issued after the livestock to be moved have been found free from ticks by scratch inspection and have been dipped; or, have been dipped by three consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section, or, if moving directly to slaughter by sealed conveyance, have been dipped by two consecutive dips not less than seven nor more than 14 days apart without scratch inspection unless required under subsection (k) of this section.

(4) The commission may for good cause waive in writing any of the restrictions on the movement of livestock.

(f) Restrictions on movement of hides and carcasses.

(1) Movement from the free area. There are no restrictions on the movement of hides and carcasses or parts thereof from the free area.

(2) Movement from any area other than the free area. Hides and carcasses and parts thereof shall not move without inspection, treatment, and a permit for movement issued by a representative of the commission when deemed necessary.

(g) Dipping of livestock; general. All dipping prescribed herein shall be done under the supervision of representatives authorized by the commission. The commission shall authorize for use in official dipping of animals only those proprietary brands of dips and in the applicable concentration that has been approved by the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the Texas Animal Health Commission for use in official dipping to rid animals of the tick. The concentration of the dipping chemical used shall be maintained

in the percentage specified for official use, by means of the approved vat management techniques established for the use of the applicable agent or if applicable by an officially approved vat side test or field test of the commission. The owner or caretaker of livestock shall be responsible for presenting the livestock to the dipping vat, dipping the livestock, and removing the livestock, and shall provide such labor as is necessary to perform all required functions.

(h) Required dipping of livestock

(1) The owner or caretaker of livestock on infested or exposed premises in the tick eradication quarantine area or infested or exposed premises in the temporary preventative quarantine area shall present them to be scratch inspected and dipped followed by regular dipping at intervals of 14 days until said livestock are moved from the premise in accordance with these regulations, or for the period of time shown on Table I (Pasture Vacation Schedule, South of Highway 90) or Table II (Pasture Vacation Schedule, North of Highway 90) for the appropriate locality and starting date.

(2) The 14-day interval may be extended due to circumstances beyond the control of the owner upon approval by an authorized representative of the commission. In no event shall the extension be for a period greater than three days. If the extension is granted, no certificate shall be issued after the 14th day and the next dip shall be on the original 14-day schedule.

(3) All scratch inspection and dipping shall be under instructions issued by the commission. All requirements of the owner shall be in written form directed to the owner or caretaker. An inspector for the commission shall deliver the instructions in person along with a copy of these regulations. All premise boundaries shall be listed in the order

(4) The scratch inspection and first dip must be within 14 days from the last scratch inspection and dip that live ticks are discovered or 100% of the livestock on the premise have been dipped.

(5) The starting date for Table I (Pasture Vacation Schedule, South of Highway 90) and Table II (Pasture Vacation Schedule, North of Highway 90) shall be the date of the last scratch inspection and dip that live ticks are discovered or 100% of the livestock on the premise have been dipped. Copies of Tables I and II may be obtained from the Texas Animal Health Commission, P.O. Box 12966, Austin, Texas 78711.

(6) A dip shall not be official unless 100% of the livestock within the premise affected are dipped on schedule.

(i) Vacation of premise. Upon the removal of all livestock from a premise, the premise shall remain classified as before the removal for the period shown on Table I and Table II for the locality and starting date. The starting date is the date the last live tick is found, or 100% of the livestock on the premise have been dipped and continued on an official dipping schedule until removed from the premise. Upon expiration of time shown in Tables I and II, or when determined by the commission when the premise has no infestation, the premise shall be reclassified as is appropriate within the area or shall be reclassified as a check premise or control purpose quarantine area.

(j) Required inspection of premise. An infested premise, exposed premise, and adjacent premise shall be premise inspected every 14 days by an authorized representative of the commission. The 14-day interval may be extended due to circumstances that prevent the inspection. A check premise

shall be premise inspected when deemed necessary by an authorized representative of the commission.

(k) Required scratch inspection of livestock. The owner or caretaker of livestock on any premise shall present them to be scratch inspected at any time specified by notice from an authorized representative of the commission.

(l) Handling and feeding of livestock.

(1) All conveyances which have contained infested or exposed livestock must be cleaned, treated, and determined to be free of ticks before reloading.

(2) All material removed from such conveyance or premise, except on an infested or exposed premise must be kept in an enclosure inaccessible to livestock, being separated for a minimum distance of 15 feet. No material shall be removed from said enclosure without approval in writing by the commission.

(3) Hay, feed, and any other commodity capable of carrying ticks may not be moved from an infested or exposed premise without a permit.

(m) Hearing on protest of designation of area or premise of dipping directions or other orders.

(1) Any person that desires a hearing for the purpose of protesting the designation of an area or premise or against the enforcement of any dipping direction or scratching notice or any other order of the commission issued under the provisions of these regulations may file with an authorized representative of the commission a sworn application for a hearing, which application shall be forwarded by the authorized representative to the commission. In case of a protest from dipping, the application must be filed 10 days prior to the dipping date. The commission shall set a hearing on applications and give notice to the applicant and other parties who join the action.

(2) The applicant may appear at the hearing either in person or by attorney, or both, and may submit such ex parte affidavits as he desires. The hearing shall be conducted and governed by the terms and provisions of the Administrative Procedure and Texas Register Act, Article 6252-13a, Annotated Civil Statutes. The commission shall also consider controverting affidavits and statements. The Administrative Procedure and Texas Register Act provides generally as follows with respect to hearings: The commission may swear witnesses and take their testimony under oath and the rules of evidence as applied in nonjury civil cases shall be followed. Upon a showing of good cause, witnesses and records can be subpoenaed for testimony and used at the hearing or on deposition, and any part can be compelled to produce such records and documents as may be necessary and proper for the proceedings; witnesses shall be subject to cross-examination; and the commission can take notice of those generally recognized facts within the commission's area of expertise.

(3) The commission shall render its decision in writing and transmit the same to the authorized representative who received the original application, who shall thereupon either deliver the same in person to the applicant or transmit the same to him by registered mail to the address shown in said application.

(4) If the protest is for dipping and the commission overruled said application, it shall be the duty of said person to thereafter dip said livestock on all the dipping dates prescribed in said dipping direction, but he shall not be required to dip said livestock on the first dipping date following the delivery to him of a copy of the decision rendered by said commission, unless two full days intervene between the date

of said service and the said dipping date, providing that where service is by registered mail, the time of depositing same in the mail without regard to whether it is received shall be regarded as the time of said service, but he shall not be required to dip said livestock on the first dipping date following said service, unless four full days intervene between the date of depositing the same in said registered mail and the first dipping date thereafter.

(n) Regulations on cattle and products imported from the Republic of Mexico.

(1) All livestock moved into Texas from the Republic of Mexico will be identified in a manner so that their origin in Mexico can be determined.

(2) A copy of the certificate issued by an authorized inspector of the Animal and Plant Health Inspection Service, United States Department of Agriculture, for the movement of Mexico cattle into Texas shall accompany such animals to their final destination in Texas, or so long as they are moving through Texas.

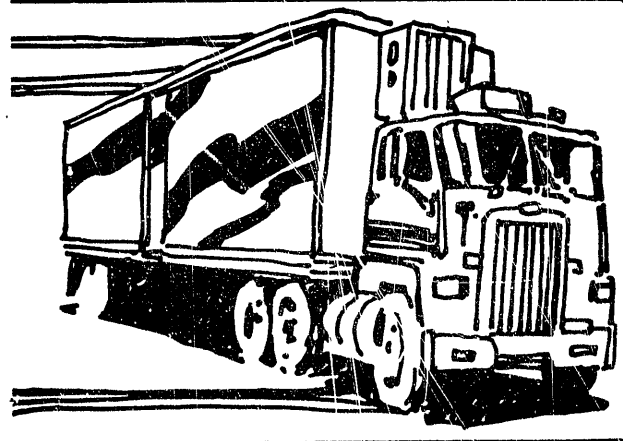
(3) The owner or caretaker of livestock which have been in the Republic of Mexico within six months of their entry into Texas shall not move, or allow the movement of such livestock to any area of Texas other than the free area, nor shall any person accept a shipment of such livestock into any area other than the free area.

(4) No person, firm, corporation, or carrier shall move or transport from Mexico into the State of Texas any commodity capable of carrying ticks for any purpose unless such products have been treated in accordance with requirements of the commission or the United States Department of Agriculture. A certificate of treatment issued by an authorized inspector shall accompany such products to their final destination in Texas so long as they are moving through Texas.

Issued in Austin, Texas, on January 23, 1981.

Doc No. 810614      John W Holcombe, DVM  
Executive Director  
Texas Animal Health Commission

Proposed Date of Adoption: March 6, 1981  
For further information, please call (512) 475-4111.



## TITLE 16. ECONOMIC REGULATION

### Part I. Railroad Commission of Texas

#### Chapter 5. Transportation Division

The Railroad Commission of Texas, on its own motion, is instituting a rulemaking proceeding to consider whether or not to repeal existing §5.83 (051.03.05.003) of this title (relating to Failure To File; Consequences), §5.84 (051.03.05.004) of this title (relating to Reinstatement), §5.154 (051.03.09.004) of this title (relating to Cancellation and Reinstatement), and §5.188 (051.03.12.008) of this title (relating to Reinstatement of Authority after Cancellation) which contain procedures for cancellation and reinstatement of certificates and permits. The commission simultaneously proposes to adopt new §5.38 (051.03.02.025) of this title (relating to Involuntary Suspension, Cancellation, and Reinstatement) containing new and different provisions dealing with cancellation and reinstatement. Under the new regulation, a carrier which violates the commission's regulations on maintenance of continuous insurance coverage; filing of annual operating reports; registration of equipment; or voluntary suspension would be placed in involuntary suspension for a period not to exceed 180 days. During this period, a carrier that achieves compliance with the commission's regulations may apply for reinstatement. If a carrier does not comply within the period of involuntary suspension and file for reinstatement, the carrier's certificate or permit would be permanently canceled.

The commission is also instituting a rulemaking proceeding to determine whether or not it should adopt new §5.39 (051.03.02.026) of this title (relating to Registered Agent for Motor Carriers) which requires carriers to file with the commission the name and current address of a registered agent for receipt of service in commission proceedings.

The Transportation Division staff has determined that the proposed repeals and new sections will have no fiscal implication for any unit of state or local government.

Public comment is invited and may be submitted in writing to Owen T. Kinney, director, Transportation Division, Railroad Commission of Texas, P. O. Drawer 12967, Austin, Texas 78711. Comments will be accepted for 30 days after publication in the *Texas Register*.

#### Subchapter B. Operating Certificates, Permits, and Licenses

This section is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

##### §5.38 (051.03.02.025) *Involuntary Suspension, Cancellation, and Reinstatement*

(a) Conditions under which authority may be involuntarily suspended or canceled. The certificate or permit of a motor carrier or motor bus company shall automatically be placed in involuntary suspension and may subsequently be canceled under any of the following conditions:

(1) failure to maintain continuous insurance or surety bond coverage as required in §5.181 (051.03.12.001) of this title (relating to Evidence of Insurance Required);

(2) failure to file an annual operating report as required by §5.81 (051.03.05.001) of this title (relating to Annual Report Required);

(3) failure to register equipment as required by §5.151 (051.03.09.001) of this title (relating to Identification Cards and Plates);

(4) failure to renew voluntary suspension or reactivate a suspended certificate or permit upon termination of voluntary suspension under the provisions of §5.307 (051.03.17.007) of this title (relating to Voluntary Suspensions).

(b) Notice of insurance violation. Upon receipt by the commission of notification pursuant to §5.185 (051.03.12.005) of this title (relating to Termination) that a motor carrier or motor bus company's surety bond, policy, or certificate of insurance will terminate after 30 days, the commission shall send a letter by first class mail advising the motor carrier or motor bus company that upon termination of such insurance its certificate or permit will be placed in involuntary suspension.

(c) Notice of involuntary suspension. If any of the enumerated conditions justifying suspension of a certificate or permit arises, the commission shall notify the motor carrier or motor bus company that its certificate or permit was automatically placed in involuntary suspension from the date on which the condition warranting suspension arose. Notification that a certificate or permit has been involuntarily suspended and may be canceled shall be both by certified letter mailed to the carrier's current address on file with the commission pursuant to §5.39 (.026) of this title (relating to Registered Agent for Carriers) and by publication in the Transportation Division notice. The notification by certified mail shall be conclusively presumed to be actual notice.

(d) Surrender of certificates and permits, cards and plates, and cessation of operations. Upon notification by the commission that a certificate or permit has been placed in involuntary suspension, the carrier shall immediately return it, together with all identification cards or plates in the carrier's possession, to the commission or to any duly authorized representative of the commission. The motor carrier or motor bus company shall concurrently cease all operations under the suspended certificate or permit.

(e) Extension of time for compliance. A certificate or permit shall not be suspended for noncompliance with insurance requirements if prior to the termination of its current insurance the motor carrier or motor bus company files proof of insurance in accordance with §5.184 (051.03.12.004) of this title (relating to Insurance Carrier). The time for filing such proof of insurance shall be extended for 30 days, during which time the certificate or permit will remain in good standing if prior to the termination of its current insurance the motor carrier or motor bus company files a certificate of insurance or a copy of an insurance policy, indicating new insurance at least equal in coverage to the current minimum levels established by the commission. For good cause, the period for filing operating reports, registering equipment, or for otherwise complying with applicable laws and regulations may be extended, in writing by the director, a maximum of 60 days during which time the certificate or permit shall remain in good standing, if a request for extension is filed with the commission prior to the carrier's certificate or permit having been involuntarily suspended.

(f) Reinstatement. A certificate or permit placed in involuntary suspension under this section may be reinstated in good standing if prior to the issuance of a commission order canceling the certificate or permit, the holder files a

reinstatement application accompanied by proof that the condition which resulted in suspension has been cured. Reinstatement shall in no event be permitted when the violation resulting in suspension was willful, when the carrier failed to comply with subsection (d) of this section, or when more than 180 days have elapsed between the date the condition resulting in suspension arose and the filing of an application for reinstatement.

(g) Cancellation. The commission may cancel any certificate or permit which has been involuntarily suspended under this section and which does not qualify for reinstatement under this section. No certificate or permit shall be canceled without notice published in the Transportation Division notice setting a time and place for hearing at which any interested party may appear to show cause why the certificate or permit should not be canceled.

(h) Reinstatement of certificates or permits canceled before enactment of this section. No certificate or permit canceled before enactment of this section shall be reinstated unless an application for reinstatement is filed within 18 months (548 days) of cancellation. The application shall be published in the transportation notice of hearing.

(i) Scope. The foregoing section provides a separate procedure for dealing with violations of the commission's regulations, and does not limit commission action taken in the context of a complaint or show-cause proceedings.

Doc. No. 810606

This section is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

§5.39 (051 03 02.026) *Registered Agent for Motor Carriers*. Every holder of a certificate or permit issued by the Railroad Commission shall at all times maintain on file with the commission the name and address of an agent for receipt of service in all Railroad Commission proceedings. The address most recently filed shall be presumed conclusively to be the current address of the agent for all purposes.

Doc. No. 810629

(Editor's note: The text of the following sections contained in Subchapters E, I, and Z proposed for repeal will not be published. The sections may be examined in the offices of the Railroad Commission of Texas, 1124 IH 35 South, Austin, or in the Texas Register Division office, 503E Sam Houston Building, Austin.)

## Subchapter E. Annual and Other Reports

This repeal is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

§5.83 (051 03 05 003) *Failure To File, Consequences.*

Doc. No. 810608

This repeal is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

§5.84 (051 03 05 004) *Reinstatement.*

Doc. No. 810607

## Subchapter I. Equipment: Identification and Reports

This repeal is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

§5.154 (051 03 09 004) *Cancellation and Reinstatement.*

Doc. No. 810609

## Subchapter Z. Insurance Requirements

This repeal is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4 (Vernon's 1964).

§5.188 (051 03 12 008) *Reinstatement of Authority after Cancellation*

Issued in Austin, Texas, on January 20, 1981

Doc. No. 810610 Owen T. Kinney, Director  
Transportation Division  
Railroad Commission of Texas

Proposed Date of Adoption: March 6, 1981

For further information, please call (512) 445-1330.

## Part IV. Texas Department of Labor and Standards

### Chapter 61. Boxing and Wrestling

The Boxing and Wrestling Division of the Texas Department of Labor and Standards proposes to adopt new boxing and wrestling rules and regulations. The sections setting forth the methods and procedures for enforcing the boxing and wrestling provisions of the Texas Boxing and Wrestling Act, Texas Revised Civil Statutes, Article 8501-1, have been reorganized and some changes have been made to comply with amendments to the Act. The new sections are organized under the following headings: applications and licensing, contracts, tickets, ring and equipment, safety, conduct of promotion, conduct of bout, and amateur contests.

The Boxing and Wrestling Division simultaneously proposes for repeal its existing boxing and wrestling rules and regulations. The existing sections were adopted under the authority of the Texas Boxing and Wrestling Act, Texas Revised Civil Statutes, Article 8501-1, Section 4(b). The existing sections set forth the methods and procedures for enforcing the boxing and wrestling regulations provisions of Texas Revised Civil Statutes, Article 8501-1. Since the existing sections conflict with some provisions of the current law, and new sections are being proposed, the department proposes for repeal its existing boxing and wrestling rules and regulations.

The staff of the Texas Department of Labor and Standards has determined that this proposal will result in no significant fiscal impact on the cost of the Boxing and Wrestling Program of the Texas Department of Labor and Standards, nor will it cause a significant fiscal impact on taxes collected for the general revenue of the state. Thus, this proposal will have no significant fiscal impact on the state or on units of local government.

Written comments on the proposal may be submitted to Janice Kuntz, attorney, Texas Department of Labor and Standards, P.O. Box 12157, Austin, Texas 78711, within 30 days of this publication.

**Subchapter A. Boxing**

Sections 61.1-61.8 (063.11.01.101-.108) of this title (relating to Boxing) are proposed under the authority of Texas Revised Civil Statutes, Article 8501-1.

*§61.1 (063.11.01.101) Applications and Licensing*

(a) License required. Before a person may perform at a contest or exhibition as a boxer, promoter, manager, referee, second, judge, timekeeper, or match-maker, he must be licensed by the Texas Department of Labor and Standards.

(b) License in possession. All licensees, except promoters, shall keep their licenses in their possession and shall present said license upon request to promoters and representatives of the Texas Department of Labor and Standards as evidence of eligibility to act or perform in their respective capacities in connection with boxing contests or exhibitions.

(c) License application requirements.

(1) All applicants for licenses must submit an application, two recent passport photos, and a license fee.

(2) All applicants may be required to pass a written examination.

(3) Additional requirements for boxer applicants.

(A) No one under the age of 17 will be issued a license. Minors over age 17 applying for a boxer's license must submit written consent from parent or guardian.

(B) Anyone who applies for a boxer's license and has no recent or previous significant professional or amateur boxing experience will be required to show proof of proper training and must appear to be physically competent as a boxer. Physical competence may include but is not limited to competence in the elements of offense, defense, clean hitting, ring generalship, and physical capability of boxing at least four three-minute rounds.

(C) Boxer applicants must submit medical reports required by §61.5 (105) of this title (relating to Safety).

(D) All boxer license requirements must be submitted prior to their appearance in a show.

(4) Additional requirements for promoter applicants.

(A) Each promoter applicant must submit:

(i) five letters of recommendation;

(ii) a financial statement that has been certified by either a certified public accountant or a bank;

(iii) surety bond on a form provided by the department which has been completed by a surety company.

(B) Promoters must show that they have the financial ability to pay the taxes, purses, arena rental, personnel, advertising, and other expenses. Financial responsibility may be shown by a financial statement or an additional performance bond guaranteeing payment of all obligations relating to the promotional activity.

(C) The amount of the promoter's license fee and the minimum surety bond shall be determined by the population of the city for which it is granted. If the commissioner determines that it is necessary to guarantee financial responsibility, then an additional performance bond guaranteeing payment of all obligations may be submitted. All bonds must remain in effect for four years after the effective date of cancellation, or until such time as the commissioner determines that there are no claims against the bond.

Population	Fee	Minimum Bond
10,000	\$20	\$300
10,001-25,000	\$50	\$300
25,001-100,000	\$100	\$500
100,001-250,000	\$200	\$1,000
250,001-Up	\$300	\$2,000

(D) A promoter's license is valid only in the incorporated limits of the city for which it is granted, but a promoter may apply for a license in each city in which he desires to operate. If the promotion should occur in a nonincorporated area, the size of the nearest incorporated city shall determine the license fee. No promoter shall hold a boxing contest in any location other than that location on his license without permission of the commissioner.

(E) Any person applying for a promoter's license must appear in person in the office of the commissioner of the Texas Department of Labor and Standards in Austin, Texas.

(d) Managers.

(1) A licensed manager may act as a second without a second's license.

(2) When a manager obtains a promoter's license, his manager's license will be automatically canceled and all contracts that he has with boxers will be canceled and cannot be transferred or assigned to another manager.

(e) Match-makers.

(1) Any person who is not a promoter and who arranges matches for a show must be licensed as a match-maker.

(2) No match-maker shall hold a manager's license or manage a boxer either directly or indirectly.

(f) Referees and judges. Referees and judges may be required to take additional written examinations, physical examinations, and/or attend seminars.

(g) Purse forfeiture, license denial, revocation, or suspension. The commissioner, after notice and hearing, may order the forfeiture of the purse of a boxer or manager in an amount not to exceed \$1,000 and/or may deny, revoke, or suspend any license if the commissioner finds:

(1) A licensee violated any boxing rule or regulation or a provision of the Texas Boxing and Wrestling Act.

(2) A licensee has within the last five years been convicted in a state or federal court of any crime which under the laws of this state is a felony.

(3) A promoter, manager, or match-maker is not in fact the real party in interest and the real party in interest is one who has previously been denied a license, one who has had his license suspended or revoked, or one who does not presently qualify for a license.

(4) An applicant or licensee knowingly made a misrepresentation or false statement in the application with the intent to mislead the department.

(5) A promoter:

(A) failed to pay a boxer a minimum of \$20 for a contest;

(B) failed to submit all forms and reports required in these rules;

(C) admitted people to a contest without tickets;

(D) sold complimentary tickets;

(E) a promoter's required bond has been canceled.

(6) A boxer:

(A) signed a contract with a manager while under contract with another manager;

(B) failed to properly condition himself, or whose thorough lack of effort or any fault of his own was the cause of

any bout or exhibition being canceled, terminated during the fight, or postponed;

(C) sustained a succession of four knockouts or six defeats;

(D) is unfit for competition based upon medical evidence.

(7) A timekeeper failed to keep accurate time in starting and stopping rounds or in the count for knockdowns as set forth in §617(e), (107(e)) of this title (relating to Conduct of Bout).

(8) A licensee failed to pay all legitimate bills contracted in connection with training and gymnasium expenses or other expenses incurred directly related to a contest.

(9) A referee's, promoter's, match maker's, second's, or manager's negligence or incompetence was the cause of or directly contributed to serious injury to a contestant.

(1) Preliminary determination of violation. If an authorized representative of the department believes that a licensed boxer or manager has violated the Texas Boxing and Wrestling Act or any rule or regulation promulgated pursuant to it, then the representative may make a preliminary determination of violation and withhold up to \$1,000 from the purse of a boxer or manager and suspend their license pending a hearing and order or a written waiver of such hearing and order.

#### §612 (063 11 01 102) Contracts

(a) Contracts between boxers and managers.

(1) Only a contestant's personal manager shall be financially interested in a contestant.

(2) A copy of all contracts entered into between managers and boxers must be filed with the department for approval. All contracts between managers and boxers which are executed in Texas must be on a form provided by the department. All boxers who have out-of-state contracts with their managers must execute a modification extension of the original contract on a form provided by the department for boxing matches, contests, and exhibitions in Texas. Such contracts and contract modification extensions for boxing in Texas shall provide

(A) After the deduction of training and transportation expenses actually incurred by the boxer in the performance of his duties, no manager or group of managers shall be allowed to participate, directly or indirectly, in more than 33 1/3% of the gross earnings of the boxer.

(B) No assignment of any part or parts of the boxer's or manager's interest in a contract, filed and approved by the commissioner, will be permitted without the written approval and consent of the commissioner.

(C) No contract shall be approved between a boxer and a manager for a period exceeding five years.

(3) A contract between a boxer and manager will not be approved and recognized unless both parties appear at the same time before an authorized representative of the department and execute the contract on a form provided by the department.

(4) Boxer-manager identification cards will be issued upon approval of the boxer-manager contract.

(5) When a manager is not present at the contest where his boxer is performing, before said boxer may lawfully contract for his own services, it shall be necessary that the boxer:

(A) present written authorization from his manager to sign the contract for the fight;

(B) present written authorization from his manager to receive the purse.

(6) In case managerial authority is temporarily transferred to another person acting as manager, the acting manager shall:

(A) hold a valid manager's license;

(B) present a written agreement, signed by both the boxer and the existing manager;

(C) file a copy of such written agreement of transfer of authority with the department for approval.

(7) Managers are prohibited from signing a fight contract for the appearance of any boxer when the manager does not have a written contract on file with the Department of Labor and Standards for said boxer.

(8) No two boxers under contract to the same manager may be matched against each other unless there are unusual circumstances and the commissioner has given written approval.

(9) Manager shall send written notification to the Department of Labor and Standards immediately upon the termination of a contract with a boxer.

(10) No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and manager.

(b) Contracts between promoters and boxers.

(1) Promoters shall be required to have written agreements or contracts, executed in triplicate, with the boxers that show the amount of guarantee or percentage promised, the number and time limit of rounds, when and where the boxers are scheduled to appear, weight, and all other details governing contracts and agreements. Standard forms will be furnished by the Texas Department of Labor and Standards.

(2) The promoter shall furnish one copy of the contract to the boxer or his manager, shall retain one copy, and shall forward one copy to the department with tax reports on the contests held.

(3) Contracts must be available for examination and approval by the inspectors of the Texas Department of Labor and Standards prior to weight-in.

(c) Boxer responsibilities. Boxers must live up to the terms of their contracts. Whenever a contestant fails to appear in accordance with his contract, said contestant must be prepared to satisfactorily prove that he was sick, had a valid reason for not appearing, or was otherwise prevented from carrying out the agreement. A doctor's certificate shall be required in case of illness and affidavits are required to support other circumstances.

#### §613 (063 11 01 103) Tickets

(a) Printing tickets.

(1) All advance sale tickets shall have the price, the name of the promoter, and the date of the show printed plainly on each half.

(2) Roll tickets with consecutive numbers may be sold only at the box office on the day of the show. They shall be for unreserved seats of the same price.

(3) Complimentary tickets shall be clearly marked so that the stubs can be identified.

(4) Tickets of different prices must be printed on different colored ticket stock.

(b) Ticket inventory. Upon receipt of tickets from the printer, the promoter may be required to submit to the department a sworn inventory of all tickets delivered to any

outlet; this inventory shall account for any known overprints, changes, complimentary tickets, or extras.

(c) Complimentary tickets. Complimentary tickets must be provided to:

- (1) bona fide employees of the club;
- (2) police, firemen, and persons of similar vocations in uniform and on duty in connection with the event;
- (3) representatives of the Texas Department of Labor and Standards;
- (4) contestants, their seconds, and all other persons provided for under these sections and the Act who are participating in the contest or exhibition.

(d) Other complimentary tickets. In addition to those persons listed above, promoters may provide complimentary tickets to other persons.

(e) Seating capacity. No tickets shall be sold for more than the actual capacity of the place where the contest is being held.

(f) Ticket prices. Licensed promoters are prohibited from selling tickets for any price other than the price printed thereon, from changing the price of tickets at any time after tickets have been placed on sale, or from selling any ticket at any time during the show at a lesser price than tickets for the same seats were sold or offered before the show. Requests for changes in ticket prices or dates of shows must be submitted in writing to the Texas Department of Labor and Standards for approval.

(g) Tickets. All tickets must be torn and half returned to the ticket holder at the entrance gate. Under no circumstance shall anyone be passed through the gate without having their ticket torn or be allowed to occupy a seat unless in possession of a ticket half.

(h) Exchanges. A purchaser may present their ticket half to the promoter for a refund at face value if the advertised main event or special added attraction is postponed or does not take place as advertised. No tickets shall be refunded after the show has taken place. Tickets in the hands of agencies must be returned to the promoter not later than one hour after the show has started.

(i) Accounting for tickets.

(1) Representatives of the department will check numbers and places of ticket containers at gates for seals and padlocks. After the show, tickets shall be accounted for and a department representative may review the accounting.

(2) Tickets of every description used for any boxing match or exhibition must be held after the contest by promoters at least 30 days. These tickets may be destroyed after 30 days or delivered to the department, if requested. Said tickets must be kept in separate packages for each show in order that an audit can be made by the department.

#### §61.5-063.11.01.104. Ring and Equipment

(a) The ring. The ring must be a square not less than 16 feet nor more than 24 feet on a side within the ropes and the ring floor must extend beyond the ropes at least 12 inches on all sides. The ring floor shall be padded with felt matting or other soft material, approved by the commissioner of the Texas Department of Labor and Standards or his authorized representative, and shall extend over the edge of the ring platform with a top covering of canvas, duck, or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps may not be used. The mat and coverings shall be kept clean and free from disagreeable odors at all times. The corners must be covered by a pad long enough to cover all the rope joints. The ring plat-

form shall not be more than 34 inches above the floor of the building, and shall be provided with suitable steps for use by the contestants. Ring posts shall be made of some strong material, preferably metal pipe three inches in diameter, extending from the floor of the building to a height of at least 38 inches above the ring floor.

(b) Ring ropes. Ring ropes shall be three or four in number, at least one inch in diameter, the lower rope 18 inches above the ring floor and the second rope 30 inches above the ring floor, and the third rope 52 inches above the ring floor. When four ropes are used, the bottom and top ropes shall be the same as above and the two others will be evenly spaced. Ropes shall be wrapped in soft material.

(c) Gong. The gong shall be approved by the department representative and shall be of sufficient size to enable both contestants and the referee to hear it.

(d) Ring equipment. Each ring shall be equipped with two funnels with a hose and bucket attached to each funnel, these shall be used by the contestants when washing out their mouths. The promoter shall provide a sufficient number of water buckets for the use of all contestants. Each bucket shall be sterilized before being used. Promoters also shall provide resin, stools, and other such articles as are required for the conduct of contests.

(e) Scales. Scales shall be furnished by the promoter. The department may require that the scales be certified.

(f) Glove weight. Contestants in all weight categories up to and including welterweights shall use eight-ounce gloves. In heavier classes, eight- or 10-ounce gloves may be worn.

(g) Bandages. Contestants may use six inches of adhesive tape, two inches in width across the back of each hand before bandaging the hands. Such tape cannot be put across the knuckles. Bandages shall be of soft surgical bandage not more than two inches in width, held in place by not more than six feet of surgeon's tape for each hand. These bandages shall be adjusted in the dressing room under the examination of a representative from the Texas Department of Labor and Standards in the presence of both contestants.

(h) Gloves. Gloves may not be broken or twisted, nor may the padding be misplaced or lumpy. Gloves shall be examined and approved by the referee and the representative of the Texas Department of Labor and Standards at the time of the weighing. All gloves will be laced with the knot on the back of the wrist. The promoter shall furnish new gloves for all main events. These gloves shall be adjusted in the ring under the supervision of the referee.

#### §61.5-063.11.01.105. Safety

(a) Medical examination. All applicants for a boxer's license must have a physician complete the medical information form prepared by the department.

(b) Eye examination. All applicants for a boxer's license must have an optometrist complete the eye medical form prepared by the department.

(c) Prefight examination. At the time of weighing, all contestants must pass a complete preflight medical examination and have a physician complete the preflight medical examination form prepared by the department.

(d) Medical reports. The examining physician shall deliver reports of examinations to the department immediately after the weighing.

(e) **Additional medical examinations.** The department may require boxers to have a medical examination at any time.

(f) **Unfit for competition.** Should a boxer's examination show that he is unfit for competition because of any weakness or disability discovered by the physician, the boxer may not participate in a match and an immediate report of the facts must be made to the promoter and the commissioner of the Texas Department of Labor and Standards.

(g) **Illness or injury.** Whenever a boxer, because of injuries or illness is unable to take part in a contest for which he is under contract, he or his manager must immediately report the fact to the promoter and to the Department of Labor and Standards.

(h) **Medical suspensions by other states.** Medical suspensions by other states may be recognized and honored by the department.

(i) **Reports of out-of-state contests.** Any resident boxer licensed by the department who participates in a boxing match or contest outside the State of Texas shall report the results to the department within 72 hours of returning to the State of Texas.

(j) **Drugs prohibited.** The administration or use of any drugs, alcohol, stimulants, or injections in any part of the contestant's body either prior to or during a match is prohibited unless administered by a physician with the approval of the department.

(k) **Time between bouts.** No main event boxer shall be permitted to engage in more than one contest or exhibition every seven days. Preliminary boxers may fight every third day subject to recent record and with approval of a physician.

(l) **Head injury.** When a boxer suffers a knock out, concussion, or other serious head injury, he should be examined immediately by a physician. The physician shall report to the commissioner on the severity of the injury. Boxers who are knocked out may not compete for 30 days.

#### §61.0631101106. Conduct of Promotion

(a) **Gambling prohibited.** No individual, club, partnership, association, or corporation shall permit any gambling, betting, or wagering of any type on the result of or any contingency in connection with the fistic combat match, boxing, or sparring contest or exhibition, either before or during any such contests.

(b) **Providing a physician.** It shall be the responsibility of the promoter to secure the attendance of a physician at ringside during the contest. The physician must show evidence of competency to deal with the type of emergencies that may arise during a bout. The physician must have all necessary emergency equipment at the contest.

(c) **Contests between sexes.** No promoter, matchmaker, or any other person shall arrange, match, or advertise any boxing contest between persons of the opposite sex.

(d) **Drinks.** All drinks shall be dispensed only in paper or plastic cups. It is the promoter's responsibility to enforce this rule.

(e) **Ring name.** A boxer shall fight under the same ring name which appears on his boxing license.

(f) **Dressing rooms.** The only people allowed in the boxer's dressing room are the boxer, manager, seconds, a representative of the Texas Department of Labor and Standards, a physician, and news media representatives. Promoters are required to post a guard at the entrance to the dressing rooms to aid in enforcement.

#### (g) Match-makers.

(1) Matches shall be made only by a licensed promoter or licensed matchmaker.

(2) Information on matchmakers. Promoters shall file with the department the following information relating to any individuals serving him or his organization in the capacity of matchmaker:

(A) name of matchmaker;

(B) whether or not he is an employee;

(C) whether or not he is a bona fide partner, member, or shareholder of the promoter's organization;

(D) whether he receives a salary, a percentage, or no pay; and

(E) notify the commissioner if the promoter's arrangement with the matchmaker changes.

(3) If a matchmaker is employed by a licensed promoter, the matchmaker and the promoter shall be jointly responsible to the commissioner for matches made and for the mailing in of contracts, applications license fees, and taxes to the commissioner's office.

(4) **Contracting by promoters.** A licensed promoter may not enter into a contract for the services of or negotiate with any boxer, referee, timekeeper, manager, matchmaker, or second who is not licensed or whose license is not valid.

#### (i) Rounds scheduled.

(1) Licensed promoters shall schedule 25 to 40 rounds of boxing on one program. An emergency bout must be provided in case any of the scheduled bouts are not provided.

(2) All contests or exhibitions in professional boxing will be required to have three-minute rounds with one-minute rest periods between rounds. No exceptions will be made to this rule without the written permission of the commissioner of the Texas Department of Labor and Standards.

(3) No boxing or sparring contest or exhibition shall be permitted for more than 10 rounds duration, except in a championship match, which shall not exceed 15 rounds.

#### (j) Contests and exhibitions must be sanctioned.

(1) Department approval must be obtained prior to announcements or advertisements concerning shows, show dates, contestants, or matches.

(2) Requests for dates for all shows must be made in writing to the department at least three weeks in advance of the proposed date.

(3) **Approval of card.** Requests for approval of cards must be received by the department at least seven days prior to the date of the contest. Said request must contain full legal names and addresses of contestants, ring names, weights, previous records, number of rounds, and amount of purse or guarantee.

(4) Substitutions will not be permitted unless the substitute has been approved by the department.

(5) Notice of any change in announced or advertised programs, including cancellation of the show, must be filed and approved by the department at least 24 hours before the scheduled contest. Notices announcing such a change or substitution must also be conspicuously posted at the box office and announced from the ring before the opening bout.

(6) In addition to the requirements above, no contestant shall be advertised by any promoter before said promoter has in his possession a written commitment for each contestant or performer.



## (7) Championship matches.

(A) Only champions recognized by the department shall be advertised as such. Before championship matches can be advertised, the contracts of the contestants must be on file with and approved by the commissioner. Texas champions shall be required to defend their titles at least once every six months and failure to do so may result in forfeiture of all claims to championship.

(B) The advertising of unrecognized champions by a promoter in championship matches is prohibited.

(k) Rules for championship matches. In a championship match to be held in Texas, the commissioner may approve the suspension of or any changes in the rules governing conduct of contests to conform to international rules.

(l) Special added attractions. The term "special added attraction" shall mean the appearance of any person or persons to act in any capacity at any boxing match who by reason of their reputation, ability, or otherwise, is calculated for and has a tendency to increase the attendance at such boxing match.

## (m) Purses.

(1) Promoters shall pay a boxer a minimum of \$25 for his or her performance as a boxer.

(2) Purses shall be paid in cash immediately after the contest. Payments of percentage contracts shall be made as soon as the amount can be determined. If a boxer has a manager, separate payments will be made to the boxer and manager and the receipt signed and delivered to the representative of the department. If there is no boxer-manager contract filed with the department, the purse shall be paid in full to the contestant. Such payments shall be made in the presence of the authorized representative of the Texas Department of Labor and Standards.

(n) Forms. A promoter and/or match-maker shall complete and file all forms in the manner and time specified on the forms. They shall submit the tax report, doctor's reports, and contracts within 72 hours after the show is held.

(o) Failure of promoter to perform. The failure of a promoter to perform according to the terms of the contract; to produce contestants or special added attractions as advertised; to pay the contestants their contractual guarantee, or percentage; or the failure of a promoter to live up to his agreement with his contestants or performers who did perform as scheduled is prohibited.

## §617 (063 11 01 107) Conduct of Bout

## (a) Managers.

(1) Managers must carry the boxer-manager identification card.

(2) Managers shall be responsible to the commissioner for the conduct of their boxers in compliance with the law and rules.

(3) Managers are forbidden to toss a towel into the ring in token defeat of their boxer.

## (b) Boxers.

(1) Boxers billed to appear in a main event may be required to report to the promoter in the city in which they are to appear, not later than two days (48 hours) prior to the date of the contest.

(2) In all contests or exhibitions, contestants shall weigh in stripped at a set time, but not later than 2 p.m. on the day of the contest or exhibition in the presence of a representative of the Texas Department of Labor and Standards.

(3) No contests shall be scheduled, and no contestants shall engage in a boxing contest where the weight

difference at weighing time exceeds the allowance as shown in the following schedule without permission of the department.

Flyweight	112 lbs. or under	not more than 3 lbs.
Bantamweight	over 112 lbs.- 118lbs.	not more than 4 lbs.
Featherweight	over 118 lbs - 126 lbs.	not more than 5 lbs.
Lightweight	over 126 lbs.- 135 lbs.	not more than 6 lbs.
Welterweight	over 135 lbs.- 147 lbs.	not more than 8 lbs.
Middleweight	over 147 lbs - 160 lbs.	not more than 10 lbs.
Light Heavyweight	over 160 lbs - 175 lbs.	not more than 12 lbs.
Cruiserweight	over 175 lbs.- 190 lbs.	not more than 15 lbs.
Heavyweight	over 190 lbs.	

(4) All contestants must be in the dressing room at least 45 minutes before the show is scheduled to begin.

(5) Boxers shall box in proper ring costume including protection cup, which shall be firmly adjusted previous to entering the ring. The felt of the trunks shall extend above the waistline and the hem may not extend below the knee. Boxers must wear different-color trunks. Mouthpieces shall be worn. Shoes shall be of soft material and shall not be fitted with spikes, cleats, hard soles, or hard heels.

## (6) Guidelines for female contestants:

(A) Mouthpiece must be used.

(B) Ten-ounce gloves will be worn.

(C) Brease protection is mandatory.

(D) The promoter must provide adequate separate dressing rooms.

(E) Contestants must sign a statement indicating that to the best of their knowledge they are not pregnant and that the contest will not take place during the menstrual period.

(7) Use of profanity by a boxer, his manager, or second is prohibited and if indulged in after a warning by the referee the offender may be disqualified and the match given to his opponent.

(8) All contestants must be ready to enter the ring immediately upon the finish of the preceeding bout.

(9) No boxer, manager, or second shall enter a ring with a sweater, jersey, robe, or other garment carrying any advertisement other than the name of the boxer without the approval of the department.

## (c) Seconds.

(1) Each boxer must have two or three seconds, except if the commissioner permits otherwise. Each contestant shall have one chief second and each chief second must have a complete first aid kit. The seconds must be neatly attired.

(2) Seconds shall leave the ring enclosure at the sound of the timekeeper's whistle. They shall leave the ring platform and remove all obstructions, including stools, buckets, and equipment, promptly when the gong sounds for the beginning of each round. None of these articles shall be replaced on the ring floor until the gong has sounded the end of a round.

(3) Seconds shall not coach the contestant during the progress of the rounds, shall remain silent during the rounds, and shall not throw water on the contestant or in any way assist.

(4) Seconds are forbidden to toss a towel into the ring in token defeat of their boxer.

(5) Only one second shall be allowed in the ring during the rest period. Fans may be used between rounds but the swinging of towels is prohibited. The use of an unapproved preparation during a match is prohibited.

(6) Violations of the above provisions may be followed by ejection of the offender from the ring corner, and

may result in the disqualification of their contestant by the referee.

(d) **Announcers.** Announcers shall announce the name of contestants, their correct weights, the decisions of the referee and judges, and other matters as approved by the representative of the Texas Department of Labor and Standards. Promoters and clubs shall provide proper facilities for announcing contests.

(e) **Timekeepers**

(1) Two timekeepers shall be required at each show, one to keep time and one to count for the knockdowns.

(2) Timekeepers shall blow their whistle 10 seconds prior to the end of each one-minute rest period. Timekeepers shall not strike the gong during the process of the round. The gong shall be sounded at the beginning and at the end of each round.

(3) When a boxer is down, the timekeeper shall rise and start his count counting one for each second until 10 is reached.

(4) If the referee is absent from the ring or temporarily incapacitated, the timekeeper shall immediately sound the gong for temporary discontinuance of the contest.

(f) **Referees and judges.**

(1) A referee and two or three judges approved by the department shall officiate at boxing bouts. A majority vote of these individuals will determine the outcome of the contest.

(2) No manager, promoter, or match-maker shall be allowed to officiate at any contest.

(3) **General provisions for referees.**

(A) The referee is the chief official of the contest. He has general supervision over the bout and takes his place in the ring.

(B) If he is unable to officiate, the referee shall notify the commissioner of the Texas Department of Labor and Standards before 2 p.m. on the day of the contest.

(C) Before the contest, the referee shall ask each contestant the name of his chief second and shall hold that chief second responsible for the conduct of his contestant during the contest.

(D) Before each bout, the referee shall call the contestants and their chief seconds together for final instructions. Referees must instruct boxing contestants that wrestling and rough tactics will not be tolerated, and to protect themselves at all times. The contestants, after receiving final instructions, shall shake hands and retire to their corners. They shall not again shake hands until the beginning of the last round.

(E) All referees must be attired in a clean uniform to be approved by the department.

(4) **Referee's power.**

(A) The referee may stop a fight during or between rounds.

(B) The referee may stop a bout and make a decision and disqualify both contestants if he considers that the contestants are not boxing in earnest.

(C) When a contestant is incapacitated by a low blow or act, he shall be given sufficient time to recuperate; the referee may consult with the official doctor.

(5) **Referee's duties.**

(A) The referee shall not touch the contesting boxers except when one or both contestants fail to obey the break command.

(B) When a contestant is knocked down as the result of a punch, the referee shall order the opponent to

retire to the farthest neutral corner of the ring, pointing to the corner, and immediately pick up the timekeeper's count. He shall audibly announce the passing of the seconds, accompanying the count with motions of his arm, the downward motion indicating the end of each second. No contestant who is knocked down shall be allowed to resume boxing until the referee has finished counting eight. The contestant may take the count either on the floor or standing. The referee's count is the official count.

(C) Should a contestant who is down rise before the count of 10 and again go down without being struck, then the referee shall resume the count where he stopped.

(D) When a round, other than the last round, in any boxing contest ends before a contestant, who was knocked down, rises, the bell shall not ring and the count shall continue. If he rises before the count of 10, the bell shall ring and end the round.

(E) Should a contestant leave the ring during the one-minute period between rounds and fail to be in the ring to resume boxing when the gong rings, the referee shall count that contestant out the same as if he were down.

(F) If a contestant who has been knocked or has fallen out of the ring during the contest fails to return immediately, the referee may count him out as if he were down. Seconds shall not be allowed to assist contestants back into the ring.

(G) The referee may cease counting if the opponent fails to remain in the neutral corner until the count is complete.

(g) **Scoring.**

(1) A contestant shall be deemed down when:

(A) Any part of his body other than his feet is on the ring floor

(B) He is hanging over the ropes in a defenseless manner. A referee can count the boxer out either on the ropes or on the floor.

(C) He is rising from a down position.

(2) Fouls are defined as follows:

(A) hitting below the belt;

(B) holding an opponent with one hand and hitting him with the other.

(C) hitting an opponent who is "down" or who is getting up after being "down;"

(D) holding an opponent or deliberately maintaining a clinch;

(E) butting with the head or shoulder or using the knee;

(F) hitting with the inside or butt of the hands, the wrist, or the elbows;

(G) hitting or "flicking" with open gloves;

(H) wrestling or roughing at the ropes;

(I) purposely going down without being hit;

(J) striking deliberately at that part of the body surrounding the kidneys;

(K) the use of abusive or profane language;

(L) jabbing opponent's eyes with the thumb of glove;

(M) rabbit punches (hitting at the back of the head or neck);

(N) failure to obey the referee;

(O) any physical actions which may injure a contestant other than sportsmanlike boxing.

(3) In scoring a contest, the elements of offense, defense, clean hitting, ring generalship and sportsmanship

will be carefully considered. Scoring shall be by the 10-point system. The winner of any round is marked 10. The loser of any round is marked one to nine. When the round is even, each contestant is scored 10. A clean knockdown should be heavily scored. A knockdown is rated as such as soon as it occurs. The contestant who takes advantage of the nine-count shall be credit with ring generalship (ring generalship would not be credited to him if he arose immediately in a groggy condition). The referee shall advise the judges of the number of fouls and points to be deducted immediately upon termination of the round. Referees and judges shall clearly write their decisions and sign them individually.

(4) When a boxer is knocked down three times in any one round, the contest will be automatically terminated. The boxer scoring the knockdowns shall be the winner by technical knockout. The referee shall stop a contest after one knockdown if the boxer is unable to defend himself.

(5) Accidental butts.

(A) If a boxer is accidentally butted in a bout, but can continue, the referee shall:

(i) stop the action to inform the judges and acknowledge the butt;

(ii) if in later rounds, as a result of legal blows, the accidental butt injury worsens, the referee shall stop the bout and declare a technical decision with the winner being the boxer who is ahead on points.

(B) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(i) call the bout a technical draw if the injured boxer is behind in points, declare the injured boxer the winner on a technical decision if he has a lead in points, or if all judges' score cards differ, the contest shall be declared a technical draw;

(ii) call the bout a draw if an accidental butt occurs during the first round of any contest.

(6) If the contestant fails to rise before the count of 10, the referee shall declare him the loser by a knockout. No contestant may be awarded a contest on a claim of a low-blow foul. If a contestant falls to the ring floor or otherwise indicates an unwillingness to continue because of a claim of a low-blow, he shall be declared the loser by a technical knockout.

(7) When a contestant is unable to answer the bell signifying the start of a round, the referee will declare him the loser by a knockout in that round.

(h) After the bout.

(1) Neither by word or act shall a contestant at the close of a bout indicate to the spectators his belief that he has won or lost. When the decision of the referee or judges has been announced, both contestants and their seconds shall at once leave the ring and retire to their dressing rooms.

(2) In preliminary to the semimain event, the announcer will announce if the decision is unanimous, a majority decision, a draw, that is, each of the officials voting differently, or any two voting a draw. In main events and championship contests, the total points given each contestant by the referee and judges will be announced.

(3) A decision rendered at the termination of any boxing contest shall not be changed unless the commissioner, after a hearing, should determine that:

(A) there was collusion or fraud affecting the result of any contest, or;

(B) the compilation of the score cards of the referee and judges show a clerical or mathematical error, which caused the decision to be given to the wrong boxer.

§61.8 (06.3.11.01.108) Amateur Contests

(a) Amateur status. Any club seeking nonprofit amateur tax exempt status under this law shall complete a department information form concerning ownership, affiliation, and other relevant information. Failure to complete and submit this information will prevent recognition of the club's tax exempt status.

(b) Amateur rules. All amateur contests where an admission fee is charged shall be conducted under the conditions contained in Section 7(c) of the Texas Boxing and Wrestling Act.

(c) All amateur contests shall be conducted under the rules of the Amateur Athletic Union as established in the 1977-1980 Handbook and the 1979 addendum.

Doc No 810617

(Editor's note. The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Department of Labor and Standards, Sam Houston Building, Austin, or in the Texas Register Division office, 503E Sam Houston Building, Austin.)

The repeal of §§61.1-61.96 (06.3.11.01.001-.096) of this title (relating to Boxing) is proposed under the authority of Texas Revised Civil Statutes, Article 8.501-1.

- §61.1 (06.3.11.01.001) License Revocation
- §61.2 (06.3.11.01.002) Promoter's Appearance
- §61.3 (06.3.11.01.003) Promoter's License—Where Valid
- §61.4 (06.3.11.01.004) License Examination
- §61.5 (06.3.11.01.005) Promoter's Violation of Rules
- §61.6 (06.3.11.01.006) Other License
- §61.7 (06.3.11.01.007) Out of State License Required
- §61.8 (06.3.11.01.008) Age Limit
- §61.9 (06.3.11.01.009) Promoter's License and Fees
- §61.10 (06.3.11.01.010) All Other License Fees
- §61.11 (06.3.11.01.011) Ring
- §61.12 (06.3.11.01.012) Height of Ring
- §61.13 (06.3.11.01.013) Ring Ropes
- §61.14 (06.3.11.01.014) Gong
- §61.15 (06.3.11.01.015) Obstruction
- §61.16 (06.3.11.01.016) Ring Equipment
- §61.17 (06.3.11.01.017) Scales
- §61.18 (06.3.11.01.018) Glove Weight
- §61.19 (06.3.11.01.019) Gloves Approval
- §61.20 (06.3.11.01.020) Gloves—Main Event.
- §61.21 (06.3.11.01.021) Bindages
- §61.22 (06.3.11.01.022) Weighing Time
- §61.23 (06.3.11.01.023) Weight Difference.
- §61.24 (06.3.11.01.024) Weights and Classes of Boxers
- §61.25 (06.3.11.01.025) Costume
- §61.26 (06.3.11.01.026) Guidelines for Female Contestants
- §61.27 (06.3.11.01.027) Dressing Rooms
- §61.28 (06.3.11.01.028) Decision
- §61.29 (06.3.11.01.029) Ring Name
- §61.30 (06.3.11.01.030) Announcer
- §61.31 (06.3.11.01.031) System of Scoring
- §61.32 (06.3.11.01.032) Knockdown Rule.
- §61.33 (06.3.11.01.033) Purse Forfeiture.

§61.31 (06.3.11.01.031) *Change of Decision.*  
 §61.35 (06.3.11.01.035) *Amateur Contests*  
 §61.36 (06.3.11.01.036) *Referee and Judges.*  
 §61.37 (06.3.11.01.037) *General Provisions for Referees*  
 §61.38 (06.3.11.01.038) *Down Definition*  
 §61.39 (06.3.11.01.039) *Fouls Definition*  
 §61.40 (06.3.11.01.040) *Seconds*  
 §61.41 (06.3.11.01.041) *Timekeeper*  
 §61.42 (06.3.11.01.042) *Matchmaker*  
 §61.43 (06.3.11.01.043) *Physician*  
 §61.44 (06.3.11.01.044) *Failure To Condition*  
 §61.45 (06.3.11.01.045) *Failure To Compete.*  
 §61.46 (06.3.11.01.046) *Eye Examination*  
 §61.47 (06.3.11.01.047) *Head Injury*  
 §61.48 (06.3.11.01.048) *Tanker*  
 §61.49 (06.3.11.01.049) *Eight Count*  
 §61.50 (06.3.11.01.050) *Accidental Butt*  
 §61.51 (06.3.11.01.051) *Boxer's Knockout (Suspension).*  
 §61.52 (06.3.11.01.052) *Monsel's Solution*  
 §61.53 (06.3.11.01.053) *Drugs Prohibited*  
 §61.54 (06.3.11.01.054) *Management of Contestants.*  
 §61.55 (06.3.11.01.055) *Filing Contracts*  
 §61.56 (06.3.11.01.056) *Validity*  
 §61.57 (06.3.11.01.057) *Manager's Duties*  
 §61.58 (06.3.11.01.058) *Form of Contract*  
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 §61.60 (06.3.11.01.060) *Arbitration*  
 §61.61 (06.3.11.01.061) *Out of State Contracts*  
 §61.62 (06.3.11.01.062) *Championship Matches*  
 §61.63 (06.3.11.01.063) *Advertising Unrecognized.*  
 §61.64 (06.3.11.01.064) *International Rules*  
 §61.65 (06.3.11.01.065) *Conduct of Promotion*  
 §61.66 (06.3.11.01.066) *Gambling Prohibited.*  
 §61.67 (06.3.11.01.067) *Change of Program*  
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 §61.70 (06.3.11.01.070) *Club Contracts*  
 §61.71 (06.3.11.01.071) *Appearance Forfeiture.*  
 §61.72 (06.3.11.01.072) *Payment of Bills*  
 §61.73 (06.3.11.01.073) *License in Possession*  
 §61.74 (06.3.11.01.074) *Rounds Scheduled.*  
 §61.75 (06.3.11.01.075) *Promoter Acting as Judge*  
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 §61.77 (06.3.11.01.077) *Duties of Promoter*  
 §61.78 (06.3.11.01.078) *Profanity*  
 §61.79 (06.3.11.01.079) *Contests between Sexes*  
 §61.80 (06.3.11.01.080) *Drinks*  
 §61.81 (06.3.11.01.081) *Return of Forms*  
 §61.82 (06.3.11.01.082) *Minimum Payment*  
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 §61.84 (06.3.11.01.084) *Time between Bouts*  
 §61.85 (06.3.11.01.085) *Three Minute Rounds*  
 §61.86 (06.3.11.01.086) *Advance Notice of Bouts.*  
 §61.87 (06.3.11.01.087) *Number of Rounds*  
 §61.88 (06.3.11.01.088) *Ticket Inventory*  
 §61.89 (06.3.11.01.089) *Complimentary Tickets*  
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 §61.93 (06.3.11.01.093) *Color of Tickets*  
 §61.94 (06.3.11.01.094) *Counting Tickets*  
 §61.95 (06.3.11.01.095) *Ticket Stubs*  
 §61.96 (06.3.11.01.096) *Seating Capacity*

## Subchapter B. Wrestling

Sections 61.201-61.208 (06.3.11.02.101-108) of this title (relating to Wrestling) are proposed under the authority of Texas Revised Civil Statutes, Article 8.01-1.

### §61.201 (06.3.11.02.101) Applications and Licensing

(a) License required. Before a person may perform at a contest or exhibition as a wrestler, promoter, manager, referee, second, timekeeper, or matchmaker, he must be licensed by the Texas Department of Labor and Standards.

(b) License in possession. All licensees, except promoters, shall keep their licenses in their possession and shall present said license upon request to promoters and representatives of the Texas Department of Labor and Standards as evidence of eligibility to act or perform in their respective capacities in connection with wrestling contests or exhibitions.

#### (c) License application requirements.

(1) All applicants for licenses must submit an application, two recent passport photos, and a license fee.

(A) Anyone who applies for a wrestler's license and has no recent or previous significant professional or amateur wrestling experience will be required to show proof of proper training and must appear to be physically competent as a wrestler.

(B) All wrestler license requirements must be submitted prior to their appearance in a show.

(2) Additional requirements for promoters: applicants.

#### (A) Each promoter applicant must submit:

(i) five letters of recommendation;

(ii) a financial statement that has been certified by either a certified public accountant or a bank;

(iii) surety bond on a form provided by the department which has been completed by a surety company.

(B) Promoters must show that they have the financial ability to pay the taxes, purses, arena rental, personnel, advertising, and other expenses. Financial responsibility may be shown by a financial statement or an additional performance bond guaranteeing payment of all obligations relating to the promotional activity.

(C) The amount of the promoter's license fee and the minimum surety bond shall be determined by the population of the city for which it is granted. If the commissioner determines that it is necessary to guarantee financial responsibility, then an additional performance bond guaranteeing payment of all obligations may be submitted. All bonds must remain in effect for four years after the effective date of cancellation, or until such time as the commissioner determines there are no claims against the bond.

Population	Fee	Minimum Bond
10,000	\$20	\$300
10,001-25,000	\$30	\$300
25,001-100,000	\$100	\$500
100,001-250,000	\$200	\$1,000
250,001 Up	\$300	\$2,000

(D) A promoter's license is valid only in the incorporated limits of the city for which it is granted, but a promoter may apply for a license in each city in which he desires to operate. If the promotion should occur in a nonincorporated area, the size of the nearest incorporated city shall determine the license fee. No promoter shall hold a wrestling contest in any location other than the location on his license without permission of the commissioner.

(E) Any person applying for a promoter's license must appear in person in the office of the Commissioner of the Texas Department of Labor and Standards in Austin, Texas.

(d) Referees. Referees may be required to take physical examinations.

(e) Purse forfeiture, license denial, revocation, or suspension. The commissioner, after notice and hearing, may order the forfeiture of the purse of a wrestler in an amount not to exceed \$1,000 and/or may deny, revoke, or suspend any license if the commissioner finds:

(1) a licensee violated any wrestling rule or regulation or a provision of the Texas Boxing and Wrestling Act;

(2) a licensee has within the last five years been convicted in a state or federal court of any crime which under the laws of this state is a felony;

(3) an applicant or licensee knowingly made a misrepresentation or false statement in the application with the intent to mislead the department;

(4) a promoter.

(A) a promoter is not in fact the real party in interest and the real party in interest is one who has previously been denied a license, one who has had his license suspended or revoked, or one who does not presently qualify for a license;

(B) failed to pay a wrestler a minimum of \$20 for a contest;

(C) failed to submit all forms and reports required in these sections;

(D) admitted people to a contest without tickets;

(E) sold complimentary tickets;

(F) a promoter's required bond has been canceled;

(G) any conduct by a licensed promoter which violates the Texas Boxing and Wrestling Act or the rules and regulations issued by the department can be considered against any and all licenses held by the promoter;

(i) a wrestler:

(A) failed to properly condition himself, or whose through lack of effort or any fault of his own was the cause of any beat or exhibition being canceled, terminated during the match, or postponed;

(B) is physically unfit for competition based upon medical evidence;

(6) timekeeper failed to keep accurate time;

(7) a licensee failed to pay all legitimate bills contracted in connection with training and gymnasium expenses or other expenses incurred directly related to a contest;

(8) referee's, promoter's, or wrestler's negligence or incompetence was the cause of or directly contributed to serious injury to a contestant.

(f) Preliminary determination of violation. If an authorized representative of the department believes that a licensee has violated the Texas Boxing and Wrestling Act or any rule or regulation promulgated pursuant to it, then the representative may make a preliminary determination of violation and withhold up to \$1,000 from the purse of a licensee and suspend their license pending a hearing and order or a written waiver of such hearing and order.

#### §61.202 (0631102102) Contracts

(a) Contracts between promoters and wrestlers.

(1) Promoters shall be required to have written agreements or contracts, executed in triplicate, with the wrestlers that show the amount of guarantee or percentage promised, the number and time limit of calls, when and where

the wrestlers are scheduled to appear, and all other details governing the contracts and agreements. Standard forms will be furnished by the Texas Department of Labor and Standards.

(2) The promoter shall furnish one copy of the contract to the wrestler, shall retain one copy, and shall forward one copy to the department with tax reports on the contests held.

(3) Contracts must be available for examination and approval by the inspectors of the Texas Department of Labor and Standards prior to the show.

(b) Wrestler responsibilities.

(1) Wrestlers must live up to the terms of their contracts. Whenever a contestant fails to appear in accordance with his contract, said contestant must be prepared to satisfactorily prove that he was sick, had a valid reason for not appearing, or was otherwise prevented from carrying out the agreement. A doctor's certificate shall be required in case of illness and affidavits are required to support other circumstances.

(2) Whenever a wrestler, because of injuries or illness, is unable to take part in a contest for which he is under contract, he must immediately report that fact to the promoter.

#### §61.203 (0631102103) Tickets

(a) Printing tickets.

(1) All advanced sale tickets shall have the price, the name of the promoter, and the date of the show printed plainly on each half.

(2) Roll tickets with consecutive numbers may be sold only at the box office on the day of the show. They shall be for unreserved seats of the same price.

(3) Complimentary tickets shall be clearly marked so that the stubs can be identified.

(4) Tickets of different prices must be printed on different colored ticket stock.

(b) Ticket inventory. Upon receipt of tickets from the printer, the promoter may be required to submit to the department a sworn inventory of all tickets delivered to any outlet; this inventory shall account for any known overprints, changes, complimentary tickets, or extras.

(c) Complimentary tickets. Complimentary tickets must be provided to:

(1) bona fide employees of the club;

(2) police, firemen, and persons of similar vocations in uniform and on duty in connection with the event;

(3) representatives of the Texas Department of Labor and Standards;

(4) contestants and all other persons provided for under these sections and the Act who are participating in the contest or exhibition.

(d) Other complimentary tickets. In addition to those persons listed above, promoters may provide complimentary tickets to other persons.

(e) Seating capacity. No tickets shall be sold for more than the actual capacity of the place where the contest is being held.

(f) Ticket prices. Licensed promoters are prohibited from selling tickets for any price other than the price printed thereon, from changing the price of tickets at any time after tickets have been placed on sale, or from selling any ticket at any time during the show at a lesser price than tickets for the same seats were sold or offered before the show. Requests for

changes in ticket prices or dates of shows must be submitted in writing to the Texas Department of Labor and Standards for approval.

(g) Tickets. All tickets must be torn and half returned to the ticket holder at the entrance gate. Under no circumstance shall anyone be passed through the gate without having their ticket torn or be allowed to occupy a seat unless in possession of a ticket half.

(h) Exchanges. A purchaser may present their ticket half to the promoter for a refund at face value if the advertised main event or special added attraction is postponed or does not take place as advertised. No tickets shall be refunded after the show has taken place. Tickets in the hands of agencies must be returned to the promoter not later than one hour after the show has started.

(i) Accounting for tickets.

(1) Representatives of the department will check numbers and places of ticket containers at gates for seals and padlocks. After the show, tickets shall be accounted for and a department representative may review the accounting.

(2) Tickets of every description used for any wrestling match must be held after the contest by promoters for at least 30 days. These tickets may be destroyed after 30 days or delivered to the department, if requested. Said tickets must be kept in separate packages for each show in order that an audit can be made by the department.

#### §61 201 (06.3 11 02 101) Ring and Equipment

(a) The ring. The ring must be a square not less than 16 feet nor more than 24 feet on a side within the ropes and the ring floor must extend beyond the ropes at least 12 inches on all sides. The ring floor shall be padded with felt matting or other soft material, approved by the Commissioner of the Texas Department of Labor and Standards or his authorized representative, and shall extend over the edge of the ring platform with a top covering of canvas, duck, or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps may not be used. The mat and coverings shall be kept clean and free from disagreeable odors at all times. The ring platform shall not be more than 34 inches above the floor of the building, and shall be provided with suitable steps for use by the contestants. Ring posts shall be made of some strong material, preferably metal pipe, three inches in diameter, extending from the floor of the building to a height of at least 58 inches above the ring floor.

(b) Ring ropes. Ring ropes shall be three or four in number, at least one inch in diameter, the lower rope 18 inches above the ring floor and the second rope 35 inches above the ring floor, and the third rope 52 inches above the ring floor. When four ropes are used, the bottom and top ropes shall be same as above and the two other will be evenly spaced. Ropes shall be wrapped in soft material.

(c) Gong. The gong shall be approved by the department representative and shall be of sufficient size to enable the contestants and the referee to hear it.

#### §61 205 (06.3 11 02 105) Safety

(a) Drugs prohibited. The administration or use of any drugs, alcohol, stimulants, or injections in any part of the contestant's body either prior to or during a match is prohibited unless administered by a physician with the approval of the department.

(b) Medical suspensions by other states. Medical suspensions by other states may be recognized and honored by the department.

(c) Prematch examination. All wrestlers must pass a complete prematch medical examination or sign the exemption form.

#### §61 206 (06.3 11 02 106) Conduct of Promotion

(a) Gambling prohibited. No individual, club, partnership, association, or corporation shall permit any gambling, betting, or wagering of any type on the result of or any contingency in connection with the wrestling matches either before or during any such contests.

(b) Contests between sexes. No promoter, matchmaker, or any other person shall arrange, match, or advertise any wrestling contest between persons of the opposite sex.

(c) Drinks. All drinks shall be dispensed only in paper or plastic cups. It is the promoter's responsibility to enforce this subsection.

(d) Ring name. A wrestler shall wrestle under the same ring name which appears on his boxing license.

(e) Dressing rooms. The only people allowed in the wrestler's dressing room are the wrestler, seconds, a representative of the Texas Department of Labor and Standards, a physician or medical attendant, the promoter, his employees, and news media representatives. Promoters are required to post a guard at the entrance to the dressing rooms to aid in enforcement.

(f) Contracting by promoters. A licensed promoter may not enter into a contract for the services of or negotiate with any wrestler, referee, timekeeper, manager, matchmaker, or second who is not licensed or whose license is not valid.

(g) Matchmakers.

(1) Any person acting in the capacity of arranging matches for a wrestling show for compensation shall be acting in the capacity of "matchmaker" and required to obtain a license.

(2) If a matchmaker is employed by a licensed promoter, the matchmaker and the promoter shall be jointly responsible to the department for matches made and for the mailing in of all reports and taxes to the department. Matches shall be made only by a licensed promoter or licensed matchmaker.

(h) Falls scheduled. Licensed promoters shall schedule a minimum of six falls of wrestling on one program. An emergency match must be provided in case any of the scheduled matches are not provided.

(i) Contests and exhibitions must be sanctioned.

(1) Department approval must be obtained prior to announcements or advertisements concerning shows, show dates, contestants, or matches.

(2) Requests for dates for all shows must be made in writing to the department at least five days in advance of the proposed date.

(3) Substitutions will not be permitted unless the substitute has been approved by the department.

(4) Notice of any change in announced or advertised programs, including cancellation of the show, must be filed and approved by the department at least 24 hours before the scheduled contest. Notices announcing such a change or substitution must also be conspicuously posted at the box office and announced from the ring before the opening bout.

(j) In addition to the requirements above, no contestant shall be advertised by any promoter before said pro

promoter has a written commitment for each contestant or performer.

(6) Championship matches.

(A) Only champions recognized by the department shall be advertised as such. Before championship matches can be advertised, the promoter must obtain approval of the department.

(B) The advertising of unrecognized champions by a promoter in championship matches is prohibited.

(j) Special added attractions. The term "special added attraction" shall mean the appearance of any person or persons to act in any capacity at any wrestling match who by reason of their reputation, ability, or otherwise is calculated for and has a tendency to increase the attendance at such wrestling match.

(k) Purses.

(1) Promoters shall pay a wrestler a minimum of \$25 for his or her performance as a wrestler.

(2) Purses shall be paid in cash immediately after the contest. Payments of percentage contracts shall be made as soon as the amount can be determined. Purse forfeitures assessed under the preliminary determination section shall be mailed to Austin at the same time the taxes are submitted.

(l) Forms. A promoter shall complete and file all forms in the manner and time specified on the forms. The tax report, medical reports, and contracts shall be submitted within 72 hours after the show is held.

(m) Failure of promoter to perform. The failure of a promoter to perform according to the terms of the contract; to produce contestants or special added attractions as advertised; to pay the contestants their contractual guarantee or percentage; or the failure of a promoter to live up to his agreement with his contestants or performers who did perform as scheduled is prohibited.

*§61.207 (063 11 02 107) Conduct of Bout*

(a) Medical attendant.

(1) A person of qualified medical background approved by the department shall examine all referees and contestants before they enter the ring and shall be in attendance during the match or exhibition. It shall be the responsibility of the promoter to secure the attendance of same at the contest. The medical attendant must show evidence of competency to deal with the type of emergency that may occur.

(2) The medical attendant shall deliver the examination report to the promoter or authorized representative of the department before the contest begins.

(b) Unfit for competition. Should a wrestler's examination show that he is unfit for competition because of any weakness or disability discovered by the medical attendant, the wrestler may not participate in a match and an immediate report of the facts must be made to the promoter and the Commissioner of the Texas Department of Labor and Standards.

(c) All contestants must be in the dressing room at least 45 minutes before the show is scheduled to begin.

(d) Participants must be clothed in neat, clean apparel. Trunks and tights must be well-fitted and whole, and two pairs of trunks, one over the other, must be worn. Shoes when worn must have soft tops, smooth soles and laces, and be equipped with eyelets only.

(e) Each contestant's skin must be clean and free from grease or other sort of lotion or foreign substance.

(f) Use of profanity by a wrestler is prohibited and if indulged in after a warning by the referee the offender may be disqualified and the match given to his opponent.

(g) All contestants must be ready to enter the ring immediately upon the finish of the preceding match.

(h) No wrestler or second shall enter a ring with a sweater, jersey, robe, or other garment carrying any advertisement other than the name of the wrestler without the approval of the department.

(i) Seconds shall leave the ring enclosure at the sound of the bell. They shall leave the ring platform and remove all obstructions promptly when the gong sounds for the beginning of each fall. None of these articles shall be replaced on the ring floor until the gong has sounded the end of a fall.

(j) Announcers. Announcers shall announce the name of contestants, the decisions of the referee, and other matters as approved by the representative of the Texas Department of Labor and Standards. Promoters and clubs shall provide proper facilities for announcing contests.

(k) Timekeepers.

(1) Timekeepers shall not strike the gong during the process of the fall. The gong shall be sounded at the beginning and at the end of each fall.

(2) At the termination of each five-minute period the timekeeper shall call out the time that the participants have been wrestling sufficiently loud for the referee to hear, as "five minutes," "10 minutes," etc.

(3) If the referee is absent from the ring or temporarily incapacitated, the timekeeper shall immediately sound the gong for temporary discontinuance of the contest.

(l) Referees.

(1) A referee approved by the department shall officiate at wrestling matches. If there is no pin during the fall, the referee will determine the outcome of the contest.

(2) No promoter shall be allowed to officiate at any contest.

(3) The referee is the chief official of the contest. He has general supervision over the bout and takes his place in the ring.

(4) In case of serious injury to a contestant, there will be an immediate investigation by the department to determine whether the injury was the result of negligence or incompetence on the part of the referee or whether the injury was due to circumstances not reasonably within his control.

(5) Should a contestant during the course of a match quit or intimate his desire to concede the bout to his opponent, it shall be solely in the judgment of the referee as to whether or not the act is justified and at the referee's option whether or not to order the contest continued.

(6) Under no circumstances shall a referee use force to break contestants. The failure of the contestants to obey the referee's order to break may result in disqualification.

(7) The referee may stop a match at any time because a contestant is injured or in weak physical condition.

(8) All referees must be attired in a clean uniform to be approved by the department.

(9) The referee shall not permit conduct or tactics by any wrestler which could be dangerous to the contestants or spectators. Any wrestler who fails to discontinue such tactics after being warned by the referee may be disqualified.

(10) When both shoulders of a wrestler are momentarily pinned on the mat for the referee's count of three seconds, it shall constitute a fall.

(11) The referee shall slap the back or the shoulder of a wrestler who wins a fall, so that the losing contestant shall not receive unnecessary punishment after the fall.

(12) The referee should not put his hands under the shoulders of the contestants unless it is absolutely necessary to determine a fall.

(13) Should a wrestler claim injury and refuse to continue the contest at the referee's command, the referee shall stop the contest and have the contestant examined by a medical attendant. If, after a medical attendant examination such wrestler is found to be physically unable to continue the bout, then the referee must decide in favor of the opponent.

(14) When wrestlers fall off the mat under the ropes, the referee shall order them into the middle of the mat to begin anew.

(15) Should a contestant leave the ring during the rest period between falls and fail to be in the ring to resume wrestling when the gong rings, the referee shall count that contestant out.

(16) If a contestant who has been knocked or has fallen out of the ring during the contest fails to return immediately, the referee may count him out. Seconds shall not be allowed to assist contestants back into the ring.

#### §61 208 (06.3 11 02 108) Amateur Contests

(a) Amateur status. Any club seeking nonprofit amateur tax-exempt status under this law shall complete a department information form concerning ownership, affiliation, and other relevant information. Failure to complete and submit this information will prevent recognition of the club's tax-exempt status.

(b) Amateur rules. All amateur contests where an admission fee is charged shall be conducted under the conditions contained in Section 7(c) of the Texas Boxing and Wrestling Act.

(c) All amateur contests shall be conducted under the rules of the Amateur Athletic Union as established in the 1977-1980 Handbook and the 1979 addendum.

Doc No 810619

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Department of Labor and Standards, Sam Houston Building, Austin, or in the Texas Register Division office, 503E Sam Houston Building, Austin.)

Sections 61.201-61.250 (06.3 11.02.001-.050) of this title (relating to Wrestling) are proposed for repeal under the authority of Texas Revised Civil Statutes, Article 8501-1.

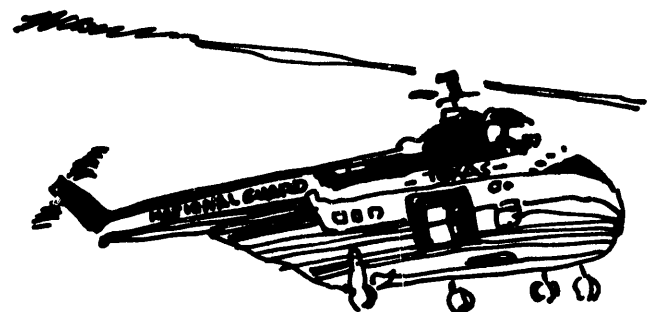
§61 201 (06.3 11 02 001)	Licensing Suspension
§61 202 (06.3 11 02 002)	License Hearing
§61 203 (06.3 11 02 003)	Promoter's License—Where Valid
§61 204 (06.3 11 02 004)	Promoter's Appearance
§61 205 (06.3 11 02 005)	Promoter's Violation of Rules
§61 206 (06.3 11 02 006)	Licenses in Possession
§61 207 (06.3 11 02 007)	Other Licenses
§61 208 (06.3 11 02 008)	Contracting by Promoter
§61 209 (06.3 11 02 009)	Fees and Bond
§61 210 (06.3 11 02 010)	All Other License Fees
§61 211 (06.3 11 02 011)	Ring Rules
§61 212 (06.3 11 02 012)	Time Periods
§61 213 (06.3 11 02 013)	Costumes

§61 214 (06.3 11 02 014)	Appearance
§61 215 (06.3 11 02 015)	Ring
§61 216 (06.3 11 02 016)	Referees
§61 217 (06.3 11 02 017)	Dangerous Conduct
§61 218 (06.3 11 02 018)	Falls—Decisions
§61 219 (06.3 11 02 019)	Spot Promotions
§61 220 (06.3 11 02 020)	Sunday Promotions
§61 221 (06.3 11 02 021)	Promoters—Reports
§61 222 (06.3 11 02 022)	Payment before Contest
§61 223 (06.3 11 02 023)	Payment of Purse
§61 224 (06.3 11 02 024)	Club Contracts
§61 225 (06.3 11 02 025)	Promoter Contestants Contractual Obligations
§61 226 (06.3 11 02 026)	Matchmaker
§61 227 (06.3 11 02 027)	Matchmaker—Responsibilities
§61 228 (06.3 11 02 028)	Purse Forfeitures
§61 229 (06.3 11 02 029)	Dressing Rooms
§61 230 (06.3 11 02 030)	Advertising Unrecognized Champions
§61 231 (06.3 11 02 031)	Ring Name
§61 232 (06.3 11 02 032)	Dispensing of Drinks
§61 233 (06.3 11 02 033)	Matches between Opposite Sex
§61 234 (06.3 11 02 034)	Failure of Promoter To Produce Contestants
§61 235 (06.3 11 02 035)	Payment of Bills
§61 236 (06.3 11 02 036)	Minimum Payment
§61 237 (06.3 11 02 037)	Amateur Contest
§61 238 (06.3 11 02 038)	Proper Physical Condition
§61 239 (06.3 11 02 039)	Medical Attendant
§61 240 (06.3 11 02 040)	Unable To Compete
§61 241 (06.3 11 02 041)	Use of Drugs
§61 242 (06.3 11 02 042)	Ticket Inventory
§61 243 (06.3 11 02 043)	Sale of Complimentary Tickets
§61 244 (06.3 11 02 044)	Exchanges
§61 245 (06.3 11 02 045)	Printing
§61 246 (06.3 11 02 046)	Refunds
§61 247 (06.3 11 02 047)	Color of Tickets
§61 248 (06.3 11 02 048)	Counting Tickets
§61 249 (06.3 11 02 049)	Ticket Stubs
§61 250 (06.3 11 02 050)	Seating Capacity

Issued in Austin, Texas, on January 22, 1981.

Doc. No 810618      Lias B "Bubba" Steen  
Commissioner  
Texas Department of Labor and  
Standards

Proposed Date of Adoption March 6, 1981  
For further information, please call (512) 475-6560





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## NONCODIFIED

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### State Board of Insurance

#### Rating and Policy Forms

##### Rating and Policy Forms 059.05.01

The State Board of Insurance proposes to amend effective May 1, 1981, Rule 059.05.01.005 which adopted by reference the Rules Governing the Insuring of Automobiles and Standard Endorsements II (Texas Automobile Manual). The State Board of Insurance proposes to amend page 87 of the endorsement supplement of the Texas Automobile Manual to include a new Form TX-06-16, Truckmen- Intermodal Interchange Uniform Endorsement. The proposed endorsement is designed to implement the master intermodal agreements established by the Equipment Interchange Association for its member trackers.

The proposed amendment has no known fiscal effects for the state or for units of local government (source: State Board of Insurance staff).

Public comment on the proposed amendment is invited and may be submitted in writing to D. E. O'Brien, director, State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786.

This amendment is proposed under the authority of Article 5.06 of the Texas Insurance Code.

*005 Insuring of Automobiles and Standard Endorsements II* The State Board of Insurance adopts by reference the rules contained in the Insuring of Automobiles and Standard Endorsements II as amended **May** [January] 1, 1981. This document is published by and available from the Texas Automobile Insurance Service Office, One La Costa, Suite 130, 1016 Posada Drive, Austin, Texas 78702, or the State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786.

Doc No 810634

##### Board Shall Fix Rates 059.05.25

The State Board of Insurance proposes to amend Rule 059.05.25.007 which adopts by reference the Texas Statistical Plan for Residential and Business Risks. This revision provides essentially the same plan currently in use in other jurisdictions, modified to maintain features unique to the State of Texas, and reconciles the overlap in lines of business under the Texas multiperil policy programs since it tracks the Commercial Statistical Plan approved by the State Board of Insurance. There is a change in the name of the plan, substituting the word "Commercial" for "Business" and adding the word "Property." This amendment will enable Texas experience to be more readily compared with experience from other states. It is proposed to take effect October 1, 1981.

The staff of the State Board of Insurance has determined that there are no fiscal implications for the state or any other unit of local government resulting from the proposed amendments.

Public comment on the proposed amendments is invited and may be submitted in writing to Kenneth Arnold, Property-Casualty Actuarial Division, State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786.

These amendments are proposed under the authority of Article 5.25 of the Texas Insurance Code.

*007 Texas Property Statistical Plan for Residential and Commercial [Business] Risks* The State Board of Insurance adopts by reference the [attached] Texas **Property** Statistical Plan for Residential and **Commercial** [Business] Risks, **as amended in March 1981. The document contains instructions for the preparation and filing of experience on property insurance policies.** This document is **published by and is available from the** State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786.

Issued in Austin, Texas, on January 23, 1981.

Doc No 810635      Pat Wagner  
                                  Chief Clerk  
                                  State Board of Insurance

Proposed Date of Adoption March 6, 1981  
 For further information, please call (512) 475-3606

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, and the adoption may go into effect no sooner than 20 days after filing, except where a federal statute or regulation requires implementation of a rule on shorter notice.

Upon request, an agency shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement from the agency before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling objections to the agency's decision.

This section now contains two classifications, codified and noncodified. Agencies whose rules have been published in the *Texas Administrative Code* will appear under the heading "Codified." These rules will list the new TAC number, which will be followed immediately by the *Texas Register* 10-digit number. Agencies whose rules have not been published in the TAC will appear under the heading "Noncodified." The rules under the heading "Codified" will appear first, immediately followed by rules under the heading "Noncodified."

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## CODIFIED

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## TITLE 16. ECONOMIC REGULATION

### Part I. Railroad Commission of Texas

#### Chapter 7. Gas Utilities Division

##### Substantive

Subsection (b) of this section was previously adopted on an emergency basis on January 7, 1980. By operation of the Administrative Procedure and Texas Register Act, Texas Revised Civil Statutes Annotated, Article 6252-13a, Section 2(d) (Vernon Supplement 1980), it ceased to be effective.

The amendment was readopted on an emergency basis on November 24, 1980, and was simultaneously published for comment as a proposed amendment. No comments were received. The commission has now adopted subsection (b) as a final amendment. This final amendment is adopted without any changes from the proposed text.

The purpose of this amendment is to amend and clarify all curtailment plans of gas utilities subject to the jurisdiction of the commission. This amendment will establish a new category to be placed at the lowest priority on all curtailment plans, to include all sales and deliveries by intrastate gas utilities under the provisions of Sections 311(b) and 312 of the Natural Gas Policy Act, and 18 Code of Federal Regulations Section 284.200.

This amendment is promulgated under the authority of Texas Revised Civil Statutes Annotated, Articles 1446c (Vernon 1980), 6050 et seq. (Vernon 1962), and 6252-13a (Vernon Supplement 1980).

#### §7-21-0510103011. Curtailment Program for Natural Gas Transported and Sold within the State

(a) Curtailment programs for natural gas transported and sold within the state shall be filed with the Railroad Commission of Texas on or before February 12, 1973. Curtailment programs shall be made to comply with the order issued in Gas Utilities Docket 489, and that order is hereby incorporated into this section.

(b) The following category shall be included as the lowest priority category on all curtailment plans of public utilities subject to the jurisdiction of the Railroad Commission of Texas: deliveries of natural gas or sales of natural gas to the interstate market under the provisions of Sections 311(b) and 312 of the Natural Gas Policy Act, and 18 Code of Federal Regulations Section 284.200.

(1) No sales pursuant to Section 311(b) shall be made unless a public utility is able to provide adequate service to all of its existing intrastate customers. "Adequate service" includes all requirements of existing customers, notwithstanding contractual limitations, and gas needed to fill storage reservoirs for anticipated peak usage or to build up "line pack" to fill expected customer requirements.

(2) No deliveries of natural gas which have been determined to be surplus pursuant to Section 312 shall be made except to the extent a public utility continues to comply with the requirements, including service to existing customers, imposed in the commission order determining the amount of the surplus or in the contract of assignment of gas reserves from which the deliveries are being made.

(3) No sales of natural gas pursuant to 18 Code of Federal Regulations Section 284.200 shall be made except to the extent a public utility continues to comply with the requirements, including service to existing customers, contained in the contract under which deliveries are being made or in any report required to be filed with the commission.

Issued in Austin, Texas, on January 20, 1981.

Doc No 810611      Jim Nugent, Chairman  
Mack Wallace & Buddy Temple,  
Commissioners  
Railroad Commission of Texas

Effective Date, February 13, 1981

Proposal Publication Date: December 5, 1980

For further information, please call (512) 445-1137.

## TITLE 22. EXAMINING BOARDS

### Part X. State Board of Morticians

#### Chapter 203. Licensing and Enforcement— Specific Substantive Rules

The State Board of Morticians adopts §203.16 (387 02.00.01) of this title (relating to Filing of Charges) under licensing and enforcement requirements. This section is adopted because the board has determined that the previous procedures, wherein the board was divided into four investigative-enforcement subcommittees collecting and hearing investigative evidence in an informal hearing, must recuse themselves during a formal proceeding. This procedure presented potential adverse due process consequences for the individual involved.

The following section is promulgated under the authority of Article 4.82b, Texas Civil Statutes.

§203.16 (387 02 00 015) *Filing of Charges*

(a) Any person or persons may file with the board charges of violation of any of the mortuary laws of this state against any licensee. Such charges must be in writing, preferably under oath, and set forth the following information:

- (1) the name and office address of the person or entity charged;
- (2) the nature of the acts charged;
- (3) the time and place where such acts are alleged to have occurred;
- (4) a list of persons, if any, who witnessed such acts;
- (5) the charges should be set out in sufficient detail as to enable the person or entity charged to properly meet the same;

(6) any photographs, letters, advertisements, or other documents used as a basis for the charges should be attached thereto.

(b) The executive secretary shall supervise the investigation of all charges filed with the board. He shall have the power to issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of books, records, and documents. Upon receipt of a complaint, the executive secretary shall give notice of said complaint to the licensee. The licensee shall have an opportunity to show that he is in compliance with the Act. This showing may be made in writing and may be supported by sworn affidavits, or the licensee may request an informal hearing before the executive secretary. If, upon review of the charges and the evidence with respect to such charges, the executive secretary shall determine that sufficient legal evidence does exist that a violation of the mortuary laws of the State of Texas may have occurred, he shall forward such determination in writing to the president of the board, whereupon the president of the board shall fix a time and place for a formal hearing and shall cause a copy of the charges, together with a notice of the time and place fixed for hearing, to be served on the person or entity charged or his counsel. If the executive secretary determines that there is insufficient evidence to warrant a formal hearing, he shall make such recommendation to the president of the board in writing. Thereafter, no formal hearing will be held unless, by a vote of the majority of the remaining members of the board, the executive secretary's recommendation is overruled. The executive secretary should not inform the complainant until a decision is made by the president of the board.

(c) All parties must be afforded an opportunity for hearing after reasonable notice of not less than 10 days prior to the hearing.

(d) The notice of hearing shall include

- (1) A statement of the time, place, and nature of the hearing.
- (2) A statement of the legal authority and jurisdiction under which a hearing is to be held.
- (3) A reference to the particular sections of the statutes and rules involved.

(4) A short and plain statement of the matters asserted. (If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice shall be limited to a statement of the issues involved. Thereafter, upon written application, a more definite and

detailed statement shall be furnished not less than three days prior to the date set for the hearing.)

(5) A statement that an opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved and to be represented by legal counsel.

(6) The notice of a hearing and a copy of the charges shall be served on the accused at least 10 days prior to the hearing.

(e) The record in an individual proceeding shall include:

- (1) all pleadings, motions, and intermediate rulings;
- (2) evidence received or considered;
- (3) a statement of matters officially noticed;
- (4) questions and offers of proof, objections, and rulings on them;
- (5) proposed findings and exceptions;
- (6) any decision, opinion, or report by the officer presiding at the hearing;
- (7) all staff memoranda or data submitted to or considered by the hearing officers or members of the board in connection with their consideration of the case.

Oral proceedings or any part thereof shall be transcribed on request of any party; the cost of additional copies of the transcript will be borne by the party making the request.

(f) Findings of fact shall be based exclusively on the evidence and on matters officially noted. Final decisions or orders adverse to a party in a contested case must be in writing or stated in the record. The final decision shall include:

- (1) findings of fact and conclusions of law, separately stated;
- (2) findings of fact shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings;
- (3) a ruling of each proposed finding of fact, if submitted.

Parties shall be notified either personally or by mail of any order. Upon request, a copy of the order shall be delivered or mailed to each party and his attorney of record. A decision is final, in the absence of a timely motion for rehearing, on the expiration of the period for filing a motion for rehearing and is final and appealable on the date of rendition of the order overruling the motion for rehearing or on the date the motion is overruled by operation of law. If the board finds that an imminent peril to the public health, safety, or welfare requires immediate effect of a final decision or order in a contested case, it shall recite the finding in the decision or order as well as the fact that the decision or order is final and effective on the date rendered, in which event the decision or order is final and appealable on the date rendered and no motion for rehearing is required as prerequisite for appeal. The final decision or order must be rendered within 60 days after the date the hearing is finally closed. Except as provided herein, a motion for rehearing must be filed within 15 days after the date of rendition of a final decision or order. Replies to a motion for rehearing must be filed with the agency within 20 days after the date of rendition of the final decision or order and agency action on the motion must be taken within 40 days after the date of rendition of the final decision or order. If action is not taken within the 40 day period, the motion for rehearing is overruled by operation of law 40 days after the date of rendition of the final decision or order. The agency may by written order extend the period of time for filing the motions and replies and taking agency action. If an

extension is granted, the motion for rehearing is overruled by operation of law on the date fixed by the order or in the absence of a fixed date, 90 days after the date of the final decision or order, but in no event longer than 90 days after the final decision or order.

(g) Informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default.

(1) Informal proceedings. Informal proceedings may be conducted after the filing of a sworn complaint and information so presented may be considered by the board as a body or by any designated member or any representative designated therefor with the party or parties affected by correspondence or otherwise in an effort to bring about an adjustment and solution of the problem without a formal hearing. Such proceedings shall be held without prejudice to the right of the board thereafter to institute formal proceedings and conduct hearings covering the same subject matter.

(2) Informal conferences. If deemed advisable to speed the consideration and determination of complaints and controversies which may not justify or require more formal proceedings, the board may hold an informal conference with the party or parties affected. Thereafter, the board as a body or any designated member or representative thereof shall attempt to resolve the controversy in an equitable manner. Such proceedings shall be without prejudice to the right of the board thereafter to institute formal proceedings covering the same or related subject matter or the right of the person involved if the controversy is not resolved to request a formal hearing.

(3) Subject to the foregoing procedural section as set forth herein, the provision of the Administrative Procedure Act shall apply in all contested cases with such additional sections as may be hereinafter adopted by the board which shall be in addition to and not inconsistent with such Act.

Issued in Austin, Texas, on January 21, 1981.

Doc No 810565      John W Shocklee  
Executive Secretary  
State Board of Morticians

Effective Date February 12, 1981  
Proposal Publication Date December 19, 1980  
For further information, please call (512) 442-6721

## Part XII. Board of Vocational Nurse Examiners

### Chapter 235. Licensing

#### Application for Licensure

Pursuant to the authority of Vernon's Civil Statutes, Article 4286c, the Board of Vocational Nurse Examiners has amended §§235.6, 235.9, 235.10, and 235.11 (390.03.01.006, .009, .010, and .011) of this title (relating to Application for Licensure). Sections 235.6 and 235.11 (006 and .011) have been amended to clarify the qualifications and procedure for licensure. Section 235.9 (.009) has been amended by deleting subsection "b." Section 235.10 (.010) has been amended to give strength to the deadline date. Sections 235.9 and 235.11 (.009 and .011) are being held for additional public comment prior to adoption.

§235.6 (390.03.01.006) *Applications for License by Reciprocity.* A reciprocity applicant shall:

- (1) Have satisfactorily completed obstetric, pediatric, medical, and surgical nursing courses;
- (2) be a graduate of an approved vocational/practical nursing program or have completed two years in a professional nursing program;
- (3) Have achieved a score of 3.00 on the state board test pool examination for practical nurses;
- (4) Hold a current vocational/practical nurse license in another state;
- (5) show employment in the nursing profession within the past five years or be subject to individual review by the board;
- (6) file another application if original application is not completed within six months; and
- (7) not be refunded fees.

§235.9 (390.03.01.009) *Application Fee.* Application fee shall be payable to the Board of Vocational Nurse Examiners, 1000 North Lamar, Commerce Park, Building H, Suite 131, Austin, Texas 78701. The board assumes no responsibility for loss in transit of cash remittances. Applications not accompanied by the proper fee will be returned to the applicant. The fee must be in the form of cashier's check or money order. Personal checks are not acceptable. Each application for license as a vocational nurse under Section 5, Subsection (a), (b), or (c), and Section 7 of the Act shall be accompanied by a fee of \$25 as stated in Section 9 of the Act. Fee is not refundable.

§235.10 (390.03.01.010) *Deadline Date for Submission of Applications for Examination.* All applications for examination shall be completed, certified, and received in the board office at least 30 days prior to the examination date as stated in Section 5, Subsection (a), of the Act.

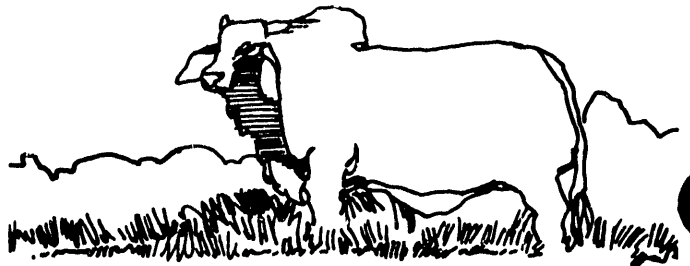
§235.15 (390.03.01.015) *Out-of-State Practical Vocational Nurse Graduate.* An out-of-state graduate shall:

- (1) meet all of the qualifications for licensure by examination;
- (2) Have completed satisfactorily obstetric, pediatric, medical, and surgical nursing courses;
- (3) file another application if original application is not completed within six months.

Issued in Austin, Texas, on January 23, 1981.

Doc. No 810632      Waldeen D Wilson, R.N.  
Executive Secretary  
Board of Vocational Nurse Examiners

Effective Date: February 16, 1981  
Proposal Publication Date December 19, 1980  
For further information, please call (512) 458-1203



## TITLE 31. NATURAL RESOURCES AND CONSERVATION

### Part XI. Texas Department of Water Resources

#### Chapter 371. Private Sewage Facilities

##### Subchapter A. Sam Rayburn Reservoir

The Texas Water Commission and the Texas Water Development Board, on behalf of the Texas Department of Water Resources, are adopting amendments to §§371.1, 371.4, 371.5, 371.9, 371.10, and 371.15 (157.31.12.001, .004, .005, .009, .010, and .015) of this title (relating to Private Sewage Facilities) for a regulated zone around Sam Rayburn Reservoir. The adopted amendments involve no changes in the proposal published in the September 9, 1980, issue of the *Texas Register* (5 TexReg 3604).

The amendment to §371.1 (.001) of this title (relating to Definitions) revises the definition of "private sewage facilities" and adds new definitions for "private single dwelling unit," "multiple dwelling unit," and "commercial system."

The amendment to §371.4 (.004) of this title (relating to Licensing Function) recognizes the performance of investigative, administrative, and enforcement functions by the licensing authority. It also deletes the requirement of semi-annual reports on all actions taken concerning this subchapter.

The amendment to §371.5 (.005) of this title (relating to Terms of Licenses for New Private Sewage Facilities) specifies the conditions upon which a license can be transferred to a new owner of the property; deletes terms for licenses for private single dwelling units when no change in ownership is involved; specifies terms for licenses for commercial and multiple unit systems; authorizes reissuance of licenses for such systems for successive terms of five years; and provides for automatic termination of licenses upon the occurrence of specified events.

The amendments to §§371.9 (.009) of this title (relating to Terms and Conditions for Granting Exceptions) and 371.10 (.010) of this title (relating to Terms and Conditions for Appeal to the Executive Director) more specifically provide for the procedures for requests for exceptions and for making appeals to the commission.

The fee schedule in §371.15 (.015) of this title (relating to Fee Schedule) is completely rewritten to provide a simpler and more concise schedule and to recognize the deletion of terms of licenses for private single dwelling units. Also, increases in the fees charged for the various specific functions have been adopted.

These amendments are adopted under the authority of the Texas Water Code, Section 26.031.

*§371.1 (157.31.12.001) Definitions.* The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

**Commercial system**—One or more private sewage facilities (facilities) serving an establishment other than private dwellings, including but not limited to marinas,

motels, business establishments, restaurants, bars, schools, churches, club houses, resorts, etc.

**Multiple dwelling unit**—One or more dwelling(s) occupied by more than one family unit in which one private sewage facility serves more than one family unit. There may be more than one private sewage facility, but each one serves more than one family unit, including apartment complexes, town houses, condominiums, joint ownership systems, etc.

**Private sewage facilities**—Facilities provided to serve a household or establishment and appurtenant structures within a designated area, and whose operation and maintenance are the sole responsibility of the householder or owner of the establishment's facilities. Such facilities may provide for the storing of sewage until it is hauled to a final disposal site or for the disposal of treated waste water by subsoil absorption, evaporation, or evapotranspiration and are not subject to the issuance of waste discharge permits by the commission.

**Private single dwelling unit**—a dwelling utilized by one family unit which is served by a private sewage facility.

##### *§371.11 (157.31.12.004) Licensing Function*

(a) The Angelina and Neches River Authority is designated by the commission to perform all of the licensing, investigative, administrative, and enforcement functions of this subchapter. The authority shall have the following powers and responsibilities:

(1) to make reasonable inspections of all private sewage facilities located or to be located within the area covered by this subchapter;

(2) to collect all fees set by the board necessary to recover all the costs incurred in meeting the requirements of this subchapter;

(3) to perform all the duties necessary to meet the requirements of this subchapter.

(b) Upon a showing of necessity, the department may assume all of the powers and responsibilities delegated to the authority by this subchapter.

##### *§371.5 (157.31.12.005) Licensing Requirements*

(a)-(b) (No Change.)

(c) Terms of licenses.

(1) Any license issued under the authority of this subchapter can be reissued to a succeeding owner only after:

(A) an application is made to the authority;

(B) the authority performs a reinspection of the system; and,

(C) the authority declares the system satisfactory for any anticipated changes of system loading created by the change of ownership of the property. The authority will charge a transfer fee whenever a license is transferred to a succeeding owner.

(2) Application forms for licenses may be obtained from the authority or from the offices of the judges of Angelina, Jasper, Sabine, San Augustine, and Nacogdoches Counties. In order to initiate an application for a license, the completed application form, together with the appropriate fee, shall be filed with the authority.

(3) The authority will perform such inspections and tests as may be deemed necessary as soon as practicable.

(4) Upon a finding by the authority that use of the private sewage facility will not cause pollution or injury to the public health and is not in conflict with the terms and regulations of this subchapter, licenses will be issued as follows:

(A) Private single dwelling units. Upon the effective date of this subchapter, valid licenses for private single dwelling unit systems shall continue in effect until revoked or amended by the authority. Prior to any action on the proposed revocation or amendment of the license, the licensee must be given notice of the proposed action and be given an opportunity for a hearing. This subsection does not apply for private single dwelling units where there is a change in ownership of the premises. In such cases, a system reinspection will be required before a license can be issued to the new owner.

(B) Commercial and multiple unit systems. Licenses for commercial multiple unit septic tank systems issued under this subchapter shall be effective for a term of five years beginning the effective date of this subchapter.

(C) Any license issued under this subchapter shall automatically terminate if there is a subdivision of the property served by the septic system, if the property is used for a purpose other than that described in the original application, if the loading of the system is significantly increased beyond that stated in the application, if the system fails, or if an organized disposal system is developed to within 300 feet of any portion of the septic tank system, if the authority considers connection feasible. A new inspection must be made prior to the issuance of a new license.

(5) Upon a finding by the authority that the private sewage facility will not be licensed, the applicant shall be notified in writing of that finding and of the faults which prevent licensing.

(6) Licenses for commercial and multiple unit sewage disposal systems in the regulated zone will be reissued for successive terms of five years beginning on the effective date of this subchapter and each five years thereafter. The authority may extend the expiration date of said licenses for a period of not more than 12 months for the purpose of conducting inspections and carrying out the administration of the subchapter in an economically sound manner.

§371.9 (157.31.12.009) *Exceptions* The department intends that the regulations contained in this subchapter shall be strictly enforced, but realizes that certain individual situations may require the granting of an exception to the requirements contained in the subchapter so that hardships may be avoided. Exceptions will not be granted which cause potential harm to the quality of the waters in the lake. Therefore, the following procedures for requests for exceptions are established:

(1) Any person desiring an exception shall file an application with the authority for its analyses of the specifics of the situation.

(2) The authority shall review the application and issue a statement either granting or denying the application. When an application is denied, the statement shall set out the reasons for the authority's decision.

§371.10 (157.31.12.010) *Terms and Conditions for Appeal*

(a) The department intends that any disputes concerning the application of these sections to individual situations be negotiated to conclusion between the authority and the individuals involved, if possible. However, any person aggrieved by an action or decision of the authority may appeal to the Texas Water Commission, if the following terms and conditions are met:

(1) all of the appropriate steps required of the aggrieved person by the terms of this subchapter have been met;

(2) the aggrieved person has made a conscientious effort to resolve his problem with the authority.

(b) Appeal is properly made by the aggrieved party by filing a written statement stating with specificity the nature of the grievance. This statement is to be filed with the executive director of the Texas Department of Water Resources who will then cause notice of the appeal to be issued to the authority. The executive director will then forward the appeal to the Texas Water Commission for its consideration.

§371.15 (157.31.12.015) *Fee Schedule*. The following represents the approved fee schedule for the Private Sewage Facilities Regulatory Program around Sam Rayburn Reservoir:

(1) Process application and field inspection for a new or modified system—\$150.

(2) Perform percolation test—\$100.

(3) Reinspection and issuance of a new license for a private single dwelling unit—\$75.

(4) Reinspection and issuance of a new license every five years for multiple dwelling units and commercial systems—\$50.

(5) Subdivision plan approval process application—\$50 plus costs of investigation.

Issued in Austin, Texas, on January 26, 1981.

Doc. No 810653

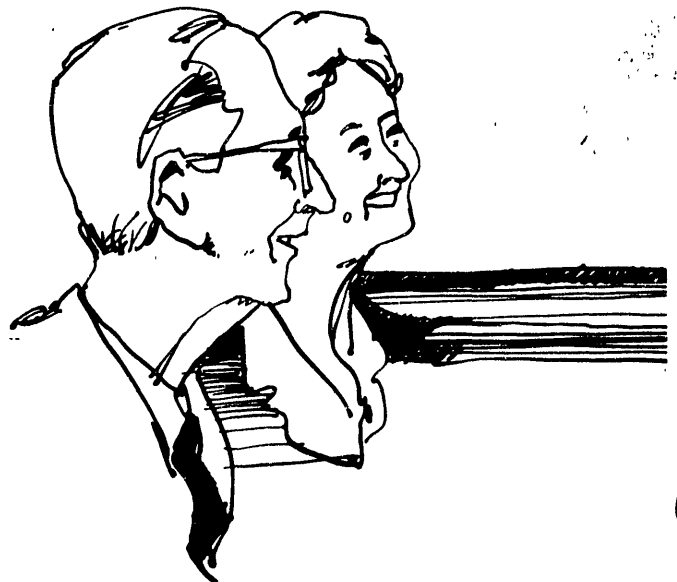
M. Reginald Arnold II  
General Counsel

Texas Department of Water Resources

Effective Date: February 16, 1981

Proposal Publication Date: September 9, 1980

For further information, please call (512) 475-4514.



## TITLE 34. PUBLIC FINANCE

### Part I. Comptroller of Public Accounts

#### Chapter 1. Central Administration

##### Practice and Procedure

Under the authority of Texas Taxation- General Annotated, Article 1.10 (Vernon 1969), the Comptroller of Public Accounts adopts amendments to §1.43 (026.01.01.043) of this title (relating to Definitions) to read as follows:

§1.43 (026.01.01.043) *Definition*. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

**Contested case or case-** A proceeding in which the legal rights, duties, or privileges of a party are to be determined by the agency after an opportunity for adjudicative hearing. It includes a request for redetermination or refund, as well as actions initiated by the agency to revoke or suspend sales tax permits on grounds other than failure to pay a final sales tax deficiency or failure to file sales tax security. It does not include forfeitures of rights to do business, of certificates of authority, or of articles of incorporation.

Issued in Austin, Texas, on January 28, 1981

Doc No 810675      Bob Bullock  
Comptroller of Public Accounts

Effective Date: March 1, 1981  
Proposal Publication Date: December 19, 1980  
For further information, please call (512) 475-1938

#### Chapter 3. Tax Administration

##### Subchapter B. Minerals Tax Division—Natural Gas Taxes

Under the authority of Texas Taxation- General Annotated, Article 3.0314 (Vernon 1969), the Comptroller of Public Accounts has adopted the repeal of §3.12 (026.02.03.002) of this title (relating to Voluntary Amendments- Penalty). The proposed repeal appeared in the September 19, 1980 issue of the *Texas Register* (TexReg 3787). An amended version of these provisions has been incorporated into §3.11 (001) of this title (relating to Imposition of Tax, Penalty, and Interest on Gas, the Value of which Is Not Immediately Determinable

Issued in Austin, Texas, on January 28, 1981

Doc No 810676      Bob Bullock  
Comptroller of Public Accounts

Effective Date: February 18, 1981  
Proposal Publication Date: September 19, 1980  
For further information, please call (512) 475-1936

##### Subchapter O. Sales Tax Division—State Taxes

Under the authority of Texas Taxation- General Annotated, Article 20.11(A), the Comptroller of Public Accounts adopts amendments to §3.308 (026.02.20.028) of this title (relating to Computers- Hardware, Software, Services, and Sales).

§3.308 (026.02.20.028) *Computers- Hardware, Software, Services, and Sales*

(a) Hardware

(1)-(2) (No change.)

(3) Separately stated charges for labor or services rendered in installing, applying, remodeling, or repairing computer hardware are not taxable. Charges for other services, such as programming or training are not subject to tax if the services are optional to the customer and the charges are separately stated.

(4) Installation charges and charges for telephone lines to remote terminals are not subject to tax if separately stated.

(5) A resale certificate may be issued by a purchaser only if the hardware is purchased for the exclusive purpose of resale. If the purchaser makes a taxable use of the hardware while holding it for resale, the purchaser is liable for use tax. See §3.28 (000) of this title (relating to Sales for Resale; Resale Certificates) and §3.346 (066) of this title (relating to Use Tax).

(6) Time sharing. When the customer has access to the computer through a remote terminal device, the customer does not have possession or operational control of the computer. The charge for time sharing is not subject to tax. A separate charge to the customer for possession and use of the terminal would be a rental of tangible personal property, the charge for which is taxable.

(b) (d) (No change.)

Issued in Austin, Texas, on January 28, 1981

Doc No 810677      Bob Bullock  
Comptroller of Public Accounts

Effective Date: February 18, 1981  
Proposal Publication Date: December 12, 1980  
For further information, please call (512) 475-6872

## TITLE 37. PUBLIC SAFETY AND CORRECTIONS

### Part VIII. Commission on Fire Protection Personnel Standards and Education

#### Chapter 233. Standards Manual

##### Minimum Standards for Recruit Training Facilities

The Commission on Fire Protection Personnel Standards and Education adopts §§233.121-233.128 (211.02.10.001-.008) of this title (relating to Minimum Standards for Recruit Training Facilities) as originally proposed and published in the November 11, 1980, issue of the *Texas Register* (TexReg 4487).

These sections were adopted without changes at the regular quarterly meeting on January 20, 1981, held in the commission office, Room 406, 510 South Congress, Austin.

These sections are adopted under the authority of Article 4413(35), Vernon's Civil Statutes.

## §23.121 (211.02.10.001) General Requirements

(a) Minimum requirements for certification as an approved recruit training facility shall include the facilities, apparatus, equipment, reference materials, and records to support a quality basic fire fighter education and training program. The resources must provide for classroom instruction, demonstrations, and practical exercises for the trainees to develop the knowledge and skills required for basic fire fighter certification.

(b) The facilities and training shall be performance oriented. "Hands-on" training with maximum practical participation by trainees should be an integral part of the training program. The evaluation process for each phase of training will emphasize performance testing to determine if the trainee has acquired the knowledge and skills to achieve the required level of competency. NFPA Standard 1001, Fire Fighter Professional Qualifications, provides valid and reliable criteria and should be used as a guide for performance testing.

(c) It must be clearly understood that the minimum standards for recruit training facilities are applicable only as the title implies and do not address the additional training facilities which are required for the continuing in-service training essential to the development and maintenance of a well-coordinated and effective fire service organization.

(d) An organization, installation, or facility may submit a written application for certification as an approved recruit training facility to the Commission on Fire Protection Personnel Standards and Education. Such application will include descriptions and addresses of physical facilities together with inventory of apparatus, equipment, and reference material to be utilized in conducting the basic fire fighter training curriculum as specified by the commission. It is not required that the equipment be permanently assigned nor kept at the training facility. Photographs of resources, annotated to reflect applicant and identity of the resource, may be included with such applications.

(e) The following minimum resources required for certification as an approved "recruit training facility" may be combined or separate utilizing one or more structures. In either event, the facilities and equipment must be available and used by the instructor and trainees.

## §23.122 (211.02.10.002) Facilities

(a) Training tower equivalent to two or more stories in height. The term "training tower" as used in these standards is a structure suitable for training in the practical application of ladder evolutions, rescue drills, hose advancement, and rope work. (It is important to note that the requirements herein listed may not be compatible with the requirements for key rate credit. Cities planning to build or modify a training tower should carefully check the criteria for key rate credit prior to expending funds for such facility.)

(b) Adequate space for classroom instruction with appropriate environmental control and seating capacity for the anticipated trainees. The space so utilized must be conducive to effective classroom instruction.

(c) Area for practical application of principles and procedures of pump operations, friction loss, nozzle reaction, fire stream patterns, and GPM discharge utilizing various layouts for hand lines and master stream appliances.

(d) An enclosed area or room for use in practical training with self-contained breathing apparatus. This may be a smoke and fire room or enclosed area which can be cleared

with smoke-producing devices to provide a realistic training environment.

## §23.123 (211.02.10.003) Apparatus

(a) Pumper apparatus fully equipped as specified by the authority having jurisdiction. NFPA Standard 1901, Automotive Fire Apparatus, should be used as a guide.

(b) Ladders utilized by the authority having jurisdiction. NFPA Standard 1901, Automotive Fire Apparatus, should be used as a guide for ladder truck equipment.

(c) The trainee should become familiar with each major type of apparatus utilized by the authority having jurisdiction.

## §23.124 (211.02.10.004) Equipment

(a) Portable fire extinguishers utilized by the authority having jurisdiction. As a minimum, such extinguishers shall include dry chemical, carbon dioxide, and water can.

(b) Forcible entry tools utilized by the authority having jurisdiction.

(c) Ropes of assorted lengths with at least one which is not less than 3/4-inch in diameter or shorter than 100 feet in length, suitable for rescue, rappelling, and practicing knots and lashings.

(d) Salvage and overhaul equipment utilized by the authority having jurisdiction.

(e) Self-contained breathing apparatus (demand-regulated and/or oxygen-generating) in sufficient numbers to enable each trainee to wear the equipment for at least the life of one canister or breathing air tank during the training.

(f) Standard first aid supplies and equipment for the teaching of the first aid training specified in the basic fire fighter training curriculum.

(g) Standard classroom equipment to include chalkboard, speaker's rostrum, etc.

(h) Supportive instructional aids available to include audiovisual projection equipment. The use of cutaways, models, flip charts, and other visual aids are recommended to enhance the effectiveness of the instruction.

(i) Materials and/or equipment available in order to teach "effective reading and study skills" is required for facilities conducting such training. A facility may receive certification as an approved recruit training facility without this equipment provided an outside qualified instructor is employed to teach this subject.

(j) Other equipment and tools utilized by the authority having jurisdiction. NFPA Standard 1901 should be utilized as a guide.

## §23.125 (211.02.10.005) Reference Material

(a) A reference library is required. The library must contain the publications required to conduct research and develop lesson plans covering the material required in the basic recruit fire fighter curriculum.

(b) The training manuals and instructor guide sheets published by the International Fire Service Training Association (IFSTA), Oklahoma State University, Stillwater, Oklahoma 74074, are recommended. However, any published reference material equivalent to the IFSTA manuals may be used including locally prepared training manuals, provided the material contained therein adequately covers the basic recruit fire fighter curriculum.

(c) A current set of National Fire Codes and the Fire Protection Handbook are recommended for the library. These publications are available from the National Fire Pro-



tection Association (NFA), 470 Atlantic Avenue, Boston, Massachusetts 02210.

(d) Fire service magazines and journals should be available for instructor reference. Such publications contain current events and improved methods which should be utilized to enhance the effectiveness of the training program.

§233.126 (211.02.10.006) *Testing and Records*

(a) Training records which reflect the following:

- (1) who was trained, subject, instructor, and date of instruction;
- (2) individual trainee test scores to include performance testing;
- (3) individual records are encouraged rather than class records;
- (4) as a minimum such training records shall be maintained for a period of three years.

(b) A system of evaluating the effectiveness of the instruction and the comprehension of the student.

- (1) Testing techniques utilized should determine the progress or lack of same for each trainee.
- (2) Performance testing should be utilized to the maximum extent practical.
- (3) Written tests shall be designed to encompass the significant contents of the subjects being taught and phrased in a manner which can be readily understood by a trainee whose comprehension is at a level consistent with the academic level of the material being presented.

(4) Periodic written tests shall be given covering each subject area listed in the basic fire fighter curriculum. A minimum of eight such tests shall be given. These tests serve the dual purpose of permitting the instructor to evaluate the effectiveness of the instruction and the comprehension of the trainees. The instructor shall assure that each trainee has developed understandings and mastered the knowledge of subject matter presented. Each fire department or other organization conducting recruit training shall establish a minimum passing grade for each of these periodic examinations.

(5) In addition to the periodic written tests, comprehensive written test(s) shall be administered utilizing one of the following options:

(A) Option "A." A minimum of two comprehensive written tests shall be given. If this option is utilized, the first comprehensive test shall be given no later than midway through the basic fire fighter training curriculum and the final comprehensive test shall be given at the conclusion of the training curriculum. The first of the comprehensive tests shall relate to subjects presented from the beginning of the training until the date of the test. The other comprehensive test(s) shall relate to subject matter presented since the previous comprehensive test.

(B) Option "B." A comprehensive test shall be administered at the conclusion of the basic fire fighter training which relates to all subject matter presented during the entire training curriculum.

(6) Copies of written test will be maintained for periodic review by the commission representatives.

(c) Specifications for satisfactory completion of training and education.

(1) Performance testing. Each trainee shall have demonstrated an ability to consistently perform, individually and as a member of a team, all tasks and operations associated with the training in a safe manner and level of compe-

tency which contributes to the successful achievement of the purpose for which the task or operation is being performed.

(2) Comprehensive written test.

(A) In the event Option "A" is utilized for comprehensive written tests, each trainee must maintain a grade average of not less than 70% for the comprehensive tests.

(B) In the event Option "B" is utilized for comprehensive written test, each trainee must score a grade of not less than 70% on the final examination.

(3) Requirements. In order to satisfactorily complete the basic fire fighter training, each trainee must satisfy the following three distinct and separate requirements:

- (A) performance testing;
- (B) comprehensive written test(s) (Option "A" or "B");
- (C) periodic written tests.

§233.127 (211.02.10.007) *Staff*

(a) The chief training officer as a minimum must possess an "A" instructor's certification, except as provided in §233.128(e) (008(e)) of this title (relating to General Information). The term "chief training officer" as used in these standards is the fire department training officer by whatever title he may be called.

(b) All instructors except guest instructors must have been certified by the Texas Commission on Fire Protection Personnel Standards and Education. A guest instructor is defined as an individual with special knowledge and expertise in a specific subject area who has the ability to enhance the effectiveness of the training.

(c) Guest instructors including fire protection personnel utilized on a limited basis are not required to be certified as instructors. These guest instructors can teach under the endorsement of the instructor responsible for subject being taught.

(d) The commission encourages all training facility staff to upgrade their instructor classification by completing the required teacher-training courses and other educational requirements set forth for higher levels of instructor certification.

§233.128 (211.02.10.008) *General Information*

(a) All fire protection personnel recruit training facilities shall meet these minimum requirements prior to January 1, 1982. Credit will not be allowed to a recruit training facility that has not been approved by the commission on or before the effective date. The commission shall take action on applications within 90 days from receipt of same.

(b) Approved recruit training facilities are subject to inspection by the commission at any time during regular business hours.

(c) An approved recruit training facility is encouraged to upgrade and improve the physical facilities, equipment, and reference material on a continuing basis.

(d) In order to retain the certification as an approved recruit training facility, schools desiring to make substantive changes in the facility or other conditions under which the school was approved shall coordinate such plans with the commission.

(e) The commission shall be notified promptly of any change in the approved recruit training facility coordinator or chief training officer. A newly appointed nonfire service coordinator must be certified by the commission in accordance with established procedures. A chief training officer must as a minimum possess a "B" instructor certification at

the time of appointment and must possess an "A" instructor's certification within one year from date of appointment. The term "coordinator" as used in these standards is the official responsible for recruit training facilities/schools other than fire departments, by whatever title he may be called.

(f) The commission may revoke the certification of a recruit training facility when, in the judgment of the commission, the school:

(1) is inadequate and fails to provide the quality of training required for basic fire fighter certification;

(2) fails to comply with commission rules and/or these minimum standards;

(3) fails to submit required reports in a timely manner or submits false reports to the commission.

(g) Prior to revoking the certification of an approved recruit training facility, the commission shall:

(1) Provide the authority having jurisdiction (fire chief for fire departments and coordinator for other facilities/schools) written notice of alleged discrepancies and/or violations

(2) The written notice by the commission must specifically state the discrepancies and/or violations and the commission rules and/or standards alleged to have been violated.

(3) After receiving the written notice of violations from the commission, the coordinator or fire chief will have 30 days in which to respond by written correspondence to the commission.

(4) The commission will consider the alleged violations and the response from the coordinator or fire chief. When deemed necessary by the commission, additional investigations may then be initiated to determine the facts of each case.

Issued in Austin, Texas, on January 21, 1981.

Doc No 810566      Garland W. Fulbright  
 Executive Director  
 Commission on Fire Protection  
 Personnel Standards and Education

Effective Date February 12, 1981

Proposal Publication Date November 11, 1980

For further information, please call (512) 474-8066

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## NONCODIFIED

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### Texas Department of Human Resources

#### AFDC

#### Determination of Need 326.10.31

The Texas Department of Human Resources adopts the following amendments to its rule about the definition of a protective payee in the Aid to Families with Dependent Children (AFDC) Program. These amendments are adopted as a result of federal regulations to be effective March 28, 1980. The regulations require that the client must be

notified of the decision to add a protective payee and allowed the opportunity to appeal the decision.

These amendments are adopted under the authority of the Human Resources Code, Title II, pursuant to federal requirements to be effective March 28, 1980.

#### 006 Definitions - Protective Payee

(a) (No change.)

(b) In these situations, a protective payee is mandatory and all further warrants will be held until one is selected, unless the client appeals the initial assignment of a protective payee during the timely notification period. A referral is made to social services for selection of a protective payee. The client and/or the financial services worker can participate in the process by suggesting appropriate persons for the protective payee.

(c) (No change.)

(d) When the circumstances require the assignment of a protective payee, the client must be notified and given the opportunity to appeal. Additionally, in cases in which the client has demonstrated an inability to manage the AFDC check and a protective payee has been assigned, the AFDC worker will request a re-evaluation of the situation by social services at each complete review. If the social services worker determines that the protective payment should be continued, the client must be notified and give the opportunity to appeal.

Issued in Austin, Texas, on January 26, 1981.

Doc No 810647      Marlin W. Johnston  
 Acting Commissioner  
 Texas Department of Human Resources

Effective Date March 28, 1980

Proposal Publication Date N/A

For further information, please call (512) 441-3355

### State Board of Insurance

#### Rating and Policy Forms

#### Policy Forms and Endorsements 059.05.06

The State Board of Insurance amends, effective April 1, 1981, Rule 059.05.06.001 which adopted by reference the Standard Provisions for Automobile Policies Written on and after October 1, 1974. The amendments are attached and incorporated herein by reference.

The amendments are corrective in nature or editorial clarifications. The limit of liability section - coverages K 1, K 2, and K 3 - second paragraph on page 29 of the garage insurance standard coverage part, is editorially amended to clarify the intended coinsurance relationship.

The automobile physical damage insurance (dealers) standard coverage part is editorially amended to correct several minor omissions and errors. Specifically, a reference note 10 relating to the quarterly reporting section was originally not included in the printing instructions and the word "fourth" was inadvertently omitted in the first sentence of (1) under (b), "quarterly reporting," under V., Conditions. In addition, the last paragraph under condition 3 is amended to eliminate part of a sentence that was included twice. The schedule 1 is being rearranged to more clearly indicate intent.

The amendments were adopted as originally proposed except the actual effective date has been amended from February 1, 1981, to April 1, 1981, due to the insufficient notice period before implementation.

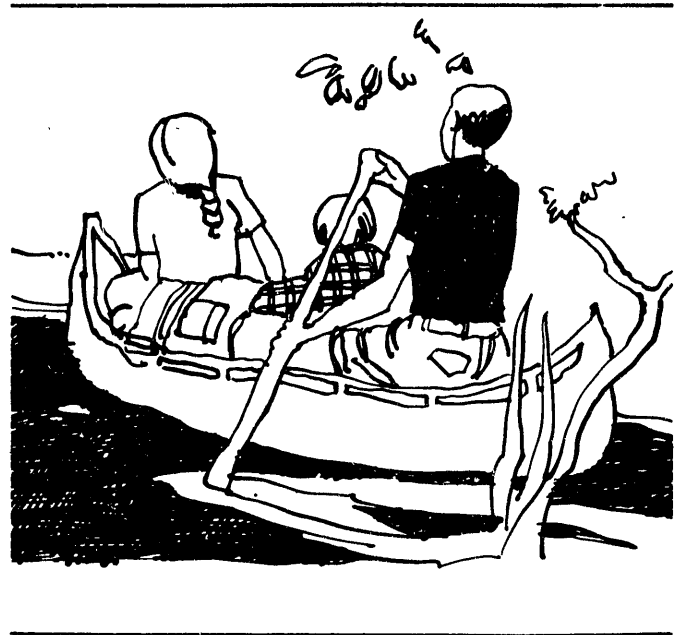
These amendments are adopted pursuant to the authority of Article 1.06 of the Texas Insurance Code.

001 *Standard Provisions for Automobile Policies Written on and after October 1, 1971* The State Board of Insurance adopts by reference the attached Standard Provisions for Automobile Policies Written on and after October 1, 1974, as amended in April 1981. This document is published by and available from the Texas Automobile Insurance Service Office, One La Costa, Suite 130, 1016 La Posada Drive, Austin, Texas 78752, or the State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786.

Issued in Austin, Texas, on January 22, 1981.

Doc No 810636      Pat Wagner  
                         Chief Clerk  
                         State Board of Insurance

Effective Date April 1, 1981  
Proposal Publication Date October 10, 1980  
For further information, please call (512) 475-3486



The Open Meetings Act (Article 6252-17, Texas Civil Statutes) requires that an agency with statewide jurisdiction have notice posted for at least seven days before the day of a meeting. A political subdivision covering all or part of four or more counties or an institution of higher education, must have notice posted for at least 72 hours before the scheduled meeting time. Notice of an emergency meeting or an emergency addition or amendment to an agenda must be posted for at least two hours before the meeting is convened. Although some notices may be received and filed too late for publication before the meetings are held, all filed notices will be published in the *Register*. Each notice published includes an agenda or a summary of the agenda as furnished for publication by the agency and the date and time of filing. Notices are posted on the bulletin board outside the offices of the secretary of state on the first floor in the East Wing of the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

## Texas Department of Agriculture

**Tuesday, February 10, 1981, 10 a.m.** The Texas Grain Sorghum Producers Board of the Texas Department of Agriculture will meet at K-Bob's Restaurant, Olton Highway, Plainview. According to the agenda, the board will discuss the following: financial report; elevator assessment problems; and report of staff activities and projects.

Information may be obtained from Elbert Harp, 1708-A 1st Street, Lubbock, Texas 79401, (806) 763-4421.

Filed: January 26, 1981, 4:25 p.m.  
Doc. No. 810656

## State Aircraft Pooling Board

**Tuesday, February 3, 1981, 4 p.m.** The State Aircraft Pooling Board met in Conference Room G-B of the John H. Reagan Building, Austin. According to the agenda, the board will consider scheduling office operations. Also, MH/MR will present its aircraft operation financial situation to the board for consideration. The board will consider the agency request for aircraft.

Information may be obtained from Barbara C. Mitchell, John H. Reagan Building, Room 200-B, Austin, Texas, (512) 475-8301.

Filed: January 23, 1981, 1:07 p.m.  
Doc. No. 810615

## State Banking Board

**Tuesday, January 27, 1981, 2 p.m.** The State Banking Board made an emergency addition to the agenda of a meeting held at 2601 North Lamar, Austin. According to the agenda, an urgent public need necessitated consideration of the proposed interim charter application for First Farmers and Merchants State Bank, DeLeon; and the reconsideration of rehearing order for the charter application for First City

Bank, Addison. The emergency additions were necessary so that the proposed projects could be more efficiently and economically implemented.

Information may be obtained from O. A. Cassity, 2601 North Lamar, Austin, Texas 78705, (512) 475-4451.

Filed: January 22, 1981, 3:07 p.m.  
Doc. No. 810580

## Texas Department of Community Affairs

**Wednesday, February 4, 1981, 10 a.m.** The Advisory Council on Community Affairs of the Texas Department of Community Affairs will meet in the fourth floor conference room, 210 Barton Springs Road, Austin. Agenda matters for consideration by the advisory council include approval of minutes; "701" local planning assistance from the U.S. Department of Housing and Urban Development; new information available from TDCA for county governments; and housing assistance provided local governments.

Information may be obtained from Tom Laramey, P.O. Box 13166, Austin, Texas 78711, (512) 475-2431.

Filed: January 26, 1981, 4:26 p.m.  
Doc. No. 810654

## East Texas State University

**Thursday, February 5, 1981, 3 p.m.-5 p.m.** The East Texas State University Board of Regents will meet in the Board of Regents Conference Room, East Texas State University, Commerce. According to the agenda summary, the following committees will meet: Executive Committee; Academic Programs Committee; Campus and Building Committee; and Finance Committee (for work session). No action will be taken.

Information may be obtained from Charles Morrow, East Texas State University, Commerce, Texas, (214) 886-5024.

Filed: January 27, 1981, 9:42 a.m.  
Doc. No. 810658

**Friday, February 6, 1981, 9 a.m.** The East Texas State University Board of Regents will meet in the Board of Regents Conference Room, East Texas State University, Commerce. According to the agenda summary, the board will consider the following: approval of minutes; implementation of four-day week; approval of undersized class reports; approval of faculty workload reports; awarding citation of "distinguished alumnus" and "Distinguished Alumna;" reappointment of president; presentation by Evaluation Process Committee; authorization to offer a bachelor of science degree in nursing; approval of curriculum changes; and authorization to make transactions in the 1980-81 budget for ET-Commerce and ET-Texarkana.

Information may be obtained from Charles Morrow, East Texas State University, Commerce, Texas, (214) 886-5024.

Filed: January 27, 1981, 9:42 a.m.  
Doc. No. 810659

## Texas Department of Health

The Texas Department of Health will conduct hearings at the following times and addresses:

**Wednesday, February 25, 1981 9 a.m.,**

City Council Chambers, City Hall, Laredo. Application 1159-A of City of Laredo to operate a proposed 17.595-acre addition adjacent to the south-west boundary of the existing 28-acre Type I municipal solid waste disposal site, located 4.2 miles northeast of the U.S. Highway 83/State Highway 359 intersection in Laredo, on the southeast side of U.S. Highway 59, in Webb County.

**March 10, 1981 9 a.m.,**

City Council Chambers, City Hall, 1300 7th Street, Wichita Falls. Application 1429 of City of Wichita Falls to operate a proposed Type V municipal solid waste-processing site (transfer station) to be located on the west side of Lawrence Road, 2550 feet south of its intersection with Kell Boulevard in Wichita Falls, Wichita County.

Information may be obtained from Jack C. Carmichael, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7271.

Filed: January 23, 1981, 3:27 p.m.  
Doc. No. 810627

**Saturday, January 31, 1981, 9:30 a.m.** The board of the Texas Department of Health met in Room, T-607, 1100 West 49th Street, Austin. Items on agenda summary include: minutes of the December 6, 1980, meeting; commissioner's report; progress report on management by objective (MBO); final rules for the Controlled Substances Therapeutic Research Review Board; update on the activities of the Texas Radiation Advisory Board and on the activities of the Texas Advisory Board of Athletic Trainers; proposed legislation for radiologic technologists; proposed rules on tuberculosis control; final state municipal solid waste plan; proposed rules and emergency rules on minimum licensing standards for adult day care and adult day health care facilities, executive session; Personnel Committee—reappointments to the Maternal and Child Health Technical Advisory Committee, reappointments to the Tuberculosis Advisory Committee, and requests for extension of employment beyond age 70; crippled children physician applicants and hospital applicants; San Antonio Chest Hospital Committee report; Legislative Committee report—additions to the department's legislative package; proposed amendments and emergency amendments to the rules on the use of departmental facilities by public employee organizations; election of secretary of the Board of Health; and meeting date for February 1981.

Information may be obtained from Joe Klinger, 1100 West 49th Street, Austin, Texas, (512) 458-7484.

Filed: January 23, 1981, 3:51 p.m.  
Doc. No. 810628

## Texas Health Facilities Commission

**Friday, February 6, 1981, 9:30 a.m.** The Texas Health Facilities Commission will meet in Suite 305 of the Jefferson Building, 1600 West 38th Street, Austin, to consider the following applications:

### Certificate of Need

Mercy Hospital of Laredo, Laredo

AH80-0915-019

Trinity Oaks Hospital, Inc., Fort Worth

AH80-0715-005

Hurst-Eules-Bedford Hospital (South Campus), Eules

AH80-0811-009

Hurst General Hospital, Bedford

AH80-0806-003

Gaspard's Nursing Care Center, Inc., Port Arthur

AN80-0509-019

Fort Worth Children's Hospital, Fort Worth

AH80-0811-013

### Amendment of Certificate of Need

The Good Shepherd Hospital, Longview

AH77-1205-022A (121680)

Kidney Disease Clinic of Seguin, Seguin

AS79-1231-053A (121780)

Southside Kidney Disease Clinic, San Antonio

AS79-1019-007A (121780)

St. John's Hospital, San Angelo

AH79-1203-025A (120580)

### Exemption Certificate

South-western General Hospital, El Paso

AH80-1205-005

Central Texas Opportunities, Inc., doing business as

Family Planning, Coleman

AS80-1205-010

Anderson County Memorial Hospital, Palestine

AH80-1103-053

### Declaratory Ruling

Victoria Family Planning Project, Victoria

AS80-1107-015

Shackelford County Hospital District, Albany

AH80-1211-011

Information may be obtained from Linda E. Zatopek, P.O. Box 15023, Austin, Texas 78761, (512) 475-6940.

Filed: January 28, 1981, 9:43 a.m.  
Doc. No. 810684

## Texas Historical Commission

**Friday, January 30, 1981, 9 a.m.** The board of the Texas Historical Commission made an emergency addition to the agenda of a meeting held at the La Posada Motor Motel, Laredo. According to the agenda summary, the board made the following additions: chairman's report; memorial resolution for the Honorable Price Daniel, Jr.; executive director's report—goals for the 1980s; changed Item 10 to Abilene Centennial—Katharyn Duff, and added Item 16—executive session for personnel matters. The reason for the emergency additions was because of the replacement of the former commission chairman and several commission members.

Information may be obtained from Truett Latimer, P.O. Box 12276, Austin, Texas 78711, (512) 475-3092.

Filed: January 28, 1981, 9:20 a.m.  
Doc No. 810679

## Texas Historical Commission

**Saturday, February 7, 1981, 1:30 p.m.** The Texas Historical Commission Board of Review will meet at the Kozy Theatre of the Von Minden Hotel, 607 Lyons Street, Schulenburg. According to the agenda, the board will make announcements; review National Register nominations; and approve the minutes of last meeting and the annual work program.

Information may be obtained from Lissa Anderson, 1511 Colorado, Austin, Texas. (512) 475-3094.

Filed: January 28, 1981, 2:09 p.m.  
Doc. No 810693

## State Board of Insurance

**Monday, January 26, 1981, 3 p.m.** The Commissioner's Hearing Section of the State Board of Insurance conducted an emergency public hearing in Room 342, 1110 San Jacinto Street, Austin, in Docket 6283--request of Glen Hays, Grand Prairie, to represent Horace Mann Insurance. The emergency was necessary due to unavailability of witnesses to attend a hearing date in February.

Information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: January 23, 1981, 2:50 p.m.  
Doc No. 810620

**Tuesday, February 3, 1981, 9 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, in Docket 6281--application of 1200 Campbell Corporation, Houston, to acquire control of Waldo Service Insurance Company, Sherman.

Information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, (512) 475-4353.

Filed: January 26, 1981, 1:22 p.m.  
Doc No 810640

**Tuesday, February 3, 1981, 3 p.m.** The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, in Docket 6272--application for extension of time within which to sell real estate by Sentinel American Life Insurance Company.

Information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, (512) 475-4353.

Filed: January 26, 1981, 1:23 p.m.  
Doc. No 810641

**Wednesday, February 4, 1981, 10 a.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin. According to the agenda, the board will make decisions on the following appeals: Wilkerson Funeral Service Insurance Company, and the National Home Life Insurance Company.

Information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, (512) 475-2950.

Filed: January 27, 1981, 9:39 a.m.  
Doc. No 810657

**Wednesday, February 4, 1981, 1:30 p.m.** The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, in Docket 6279--application for extension of time within which to sell real estate by Nunnely-Stanley Benefit Association.

Information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: January 26, 1981, 1:23 p.m.  
Doc. No 810642

**Thursday, February 5, 1981, 10:30 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, in Docket 6282--application of American Capital Insurance Company for approval of revaluation of home office property.

Information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: January 26, 1981, 1:23 p.m.  
Doc No 810643

**Monday, February 9, 1981, 10:30 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, in Docket 6278--application of Gulf United Corporation, Jacksonville, Florida, to acquire control of Republic National Life Insurance Company, Dallas.

Information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: January 26, 1981, 1:23 p.m.  
Doc. No. 810644

## Texas Board of Land Surveying

**Monday-Wednesday, February 16-18, 1981, 7:30 p.m. daily.** The Texas Board of Land Surveying will meet in Parlor C and Ballroom of the Sheraton Crest Inn, 111 East First Street, Austin. According to the agenda, the board will conduct examinations; review new applications; reconsider old applications; hear correspondence for the board; conduct interviews, and discuss new business.

Information may be obtained from Betty J. Pope, 1106 Clayton Lane, 210 West, Austin, Texas, (512) 452-9427.

Filed: January 27, 1981, 9:41 a.m.  
Doc No 810662

## Texas Commission on Law Enforcement Officer Standards

**Thursday, February 5, 1981, 10 a.m.** The Texas Commission on Law Enforcement Officer Standards and Education will meet in the conference room of the Twin Towers Building, 1106 Clayton Lane, Austin. According to the agenda summary, the commission will recognize visitors, and then consider the following items: minutes; entry of official or-

ders; entry of final order in contested case Docket 457-52-3778CF; applications for academy certification; legislation report; and staff activity reports.

Information may be obtained from Alfredo Villarreal, 1106 Clayton Lane, Suite 220-E, Austin, Texas, (512) 459-1171.

Filed: January 23, 1981, 11:01 a.m.  
Doc. No. 810593

## Texas State Board of Medical Examiners

**Saturday, January 31, 1981, 1 p.m.** The meeting of the Acupuncture Rules Committee of the Texas State Board of Medical Examiners previously scheduled for February 1, 1981, at 10 a.m., was changed to the above date and time. The agenda remained the same.

Information may be obtained from Jean Davis, 211 East 7th, Austin, Texas 78701, (512) 475-0741.

Filed: January 23, 1981, 3:28 p.m.  
Doc. No. 810624

**Saturday, January 31, 1981, 4 p.m.** The meeting of the Reciprocity Committee of the Texas State Board of Medical Examiners previously scheduled for February 1, 1981, at 9 a.m., was changed to the above date and time. The agenda remained the same.

Information may be obtained from Jean Davis, 211 East 7th, Austin, Texas 78701, (512) 475-0741.

Filed: January 23, 1981, 3:28 p.m.  
Doc. No. 810625

## Merit System Council

**Friday, January 30, 1981, 9:30 a.m.** The Merit System Council met in emergency session in Room 507 of the Brown Building, 8th and Colorado Streets, Austin, to conduct an appeal hearing. The reason for the emergency meeting was because the attorney for appellant did not confirm appearance at hearing until January 22, 1981.

Information may be obtained from Leo F. Brockmann, P.O. Box 1389, Austin, Texas 78767, (512) 477-9665.

Filed: January 23, 1981, 9:04 a.m.  
Doc. No. 810586

## Texas Optometry Board

**Wednesday, February 4, 1981, 3 p.m. and 8 p.m.** The Texas Optometry Board will meet at the Hilton Inn, Austin. According to the agenda summary, the board will meet at 3 p.m. for a grading session to determine those candidates who successfully passed the board examination recently given in Houston. Committees of the board will meet beginning at

7:45 p.m. The agenda of the 8 p.m. general business meeting is as follows: reports of secretary-treasurer, legislative and legal committees; old business concerning attorney general's opinion of separation of offices. The board will meet in executive session to discuss contemplated and pending litigation with board attorney in compliance with Section 2(e) of Article 6252-17, Open Meetings Act. The Investigation-Enforcement Subcommittee will meet with a licensee of this board at 7 p.m.

Information may be obtained from Lois Ewald, 555 North Lamar, Suite H-101, Commerce Park, Austin, Texas 78701, (512) 458-2141 or Tex-An 824-1595.

Filed: January 27, 1981, 2:47 p.m.  
Doc. No. 810673

## Pan American University

**Tuesday, February 3, 1981, 9 a.m.** The Committee of the Whole of the Pan American University Board of Regents will meet in the conference room of the Administration Building, Edinburg, to hear a grievance from an employee.

Information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas, (512) 381-2101.

Filed: January 23, 1981, 9:34 a.m.  
Doc. No. 810587

**Tuesday, February 3, 1981, 9:30 a.m.** The Fund Raising Committee of the Pan American University Board of Regents will meet in the conference room of the Administration Building, Edinburg, to consider the solicitation of funds for the Presidential Search Committee.

Information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas, (512) 381-2101.

Filed: January 23, 1981, 9:34 a.m.  
Doc. No. 810588

**Tuesday, February 3, 1981, 10 a.m.** The Buildings and Grounds Committee of the Pan American University Board of Regents will meet in the conference room of the Administration Building, Edinburg, to consider the following: change order proposals for the Administration Building; emergency appropriation for hurricane damage; and renovation of the present Administration Building.

Information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas, (512) 381-2101.

Filed: January 23, 1981, 9:34 a.m.  
Doc. No. 810589

**Tuesday, February 3, 1981, 10:45 a.m.** The Academic and Developmental Affairs Committee of the Pan American University Board of Regents will meet in the conference room of the Administration Building, Edinburg. According to the agenda, the committee will meet in executive session (as authorized by Article 6252-27, Section 17, 2g, Vernon's Annotated Texas Statutes) to consider employment of personnel.

Information may be obtained from Dr. Ralph F. Scilling, Pan American University, Edinburg, Texas, (512) 381-2101.

Filed January 23, 1981, 9:33 a.m.  
Doc No 810590

**Tuesday, February 3, 1981, 11:30 a.m.** The Pan American University Board of Regents will meet in the conference room of the Administration Building, Edinburg. According to the agenda, the board will consider the following: approval of minutes; reports of Buildings and Grounds Committee, Academic and Developmental Affairs Committee, Fund Raising Committee and Committee of the Whole, small class size; purchase request for testing equipment, maintenance of elevators, request sale of IBM Computer System 7, auxiliary funds, gifts and donations, budget changes, and schedule next meeting of the board.

Information may be obtained from Dr. Ralph F. Scilling, Pan American University, Edinburg, Texas, (512) 381-2101.

Filed January 23, 1981, 9:33 a.m.  
Doc No 810591

## Board of Pardons and Paroles

**Monday-Friday, February 9-13, 1981, 9 a.m. daily.** The Board of Pardons and Paroles will meet in Room 711, Stephen F. Austin Building, Austin. According to the agenda, the board will review cases of inmates for parole consideration; act on emergency reprieve requests and other acts of executive clemency; review reports regarding persons on parole; review procedures affecting the day-to-day operation of support staff; review and initiate needed rule changes relating to general operation, executive clemency, parole, and all hearings conducted by this agency; and take action upon gubernatorial directives.

Information may be obtained from Ken Casner, 711 Stephen F. Austin Building, Austin, Texas, (512) 475-3363.

Filed January 26, 1981, 4:25 p.m.  
Doc No 810655

## State Pension Review Board

**Monday, January 26, 1981, 10 a.m.** The State Pension Review Board made emergency additions to the agenda of a meeting held at the Employee Retirement System auditorium, 1811 and Brazos Street, Austin. The addition concerned the following: legislative procedures regarding actuarial statements, upcoming legislative proposals; staff changes; and an executive session. The need for an executive session did not occur until after the filing of the original meeting notice.

Information may be obtained from Lynda Baker, 100 West 10th Street, Reagan Building, Room 200M, Austin, Texas, (512) 475-8332.

Filed: January 23, 1981, 11:29 a.m.  
Doc. No. 810594

## Texas State Board of Physical Therapy Examiners

**Friday-Sunday, January 23-25, 1981, 8 p.m., 9 a.m., and 9 a.m., respectively.** The Investigation and Education Committees of the Texas State Board of Physical Therapy Examiners held emergency meetings in the LaQuinta Inn, Highland Mall, 5812 IH 35 North, Austin. According to the agenda, these committees met during and following the regular meeting of the board, which was previously published in the *Texas Register* and scheduled for 8 p.m. to 11 p.m. on January 23 and 9 a.m. to 6 p.m. on January 24. The committees discussed the status of cases under investigation and activities of consultation by Education Committee members. The meetings were held on an emergency basis because it was not known whether separate meetings of the committees might be necessary.

Information may be obtained from Lois M. Smith, 500 North Lamar, H-130, (512) 475-7956.

Filed January 23, 1981, 3:26 p.m.  
Doc No 810623

## Public Utility Commission of Texas

**Wednesday, February 4, 1981, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a pre-hearing conference in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3679- application of Taylor Electric Cooperative, Inc., for a rate increase.

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, (512) 458-0100.

Filed January 26, 1981, 1:58 p.m.  
Doc. No 810645

**Thursday, February 5, 1981, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a pre-hearing conference in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3624- application of Radio Paging, Inc., for a rate increase (RRC).

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, (512) 458-0100.

Filed: January 23, 1981, 3:27 p.m.  
Doc No 810626

**Monday, February 9, 1981, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a pre-hearing conference in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3692- application of San Bernard Electric Cooperative for rate increase.

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, (512) 458-0100.

Filed: January 28, 1981, 9:33 a.m.  
Doc. No. 810685



**Tuesday, February 10, 1981, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing conference in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3690- application of General Telephone Company of the Southwest for authority to change rates.

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78707, (512) 458-0100.

Filed January 27, 1981, 9:40 a.m.  
Doc No 810660

**Tuesday, February 24, 1981, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a rescheduled hearing in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3357- petition of Crazy Horse Water Company, Inc., to terminate service (water).

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78707, (512) 458-0100.

Filed January 29, 1981, 9:11 a.m.  
Doc No 810704

**Tuesday, March 3, 1981, 11 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 450N, 7800 Shoal Creek Boulevard, Austin, in Docket 3414- application of Mobilfone Service, Inc., to amend a certificate of convenience and necessity within Harris County.

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78707, (512) 458-0100.

Filed January 22, 1981, 3:35 p.m.  
Doc No 810581

**Wednesday, April 1, 1981, 10 a.m.** The Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin, to conduct a public hearing in Docket 3619- application of Van Reed, Inc., doing business as HydroPressure Systems for a rate increase within Smith County (water).

Information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78707, (512) 458-0100.

Filed: January 27, 1981, 9:40 a.m.  
Doc. No. 810661

## State Purchasing and General Services Commission

**Friday, January 23, 1981, 10 a.m.** The State Purchasing and General Services Commission made an emergency addition to the agenda of a meeting held in Room 916 of the LBJ Building, 111 East 17th Street, Austin. The addition concerned comments from Texas Department of Mental Health and Mental Retardation Assistant Commissioner Ronald Bush, regarding a proposed computer acquisition (Requisi-

tion MHMC-1-292-B which was opened January 9, 1981). A letter asking for the right to appear before the commission was received January 21, 1981. The necessity for proceeding with the transaction to satisfy the department's needs required this emergency addition.

Information may be obtained from Homer A. Foerster, P.O. Box 13047, Austin, Texas, (512) 475-2211.

Filed: January 22, 1981, 1:47 p.m.  
Doc No 810579

## Railroad Commission of Texas

**Monday, February 2, 1981, 9 a.m.** The Railroad Commission of Texas met in the third floor conference room, 1124 South IH 35, Austin. Following the regular agenda, the commission went into executive session to discuss personnel actions for all divisions and to consult with its legal staff on prospective and pending litigation pursuant to Sections 2g and 2e of the Act, respectively.

Information may be obtained from Carla S. Doyno, 1124 South IH 35, Austin, Texas 78704, (512) 445-1186.

Filed: January 23, 1981, 11:58 a.m.  
Doc. No. 810595

**Monday, February 2, 1981, 9 a.m.** The Gas Utilities Division of the Railroad Commission of Texas met in Room 107, 1124 South IH 35, Austin. According to the agenda summary, the division considered Gas Utilities Dockets 2629, 2658, 2667, 2672, 2679, 2683, 2659, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2910, and the director's report.

Information may be obtained from Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas, (512) 445-1126.

Filed: January 23, 1981, 4:09 p.m.  
Doc. No. 810630

**Monday, February 2, 1981, 9 a.m.** The Liquefied Petroleum Gas Division of the Railroad Commission of Texas met in the first floor auditorium, 1124 South IH 35, Austin. According to the agenda, the division considered the director's report.

Information may be obtained from Guy G. Matthews, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1189.

Filed: January 23, 1981, 11:57 a.m.  
Doc. No. 810596

**Monday, February 2, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas met in the first floor auditorium, 1124 South IH 35, Austin. According to the agenda summary, the division considered various matters falling within the Railroad Commission's oil and gas regulatory jurisdiction.

Information may be obtained from Jan Burris, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1307.

Filed: January 23, 1981, 11:59 a.m.  
Doc. No. 810597

**Monday, February 2, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas made an addition to the agenda of a meeting held in the first floor auditorium, 1124 South IH 35, Austin. The addition concerned category determinations under Sections 102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108 of the Natural Gas Policy Act of 1978.

Information may be obtained from Madalyn J. Girvin, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1273.

Filed January 23, 1981, 11:58 a.m.  
Doc No 810598

**Monday, February 2, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas made an addition to the agenda of a meeting held in the first floor auditorium, 1124 South IH 35, Austin. The addition concerned Texas International Gas and Oil, Inc.'s application for exception to SWR 37, motion for rehearing and reconsideration (Docket R3786833), Talco and Wildcat Fields, Franklin County.

Information may be obtained from Susan C. Kovar, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1282.

Filed January 23, 1981, 11:58 a.m.  
Doc No 810599

**Monday, February 2, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas made an addition to the agenda of a meeting to be held in the first floor auditorium, 1124 South IH 35, Austin. The addition concerned consideration by the division whether or not to initiate rulemaking proceedings to amend Rule 0-1.02.02.039; proration and drilling units assignment of noncontiguous acreage where noncontiguity is caused by rights-of-way traversing an operator's properties, in response to the petition of Southern Pacific Transportation Company.

Information may be obtained from Sandra Joseph, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1282.

Filed January 23, 1981, 11:59 a.m.  
Doc No 810600

**Monday, February 2, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas made an addition to the agenda of a meeting held in the first floor auditorium, 1124 South IH 35, Austin. The addition concerned recommendation to the Federal Energy Regulatory Commission that the Wilcox Lobo Formation be designated as a tight formation under Section 107 of the Natural Gas Policy Act of 1978.

Information may be obtained from Priscilla M. Hubenak, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1278.

Filed January 23, 1981, 12:25 p.m.  
Doc No 810612

**Monday, February 2, 1981, 9 a.m.** The Surface Mining Division of the Railroad Commission of Texas met in the first floor auditorium, 1124 South IH 35, Austin. According to the agenda the division considered the following: Docket 1- application for permit approval for the Aluminum Company of America Sandow lignite mine located near Rockdale, in Milam and Lee Counties, pursuant to the Texas Coal Program; and director's report.

Information may be obtained from J. Randel (Jerry) Hill, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-0206.

Filed January 23, 1981, 11:59 a.m.  
Doc No 810601

**Monday, February 2, 1981, 9 a.m.** The Transportation Division of the Railroad Commission of Texas met at 1124 South IH 35, Austin. According to the agenda summary, the division considered various matters falling within the Railroad Commission's transportation regulatory jurisdiction.

Information may be obtained from Owen T. Kinney, 1124 South IH 35, Austin, Texas, (512) 445-1330.

Filed January 23, 1981, 11:55 a.m.  
Doc No 810602

**Thursday, February 19, 1981, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet at the Quality Inn South, 2200 South IH 35, Austin. According to the agenda summary, the division conduct a statewide oil and gas hearing.

Information may be obtained from Harriett Perkins, P.O. Drawer 12967, Austin, Texas 78704, (512) 445-1297.

Filed January 23, 1981, 11:57 a.m.  
Doc No 810603

## School Land Board

**Tuesday, February 3, 1981, 10 a.m.** The School Land Board met in Conference Room 831 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the board will consider the following: nominations, terms, conditions, and procedures for the April 7, 1981, lease sale; and nominations, terms, conditions, and procedures for leasing lignite at the April 7, 1981, lease sale.

Information may be obtained from Linda Fisher, 1700 North Congress Avenue, Stephen F. Austin Building, Room 835, Austin, Texas 78701, (512) 475-2071.

Filed January 26, 1981, 10:09 a.m.  
Doc No. 810637

## University System of South Texas

**Tuesday, February 3, 1981, 1 p.m.** The Presidential Search Committee and the Board of Directors of the University System of South Texas will meet in the President's Conference Room, Corpus Christi State University, Corpus Christi. According to the agenda, the committee will review applications received for the position of president of Texas A&I University. The meeting will not be open to the public.

Information may be obtained from William C. English, P.O. Box 1238, Kingsville, Texas 78363, (512) 595-2208.

Filed January 28, 1981, 10:32 a.m.  
Doc No 810690

## Advisory Council for Technical-Vocational Education in Texas

**Monday, February 9, 1981, 10 a.m.** The Adult Education and Special Services Committee of the Advisory Council for Technical-Vocational Education in Texas is rescheduling a meeting to be held in the Bonham Room of the Stephen L. Austin Hotel, 701 Congress Avenue, Austin. The committee will meet to review their program of work and activities for 1981. The original date of the meeting was scheduled for January 9, 1981.

Information may be obtained from Valeria Blaschke, P.O. Box 1886, Austin, Texas 78767, or 1700 South Lamar, Suite 202, Austin, Texas 78704, (512) 475-2046.

Filed January 28, 1981, 9:33 a.m.  
Doc No 810687

## University of Texas at Austin

**Monday, February 2, 1981, 2 p.m.** The Intercollegiate Athletics for Men Division of the University of Texas at Austin met in Room 240 of Belmont Hall, San Jacinto between 21st and 23rd Streets. According to the agenda, the division considered the following: approval of minutes; ratification of tennis and track schedule changes; football lettermen awards; football ticket priorities; preliminary budget consideration; date change of A&M football game; old business; committee reports on athletics facilities and bat control reserve for synthetic surfaces, licensing and sponsorship, options; new business. The division also met in executive session.

Information may be obtained from Haila Kauffman, P.O. Box 7399, Austin, Texas 78712, (512) 471-7348.

Filed January 27, 1981, 4:38 p.m.  
Doc No 810674

## Texas Tech University

**Friday, January 30, 1981, 2 p.m.** The Executive Committee of the Board of Regents of Texas Tech University Health Sciences Center met in Committee Room A of the board of suite, Administration Building, Lubbock. According to the agenda, the committee met in executive session; considered reports; and reviewed administrative actions.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:56 a.m.  
Doc No 810568

**Friday, January 30, 1981, 3 p.m.** The Public Affairs, Development, and University Relations Committee of the Board of Regents of Texas Tech University Health Sciences Center met in Committee Room B of the board suite, Administration Building, Lubbock, to conduct an executive session and to consider the following: administrative actions; appointment of members of the Board of Directors of the Texas Tech Medical Foundation.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:56 a.m.  
Doc No 810569

**Friday, January 30, 1981, 3 p.m.** The Public Affairs, Development, and University Relations Committee of the Board of Regents of Texas Tech University met in Committee Room B of the board suite, Administration Building, Lubbock, to conduct an executive session, to hear reports and to review administrative actions.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:56 a.m.  
Doc No 810570

**Friday, January 30, 1981, 3:30 p.m.** The Academic and Student Affairs Committee of the Board of Regents of Texas Tech University Health Sciences Center met in the Ante Room of the board suite, Administration Building, Lubbock, to conduct an executive session and consider the following items: reports and review of administrative actions; changes in academic rank for certain members of the faculty of School of Medicine; granting of academic tenure for certain members of the faculty of School of Medicine; employment of a faculty member beyond age 70; ratification items- rescission of proposed agreement with West Texas Hospital; and travel leaves summary.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810571

**Friday, January 30, 1981, 3:30 p.m.** The Academic and Student Affairs Committee of the Board of Regents of Texas Tech University met in the Ante Room of the board suite, Administration Building, Lubbock, to conduct an executive session and consider the following items: reports and review of administrative actions; changes in academic rank for certain members of the faculty of TTU; granting of academic tenure for certain members of the faculty of TTU; program leading to a degree of master of sciences in sports medicine; change in administrative organization affecting Department of Speech and Theatre Arts; authorization of president to proceed with development and implementation of a student-faculty information system; ratification items- leaves of absence; and travel leaves summary.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810572

**Friday, January 30, 1981, 4 p.m.** The Campus and Building Committee of the Board of Regents of Texas Tech University met in Committee Room B of the board suite, Administration Building, Lubbock. The committee conducted an executive session and considered the following matters: reports and review of administrative actions; approval to proceed with planning and appointment of project architect and authority to proceed with contract documents for renovation of north wing of Gaston Residence Hall; award construction

contract for Wiggins Residence complex energy grant (modification of heating, ventilation, and air conditioning in Clitwood and Weymouth Halls); approval to proceed with contract documents and the receipt of bids to rehabilitate frozen food storage at the central food facility; approval for the preliminary design for the United States Department of Agriculture soil moisture and plant stress laboratory; appointment of a project architect; authority to proceed with contract document and the receipt of bids for the renovation of bath rooms in Gordon Residence Hall; award construction of contract for upgrading the primary electrical system in Gordon and Bledsoe Residence Halls; appointment of construction manager for the Petroleum Engineering Building addition; changes in University Avenue to improve traffic movement.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810573

**Friday, January 30, 1981, 1 p.m.** The Finance Committee of the Board of Regents of Texas Tech University met in Committee Room A of the board suite, Administration Building, Lubbock. The committee conducted an executive session and considered the following matters: reports and review of administrative actions; delegation of board authority to a university employee to authorize and approve expenditures from appropriated funds; authorization of president and chief executive officer to execute contracts with depository banks and savings and loan associations; contract for fire, lightning, extended coverage and contents insurance policy for February 1, 1981 to February 1, 1984, amended contract with Lubbock County Hospital District, doing business as Lubbock General Hospital for utility services provided by TTU and TTUHSC for period September 1, 1980, through August 31, 1981; update on investment of local cash; discussion of financial data and contractual relationships with foundations; discussion of estimated cost and benefits of state owned aircraft.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810574

**Friday, January 30, 1981, 4 p.m.** The Finance Committee of the Board of Regents of Texas Tech University Health Sciences Center met in Committee Room A of the board suite, Administration Building, Lubbock, to conduct an executive session. Hear reports and review administrative actions, and to consider the following matters: contract with Lubbock County Hospital District, doing business as Lubbock General Hospital providing for 13 residency stipends at a total amount not to exceed \$225,000; delegation of board authority to a university employee to authorize and approve expenditures from appropriated funds; amended contract with Lubbock County Hospital District, doing business as Lubbock General Hospital for utility services provided by TTU and TTUHSC for period September 1, 1980, through August 31, 1981; authorization of the president and chief executive officer to execute contracts with depository banks and savings and loan association; status report on shared services agree-

ments between TTUHSC and Lubbock General Hospital; update on investment of local cash; discussion of financial data and contractual relationships with foundations; and review on residences salaries for 1981-82.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810575

**Friday, January 30, 1981, 1 p.m.** The Campus and Building Committee of the Board of Regents of Texas Tech University Health Sciences Center met in Committee Room B of the board suite, Administration Building, Lubbock, to conduct an executive session. Hear reports and review administrative actions, and to consider the following matters: approval of schematic design for connector bridge between Texas Tech University Regional Academic Health Center at Amarillo and the Harrington Cancer Center, and the granting of an easement to provide for its construction.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:57 a.m.  
Doc No 810576

**Saturday, January 31, 1981, 8:30 a.m.** The Board of Regents of Texas Tech University Health Sciences Center met in the board room of the board suite, Administration Building, Lubbock, to conduct an executive session; hear reports and take action on the following: minutes and items for ratification, academic and student affairs, finance, campus and building, public affairs; development and university relations, and Committee of the Whole.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:58 a.m.  
Doc No 810577

**Saturday, January 31, 1981, 8:30 and 11 a.m.** The Board of Regents of Texas Tech University met in the board room of the board suite, Administration Building, Lubbock, to conduct an executive session; hear reports and take action on the following: minutes and items for ratification; academic and student affairs, finance; campus and building; public affairs, development and university relations; Committee of the Whole.

Information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed January 22, 1981, 10:58 a.m.  
Doc No 810578

## State Textbook Committee

**Thursday, February 12, 1981, 8:30 a.m.** The State Textbook Committee will meet in the board room, 150 East Riverside Drive, Austin. According to the agenda, the committee will hold an orientation meeting of the State Textbook Committee in connection with the supplementary materials adoption (Proclamation 66A) issued by the State Board of Education on January 10, 1981.

Information may be obtained from J. Henry Perry, 201 East 11th Street, Austin, Texas 78701, (512) 475-4676.

Filed: January 23, 1981, 2:54 p.m.  
Doc. No. 810621

## Board of Vocational Nurse Examiners

**Monday-Wednesday, February 9-11, 1981, 8:15 a.m. and 9:30 a.m. on Monday, and 8 a.m. on Tuesday and Wednesday.** The Board of Vocational Nurse Examiners will meet at the Sheraton Crest Inn, 111 East First Street, Austin. A summary of agenda items for board consideration follows.

**8:15 a.m. Monday**  
Executive session.

**9:30 a.m. Monday**  
Business meeting as follows: approval of December 13, 1980, board meeting minutes; reports of executive secretary and Division of Education; school visits; review of April and October 1980 exams; school proposals; special reports, old and new business.

**8 a.m. Tuesday**  
Continue new business and administrative hearings; public hearing on proposed amendments to rules (following administrative hearings).

**8 a.m. Wednesday**  
Executive session on call; continuation of new business; affirmation of executive authority; future meetings; code of ethics for board members; test service specifications for NCSBN; licensure problems; approval of reciprocity applicants; administrative hearings; announcements.

Information may be obtained from Waldeen N. Wilson, 600 North Lamar, Building H, Suite 131, Austin, Texas 78701, (512) 458-1203.

Filed: January 26, 1981, 1:58 p.m.  
Doc No 810646

## Texas Water Commission

**Monday, February 2, 1981, 10 a.m.** The Texas Water Commission made an emergency addition to the agenda of a meeting held in Room 118 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. The addition concerned an application by the City of Winters for approval of revised construction plans and specifications for a project granted under Adjudication Certificate 14-1095A. The city had already awarded the contract for the construction of the dam creating the municipal water supply reservoir and needed the commission's approval of the plans and specifications to commence construction as soon as possible.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4114.

Filed: January 27, 1981, 11:04 a.m.  
Doc No 810664

**Tuesday, February 10, 1981, 10 a.m.** The Texas Water Commission will meet in Room 118 of the Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will consider an application by Tom J. Curtis, Jr., Inc., for Water Quality Permit 12283 to dispose of treated domestic sewage effluent into Harris County Flood Control Ditch K-142 03, then to Paulkey Gully, then into Cypress Creek in Segment 1009 of the San Jacinto River Basin, Harris County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4114.

Filed: January 27, 1981, 11:05 a.m.  
Doc No 810665

**Friday, February 20, 1981, 10 a.m.** The Texas Water Commission will meet in the Houston-Galveston Area Council Annex I, 3701 West Alabama, Houston. According to the agenda summary, the commission will conduct a hearing on an application by Wayne Duddleston, Inc., Houston, for a permit to authorize a discharge of 500,000 gallons per day of treated domestic sewage effluent. The applicant proposes to construct new sewage treatment facilities to serve a new development area that is to include office and warehouse complexes and multifamily residential areas (proposed Harris County Municipal Utility District 194) in Harris County.

Information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, (512) 475-1468.

Filed: January 28, 1981, 3:29 p.m.  
Doc No 810698

**Tuesday, February 24, 1981, 10 a.m.** The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will conduct a hearing on a petition for organization of Fort Bend County Municipal Utility District 37 containing 201,230.7 acres.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4114.

Filed: January 28, 1981, 3:29 p.m.  
Doc No 810699

**Wednesday, March 4, 1981, 10 a.m.** The Texas Water Commission will meet in Room 124A of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will conduct a hearing on an application by Hillebrandt Plantation, Ltd., a partnership, Houston, for a permit to irrigate 792 acres of land out of a 2184.72-acre tract and to directly divert 2962 acre-feet of water per annum from Willow Marsh Bayou, tributary Hillebrandt Bayou, Intracoastal Canal, Neches Trinity Coastal Basin, in Jefferson County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4114.

Filed: January 26, 1981, 3:02 p.m.  
Doc No 810648

**Thursday, March 5, 1981, 10 a.m.** The Texas Water Commission will meet in Room 618 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summaries, the commission will conduct hearings on the following applications:

Permit application of Q. B. Stephens and Laura Stephens, Sumner, to irrigate 115 acres of land out of 718.1 acres and to divert 78 acre-feet of water per year from two reservoirs exempt from the requirements of a permit under Section 11.142, Texas Water Code, located on an unnamed tributary of Sooter Creek, tributary of Sanders Creek, tributary of Red River, Red River Basin, in Lamar County.

Permit Application 4097 of Felix Stephens to maintain existing reservoir on the channel of Collins Creek, tributary of Sooter Creek, tributary of Sanders Creek, tributary of Red River, Red River Basin, and maintain an off-channel reservoir. Applicant seeks to divert 220 acre-feet a year for irrigation purposes in Lamar County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed January 26, 1981, 3.02 p.m.  
Doc Nos 810649 and 810650

**Thursday, March 5, 1981, 10 a.m.** The Texas Water Commission filed an amended notice to the agenda of a meeting to be held in Room 618 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. The corrected notice of hearing concerns a Section 11.121 permit application of Felix Stephens (Application 4097) to maintain an existing reservoir on the channel of Collins Creek of Red River, Red River Basin, and to maintain an off-channel reservoir impounding 176 acre-feet of water. Permittee seeks to divert water for irrigation purposes in Lamar County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed January 27, 1981, 11.04 a.m.  
Doc No 810666

**Friday, March 6, 1981, 10 a.m.** The Texas Water Commission will meet in Room 618 of the Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will conduct a hearing on Application 2836A of Aluminum Company of America for an amendment to Permit 2953 to increase the amount of water authorized from Lavaca Bay from 36,499 a.f.t. to 66,400 a.f.t.; to increase the combined maximum diversion rate, and to delete one to four authorized points of diversion on Lavaca Bay. The water is to be used for industrial and manufacturing purposes in Calhoun County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed January 26, 1981, 3.03 p.m.  
Doc No 810651

**Wednesday, March 11, 1981, 10 a.m.** The Texas Water Commission will meet in Room 124A, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will conduct a hearing on Application 4099 of Robert L. McGuyer for a permit to directly divert 25 acre-feet per annum from Lampasas River, tributary of Little River, tributary of Brazos River, Brazos River Basin, for irrigation purposes in Bell County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed January 26, 1981, 3.03 p.m.  
Doc No 810652

**Thursday, March 19, 1981, 10 a.m.** The Texas Water Commission will meet in Room 618 of the Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will consider Application RE-0158 of Celanese Chemical Company Inc., regarding adjudicative hearing seeking approval of preliminary plans for the construction of certain improvements on the Colorado River in Matagorda County.

Information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed January 27, 1981, 11.05 a.m.  
Doc No 810667

## Regional Agencies

### Meetings Filed January 22, 1981

**The Brazos River Authority.** Administrative Policy Committee of the Board of Directors, met at the office of First Federal Savings and Loan Association of Bryan, 2900 Texas Avenue, Bryan, on January 29, 1981, at 10 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, (817) 776-1441.

Doc No 810567

### Meetings Filed January 23, 1981

**The Brazos Valley Region MH/MR Center.** Board of Trustees, rescheduled a meeting held in Suite 103, Building D, 707 Texas Avenue South, College Station, on January 29, 1981, at 3 p.m. Information may be obtained from Charles Thompson, P.O. Box 488, Bryan, Texas 77801, (713) 696-8080.

**The Houston-Galveston Area Council** held an emergency meeting at the Galleria Plaza Hotel, Houston, on January 23, 1981, at 7:45 p.m. Information may be obtained from Martha Pawley Grady, 3701 West Alabama, Houston, Texas 77027, (713) 627-3200, ext. 336.

**The Lubbock Regional MH/MR Center** met at 3801 and Avenue H, Lubbock, on January 27, 1981, at 4:30 p.m. Information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, (806) 763-4213.

**The Panhandle Regional Planning Commission.** Texas Panhandle Employment and Training Alliance, will meet in the Panhandle Regional Planning Commission Conference Room, first floor, Amarillo Building, Third and Polk Streets, Amarillo, on February 4, 1981, at 3 p.m. Information may be obtained from James Barrington, P.O. Box 9257, Amarillo, Texas 79105, (806) 372-3381.

Doc No 810592

### Meetings Filed January 26, 1981

**The Ark-Tex Council of Governments.** Executive Committee, will meet at the Holiday Inn, Highway 271 North, Mt. Pleasant, on February 5, 1981, at 5:30 p.m. and at the Titus County Convention Center, Mt. Pleasant, on February 5, 1981, at 7:30 p.m. Information may be obtained from Vivienne Arvin, P.O. Box 5307, Texarkana, Texas 75501, (214) 794-3481.

**The Colorado River Municipal Water District.** Board of Directors, will meet in the conference room of the Stratton Crest Inn, Austin, on February 3, 1981, at 4:15 p.m. Information may be obtained from O. H. Ivie, P.O. Box 869, Big Spring, Texas 79720, (915) 267-6341.

**The High Plains Underground Water Conservation District 1.** Board of Directors, met in the conference room, 2930 Avenue Q, Lubbock, on February 2, 1981, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79604, (806) 762-0181.

**The Panhandle Ground Water Conservation District 3.** Board of Directors, will meet at the Panhandle Ground Water Conservation District Office, 300 South Omolundro, White Deer, on February 3, 1981, at 7:30 p.m. Information may be obtained from Richard S. Bowers, Box 637, White Deer, Texas 79097, (806) 883-2501.

**The Permian Basin Regional Planning Commission.** Board of Directors, will meet at the Winkler County Community Center, 118 North Popular, Kermit, on February 4, 1981, at 1:30 p.m. Information may be obtained from Ernie Crawford, P.O. Box 6391, Midland, Texas 79701, (915) 633-1061.

**The South Texas Development Council.** Board of Directors, will meet at the County Library, 210 South Smith, Hebbronville, on February 6, 1981, at 4 p.m. Information may be obtained from Julie Saldana, P.O. Box 2187, Laredo, Texas 78041, (512) 722-3995.

**The Wheeler County Tax Appraisal Board** met at the Wheeler County Courthouse on February 2, 1981, at 2 p.m. Information may be obtained from Charles Buzzard, Box 349, Wheeler, Texas 79096, (806) 826-5900.

Doc No 810638

### Meetings Filed January 27, 1981

**The Angelina and Neches River Authority.** Board of Directors, will meet at the Holiday Inn, Highway 59 North, Nacogdoches, on February 3, 1981, at 11 a.m. Information may be obtained from William A. Elmore, P.O. Box 387, Lufkin, Texas 75901, (713) 632-7795.

**The Bastrop County Appraisal Board** met in the commissioner's courtroom, Bastrop County Courthouse, Bastrop, on January 30, 1981, at 1 p.m. Information may be obtained from James M. Arcler, 801 Pine Street, Bastrop, Texas 78602, (512) 321-4316.

**The Bexar-Medina-Atascosa Counties Water Control and Improvement District 1.** Board of Directors, met at the district office in Natalia, on February 2, 1981, at 10 a.m. Information may be obtained from Clifford Mueller, P.O. Box 180, Natalia, Texas 78059, (512) 663-2131.

**The Brazos Valley Development Council.** Executive Committee, will meet at the Brazos Center, 3232 Briarcrest Drive, Bryan, on February 5, 1981, at 1:30 p.m. Information may be obtained from Glenn J. Cook, P.O. Drawer 4128, Bryan, Texas 77801, (713) 822-7421.

Doc No 810663

### Meetings Filed January 28, 1981

**The Austin-Travis County MH/MR Center.** Board of Trustees Personnel Committee, will meet in the board room, 1430 Collier Street, Austin, on February 3, 1981, at 12:30 p.m. Further information may be obtained from Cynthia C. Garcia, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141 extension 20.

**The Hays County Central Appraisal Board** met in the board room 501 South LBJ, San Marcos, on February 2, 1981, at 2 p.m. Further information may be obtained from H. William Beare, Jr., P.O. Box 1287, San Marcos, Texas 78666, (512) 396-4777.

Doc No 810692

### Meetings Filed January 29, 1981

**The Brazos Valley MH/MR Center.** Executive Committee of the Board of Trustees, met in emergency session on January 29, 1981, at 3 p.m. Further information may be obtained from Charles Thompson, 707 Texas Avenue South, College Station, Texas 77840, (713) 696-8585.

**The Gregg County Appraisal District** will meet in Suite 50, 415 North Center, Longview, on February 3, 1981, at 7 p.m. Further information may be obtained from William T. Carroll, 415 North Center, Suite 50, Longview, Texas 75604, (214) 757-8214.

**The North Texas Municipal Water District.** Board of Directors, will meet at the administrative offices in Wylie on February 7, 1981, at 9 a.m. Further information may be obtained from Carl W. Rielin, Wylie, Texas 75098, (214) 442-2217.

Doc No 810705

## Texas Air Control Board

### Applications for Construction Permits

Notice is given by the Texas Air Control Board of applications for construction permits received during the period of January 12-23, 1981.

Information relative to these applications, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the Central Office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

A copy of all material submitted by the applicant is available for public inspection at the Central Office of the Texas Air Control Board at the address stated above and at the regional office for the air quality control region within which the proposed facility will be located.

Listed are the name of the applicant and the city in which the facility is located; type of facility; location of the facility (if available); permit number; and type of application—new source or modification.

#### Week Ending January 16, 1981

Clevron Resources Co., Benavides; in-situ uranium mining facility; Palangana project; 4780A; new source

Cities Service Co., Wadsworth, low pressure, high density polyethylene; FM Road 2668, 8683; new source

Denevang Farmers Cooperative Society, Inc., Denevang, grain elevation, drying storage facility, address not available, 8684, new source

Varmicon Industries, Inc., Harlingen; concrete pipe plant, address not available, 8686, new source

#### Week Ending January 23, 1981

Barge Service of Texas, Inc., Houston; cleaning operations, 3300 Penn City Road, 8680; new source

Rehm and Haas Bayport, Inc., La Porte, utility boiler; 13300 Bay Area Road, 8687; new source

Keown Supply Co., Willis, asphaltic concrete plant; Willis Plant; 8688; new source

Mitchell Energy Production Corp., Bridgeport; Bridgeport carbon dioxide recovery plant, State Highway 114; 8689; new source

Alamo Mica Co., Inc., Van Horn, quarry-crushing and an separation of mica; Mica mine, 8690, new source

Bestplate, Inc., Hufelins, chrome plating facility, 1090 South IH 40, 8691, new source

Dresser Industries, Magebar Minerals Division, Galveston; Raymond roller mill barite mix grinding; 4100 Port Industrial Boulevard, 8692, new source

Harbison-Fischer, Inc., Crowley, oil field pump manufacturing facility, 100 Industrial Boulevard; 8693, new source

Coast Materials, Inc., Aransas Pass; salt flux mixing facility; salt flux plant, FM 2720; 8694; new source

Issued in Austin, Texas, on January 26, 1981.

Doc No 810682      Ramon Dasch  
Director of Hearings  
Texas Air Control Board

Filed: January 28, 1981, 9:32 a.m.

For further information, please call (512) 451-5711, ext 354

### Availability of Air Quality Simulation Models

A revised version of the Texas climatological model, used to calculate ground level, long-term concentrations of atmospheric pollutants, is now available. This revised version (TCM-2) incorporates several improvements to the previously published versions of the model (TMD). The package consists of a magnetic tape recording of the computer source file in Fortran IV language, and test programs in EBCDIC or ASCII format (800 or 1600 BPI), source listing and users guide. Reproduction and handling cost of the package is \$80.

Requests for order forms for the TCM-2 model should be sent to the attention of Jean Deeter, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, or telephone (512) 451-5711. Questions about the model should be addressed to Cyril Durrenberger or Keith Zimmermann at the same location.

Issued in Austin, Texas, on January 22, 1981.

Doc No 810633      Bill Stewart, P.E.  
Executive Director  
Texas Air Control Board

Filed: January 26, 1981, 9:56 a.m.

For further information, please call (512) 451-5711, ext 354.

## Banking Department of Texas

### Applications To Purchase Control of State Banks

Article 342-401a, Vernon's Texas Civil Statutes, requires any person who intends to buy control of a state bank to file an application with the banking commissioner for the commissioner's approval to purchase control of a particular bank. A hearing may be held if the application is denied by the commissioner.

On January 23, 1981, the banking commissioner received an application to acquire control of Candler State Bank in Candler by Jerry Kidd of Candler. Additional information may be obtained from Robert E. Stewart, 2601 North Lamar, Austin, Texas 78705, (512) 475-4401.

Issued in Austin, Texas, on January 23, 1981.

Doc No 810631      Robert E. Stewart  
Banking Commissioner

Filed: January 26, 1981, 9:55 a.m.

For further information, please call (512) 475-4451.



On January 27, 1981, the banking commissioner received an application to acquire control of Lott State Bank in Lott, by Raymond G. Schindler, Paris R. Schindler, and Timothy R. Brown of Houston, and Robert Nelson of Bremond. Additional information may be obtained from Robert E. Stewart, 2601 North Lamar, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on January 27, 1981.

Doc No 810681 Robert E Stewart  
Banking Commissioner

Filed: January 28, 1981, 9:32 a.m.

For further information, please call (512) 475-4451.

## Texas Education Agency Consultant Proposal Request

**Description.** The Texas Education agency is requesting proposals to assist the agency's Investment Office, which is charged with day-to-day management of the State Permanent School Fund, in defining accounting system requirements for the fund and selection of computer software to meet these requirements, in defining computer hardware processing requirements and in selecting appropriate hardware, and to assist in accounting system, software and hardware installation and testing, and the training of Investment Office accounting staff in use of the system. Proposals will be accepted until close of business on February 10, 1981.

**Continuation of Service Previously Performed.** This is a continuation of a service previously performed by Touche Ross and Company, Austin, Texas. The agency intends to award a contract to Touche Ross and Company unless a better offer is submitted.

**Procedure for Selecting Consultant.** That consulting firm demonstrating the broadest and deepest knowledge of the State Permanent School Fund, its needs and practices, together with demonstrated accounting and computer systems competence, will be selected for cost and contract negotiations.

**Contract.** Further information may be obtained by writing or calling Jim Hooks, associate commissioner for investments, Texas Education Agency, 201 East 11th Street, Austin, Texas 78701, (512) 475-4791.

Issued in Austin, Texas, on January 26, 1981.

Doc. No 810639 A O Bowen  
Commissioner of Education

Filed: January 26, 1981, 10 44 a.m.

For further information, please call (512) 475-7077

## Texas Energy and Natural Resources Advisory Council

### Consultant Proposal Request

**Description of Project Objectives.** The Texas Energy and Natural Resources Advisory Council makes a continuing effort to identify priorities for state energy research, develop-

ment, and demonstration (RD&D) activity and support and to build a state program which will provide appropriate levels of state stimulation and coordination in conservation and alternative energy resource utilization. To facilitate this effort, TENRAC is now soliciting proposals for studies to define the potentials for developing technologies using alternate energy resources or improving the efficiency of energy use. It is anticipated that these studies will lead to prioritization of TENRAC funding support for energy RD&D programs in geothermal, wind, biomass, and conservation technologies and will provide background for long range planning efforts. This solicitation is issued in accordance with the Texas Energy Development Act of 1977, Article 4413(17b), Vernon's Annotated Civil Statutes and pursuant to rules adopted for administration of the Energy Development Act, 4 TexReg 1604, and under the provisions of Article 62(2)11c, Vernon's Annotated Civil Statutes.

**Specific Project Requirements.** Candidate energy program areas to be studied must be in the scope of RD&D related to geothermal, wind, biomass, and conservation technologies. They must:

- (1) be specifically applicable to the energy needs of Texas;
- (2) advance technology closer to commercialization;
- (3) show promise of significant energy contributions within the next 20 years;
- (4) show promise of economic feasibility within the next 10 years;
- (5) show promise of acceptance and support by both private and public sectors;
- (6) have environmental merit; and
- (7) contain specific project possibilities which will not be redundant.

For each specific program area the contractor will perform a state of the art review, which will characterize the present stage in the path toward commercialization and characterize a stage to be defined as the threshold of commercialization. Present and future economies will be projected. Potential energy contributions will be projected. Specific RD&D projects will be defined, costs will be projected, and periods of performance will be suggested.

The contractor will develop a set of criteria appropriate for the prioritization of the defined specific research projects. The projects will be placed in a priority list and discussions will be presented to justify this prioritization.

**SPI 80 C 8 (Conservation)** The proposals should consider but not be limited to the following program areas:

- (1) direct evaporative cooling in moderately humid climates;
- (2) indirect evaporative comfort cooling;
- (3) desiccant dehumidification for comfort control;
- (4) innovative modifications to heating, ventilation, air conditioning (HVAC) cooling systems;
- (5) water source heat pumps for comfort conditioning; and
- (6) heat pumps for water heating.

A specific, complete list will be negotiated into the contract.

**SPI 80 G 4 (Geothermal).** The proposals should consider but not be limited to the following program areas:

(1) hydrothermal resource utilization for water and/or space heating (new or retrofit) in geographic areas which may differ distinctively from each other in their resource characteristics, environment or in infrastructural aspects and hence would represent different project economies.

(2) hydrothermal resource utilization for process heating and other uses by the small industry sector.

(3) feasibility of grass roots geothermal hydrothermal resource utilization at geographic locations which are presently away from existing demand areas.

(4) utilization of geopressured hot water resources along the Gulf Coast to provide industrial process heat or electric power generation.

(5) recovery of entrained methane from geopressured geothermal resources.

**SPI 80 B 7 (Biomass).** The proposals should consider but not be limited to the following program areas:

(1) biomass liquid fuels production research and development.

(2) biomass liquid fuels utilization research and development.

(3) biomass direct combustion demonstration.

(4) biomass methane production and utilization demonstration.

(5) municipal solid waste energy conversion development and demonstration.

(6) biomass energy integrated systems development and demonstration.

(7) biomass production research and development.

(8) state biomass energy resources assessment.

(9) state environmental assessment of biomass energy development.

(10) state policy issues analysis regarding biomass energy development, and

(11) biomass energy systems standards, testing, and certification program.

**SPI 80 W 3 (Wind).** The proposals should consider but not be limited to the following program areas:

(1) wind energy system standards testing and certification program.

(2) advanced wind energy systems development and demonstration, and

(3) innovative wind energy system integration.

**Funding.** TENRAC expects to fund one study for each SPI.

**Eligibility.** The following criteria are established for acceptability of proposers:

(1) Texas based proposers will be given priority consideration and only in unusual circumstances will this priority be disregarded.

(2) Projects to be conducted in Texas will be given priority consideration and only in unusual circumstances will this priority be disregarded.

(3) Individual members of the council, TENRAC staff, or their immediate families are not eligible.

(4) Individuals who are part of the TENRAC review team are eligible and their review function will be appropriately limited.

**Proposal Content.** Voluminous proposals are not desired. It is suggested that the body of each proposal be limited to 20 pages, plus appendices. In order to demonstrate understanding of the problem, proposer shall present a preliminary specific complete list of program areas for the study on which the proposed cost will be based. Changes in the list, with associated changes in cost, will be negotiated into the contract. The proposal shall contain discussion of why each program area is on the proposed list. In addition, the proposal shall contain:

(1) schedule plan for accomplishing the work and suggested project monitoring procedures (monthly progress reports, briefings, etc.).

(2) key personnel and their responsibilities in the project (append resumes).

(3) budget of funds requested from TENRAC including but not limited to salaries, indirect charges, travel, consultants, subcontracts, and reproduction.

(4) matching funds including cash value of noncash matching, indicate amounts, sources, and how the matching funds will be used to support the project.

(5) appendices—resumes and other appropriate information.

**State Universities and State Agencies.** TENRAC cannot contract to pay indirect costs for state universities and state agencies. However, the full federally audited equivalent indirect costs should be listed as matching funds. This restriction does not apply to other proposers.

**Review Criteria and Procedures.** Evaluation of submitted proposals will be in accordance with rules adopted for administration of the Energy Development Act cited above.

**Deadline and Address for Proposal Submission.** In order to be considered, 10 copies of a proposal must be received at TENRAC Technology Development Division, Room 600, ERS Building, 200 East 181 Street, Austin, Texas 78701, no later than 5 p.m. on February 27, 1981.

**Target Date for Contract Awards.** It is anticipated that contract awards will be made about April 1, 1981.

**Schedule for Completion.** Work to be compensated by current state funds (including development of final report) must be completed by August 31, 1981, or earlier as individual contracts may provide.

**Designation of Contact Persons for Additional Information.** Address questions and requests for additional information to Charles Mauk for conservation SPI, C. D. Rao for geothermal SPI, and Robert Avant for wind and biomass SPIs, Texas Energy and Natural Resources Advisory Council, Technology Development Division, Room 600, ERS Building, 200 East 181 Street, Austin, Texas 78701, (512) 475-0588 or STS 822-0588.

Issued in Austin, Texas, on January 27, 1981.

Doc No 810678 Roy R Ray, Jr., Director  
Technology Development Division  
Texas Energy and Natural Resources  
Advisory Council

Filed January 28, 1981 8:57 a.m.  
For further information, please call (512) 475-0414.

## Texas Health Facilities Commission

### Applications for Declaratory Ruling, Exemption Certificate, and Transfer and Amendment of Certificate

Notice is hereby given by the Texas Health Facilities Commission of application (including a general project description) for declaratory ruling, exemption certificate, transfer of certificate, and amendment of certificate accepted January 26, 1981.

Should any person wish to become a formal party to any of the above-stated applications, that person must file a request to become a party to the application with the chairman of the commission within 20 days after the application is accepted. The first day for calculating this 20-day period is the first calendar day following the date of acceptance of the application. The 20th day will expire at 5 p.m. on the 20th consecutive day after the date said application is accepted. If the 20th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. A request to become a party should be mailed to the chairman of the commission, P.O. Box 1-023, Austin, Texas 78761, and must be received at the commission no later than 5 p.m. of the last day allowed for filing of a request to become a party.

The contents and form of a request to become a party to an application for a declaratory ruling, exemption certificate, transfer of certificate, or amendment of certificate must meet the minimum criteria set out in Rule 315.20.01.010. Failure of a party to supply the minimum necessary information in the correct form will result in a defective request to become a party and such application will be considered uncontested.

The fact that an application is uncontested will not mean that it will be approved. The application will be approved only if the commission determines that it qualifies under the criteria of Sections 3.02 or 3.03 of Article 4418d, Texas Revised Civil Statutes, and Rules 315.17.05.010-.030, Rules 315.18.04.010-.030, and Rules 315.18.05.010-.030.

In the following list, the applicant and date of acceptance are listed first, the file number second, the relief sought third, and description of the project fourth. EC indicates exemption certificate, DR indicates declaratory ruling, TR indicates transfer of ownership of certificate, AMD indicates amendment of certificate, and CN indicates certificate of need.

- Southwestern Community House, El Paso (1/26/81)  
AO81-0121-001  
EC-- Request to extend the services of the previously approved acute-care psychiatric services from ages 12 to 18 to ages six to 18
- Saint Joseph Hospital, Fort Worth (1/26/81)  
AH81-0115-015  
EC- Request to acquire an ATL Mark III real-time imaging ultrasound system
- Home Health-Home Care, Inc., Spring (1/26/81)  
AS81-0122-012  
EC--Request to relocate the existing Title 18,

Medicare staff of the applicant Home Health agency from the existing office at 17907 Kuykendall Road, Suite 303, in Spring, to a new office at 17624 Kuykendall Road. The new office contains 1,801 square feet and the old office, which will remain in use, contains 980 square feet

Lubbock State School, Lubbock (1/26/81)  
AA81-0120-066

EC- Request to construct a dressing room adjacent to existing swimming pool

Heart of Texas Region MH/MR Center, Waco (1/26/81)  
AO81-0121-021

EC- Request to relocate the existing children's services unit of the applicant MH/MR center from present facilities at 1101 South 2nd Street in Waco, to more appropriate facilities at 114 South 12th Street in Waco

Issued in Austin, Texas, on January 28, 1981.

Doc No 810680 Linda E. Zatopek  
Assistant General Counsel  
Texas Health Facilities Commission

Filed, January 28, 1981, 9:43 a.m.  
For further information, please call (512) 475-6940

## State Board of Insurance

### Correction of Error

Two hearings submitted by the State Board of Insurance and published in the January 27, 1981, issue of the *Texas Register* (6 TexReg 424) contained errors as published. The two hearings are scheduled for Friday, January 30, 1981, 1:30 p.m., and Monday, February 2, 1981, 3 p.m., and will be conducted by the Commissioner's Hearing Section of the State Board of Insurance.

## Legislative Information System of Texas

### Toll-Free Telephone Number

The Texas Senate and House of Representatives are providing information on the activities of the 67th Legislature through a toll-free statewide WATS line to the Legislative Information System of Texas (LIST).

Information available includes bill status, schedules and agendas of committee meetings and hearings, and lists of bills by author, committee, and subject.

The LIST statewide toll-free telephone number is **1-800-252-9693** for calls from outside the Austin area. For calls originating in Austin, the telephone number is (512) 475-3026.

## Railroad Commission of Texas

### Gas Utilities Division

#### Notices of Comment Period Extension

On December 22, 1980, the Railroad Commission of Texas approved for publication proposed §7.14 of Title 16 (relating to Procedure To Establish or Change Industrial and Other Large Volume Rates). (Texas Railroad Commission, Gas Utilities Division Special Rules of Practice and Procedure). Following submission to the Texas Register Division, this proposed section was duly published on January 2, 1981 (6 TexReg 607). The preamble of this proposed section states that comments must be submitted within 30 days from the date of publication. On January 1, 1981, Dow Pipeline Company filed a motion for extension of the comment period. In this motion, Dow requested that the comment period be extended for an additional 30 days. Dow's motion is hereby granted, and the comment period for this proposed section is hereby extended to March 2, 1981.

Doc No 810604

On December 22, 1980, the Railroad Commission of Texas approved for publication proposed §7.13 (051.04.02.036) of Title 16 (relating to Procedure To Establish or Change Rates) (Texas Railroad Commission, Gas Utilities Division Special Rules of Practice and Procedure). Following submission to the Texas Register Division, this proposed section was duly published on January 2, 1981 (6 TexReg 607). The preamble of this proposed section states that comments must be submitted within 30 days from the date of publication. On January 1, 1981, Dow Pipeline Company filed a motion for extension of the comment period. In this motion, Dow requested that the comment period be extended for an additional 30 days. Dow's motion is hereby granted, and the comment period for this proposed section is hereby extended to March 2, 1981.

Issued in Austin, Texas, on January 16, 1981.

Doc No. 810605      Jeffrey R. Hill, Director  
Gas Utilities Division  
Railroad Commission of Texas

Filed: January 23, 1981, 11:55 a.m.  
For further information, please call (512) 445-1137

## Office of the Secretary of State

### Texas Register

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Please refer any questions regarding subscriptions to Dee Wright at (512) 475-7886.

## Texas Water Commission

### Applications for Waste Discharge Permits

Notice is given by the Texas Water Commission of public notices of waste discharge permit applications issued during the period of January 19-23, 1981.

No public hearing will be held on these applications unless an affected person who has received notice of the applications has requested a public hearing. Any such request for a public hearing shall be in writing and contain (1) the name, mailing address, and phone number of the person making the request; (2) a brief factual statement of the nature of the interest of the requester and an explanation of how that interest would be affected by the proposed action; and (3) the names and addresses of all persons whom the requester represents. If the commission determines that the request sets out legal or factual questions within the jurisdiction of the commission and relevant to the waste discharge permit decision, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 45 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by writing Larry R. Soward, assistant chief hearings examiner, Texas Water Commission, P.O. Box 13087, Capitol Station, Austin, Texas 78711, telephone (512) 475-1311.

Listed are the name of the applicant and the city in which the facility is located; type of facility; location of the facility; permit number; and type of application—new permit, amendment, or renewal.

**Week Ending January 23, 1981**

City of Como; domestic sewage facility; west of Carroll Creek near the south west boundary of Como in Hopkins County; 11313-01; renewal

City of Commerce; domestic sewage facility; south of Commerce on Harlow Road in Hunt County; 10555-01; renewal

Weingarten Realty, Inc. (Porter Shopping Center), Houston; domestic sewage facility, southeast of intersection of U.S. Highway 59 and FM Road 1314 in the Town of Porter in Montgomery County; 11535-01; renewal

Charles P. Monroe, doing business as M&A Investments, Onalaska; domestic sewage facility; west of the intersection with FM Road 356 in Polk County; 11100-01; renewal

Chen-Chih Chen, doing business as Motel 11-Motor Inn, Portland; domestic treatment facility; south-west corner of the property located in Portland, San Patricio County; 11096-01; renewal

Emerald Forest Utility District, Houston; domestic treatment facility; north of the city limits of Houston in Harris County; 11201-01; renewal

City of Houston (Easthaven Plant); domestic sewage facility; 8545 Scranton Street in Houston, Harris County; 10495-65; renewal

Protestant Episcopal Church Council of Diocese of Texas, Navasota; domestic sewage facility; FM Road 362 in Grimes County; 11462-02; renewal

Issued in Austin, Texas, on January 23, 1981.

Doc. No. 810622     Mary Ann Hefner  
                              Chief Clerk  
                              Texas Water Commission

Filed: January 23, 1981, 2:57 p.m.  
For further information, please call (512) 475-1311.

**Order of Adjudication of Water Rights Claims**

*An order combining the Upper Segment of the West Fork of the Trinity River Watershed with the Middle and Lower Segments of the West Fork of the Trinity River Watershed for the purpose of the adjudication of water rights claims*

Whereas, on January 20, 1981, the Texas Water Commission considered the matter of combining the Upper Segment of the West Fork of the Trinity River Watershed with the Middle and Lower Segments of the West Fork of the Trinity River Watershed for the purpose of the adjudication of water rights claims; and

Whereas, the adjudication of water rights claims in the Upper Segment of the West Fork of the Trinity River commenced on July 11, 1979, and a preliminary determination was issued by the commission on July 30, 1980; and

Whereas, the adjudication of water rights claims in the Middle and Lower Segments of the West Fork of the Trinity River Watershed commenced on September 24, 1979, and a preliminary determination was issued by the commission on October 9, 1980; and

Whereas, pursuant to Section 11.305, Texas Water Code, the commission can designate the stream or segment to be adjudicated; and

Whereas the combining of the Upper Segment of the West Fork of the Trinity River Watershed with the Middle and Lower Segments of the West Fork of the Trinity River Watershed is not adverse to any party and is in the public interest; and

Whereas, the combining of the Upper Segment of the West Fork of the Trinity River Watershed with the Middle and Lower Segments of the West Fork of the Trinity River Watershed will save time and publication and mailing costs since only final determination will be issued;

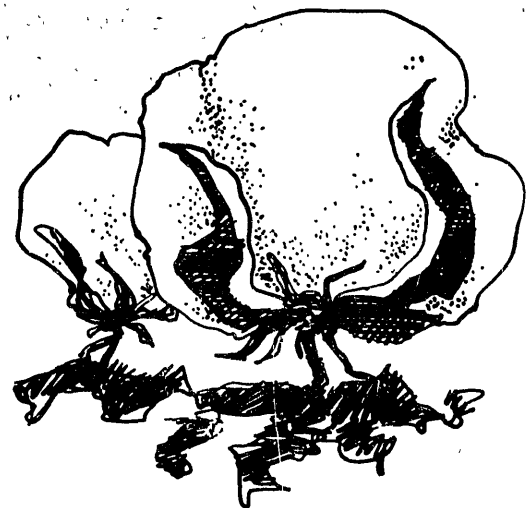
Now, therefore, be it ordered by the Texas Water Commission that the adjudication of water rights claims in the Upper Segment of the West Fork of the Trinity River be combined for all purposes with the adjudication of water rights claims in the Middle and Lower Segments of the West Fork of the Trinity River. The combined adjudication segments are to be hereafter designated as the West Fork of the Trinity River Watershed of the Trinity River Basin.

The chief clerk of the commission is directed to forward a copy of this order to all parties on the official Department of Water Resources adjudication mailing lists for the Upper Segment of the West Fork of the Trinity River Watershed and the Middle and Lower Segments of the West Fork of the Trinity River Watershed.

Issued in Austin, Texas, on January 20, 1981.

Doc. No. 810668	Felix McDonald Chairman
	Dorsey B. Hardeman Commissioner Texas Water Commission

Filed: January 27, 1981, 11:04 a.m.  
For further information, please call (512) 475-4514.



## TAC Titles Affected in This Issue

The following is a list of the chapters of each title of the *Texas Administrative Code* affected by documents published in this issue of the *Register*. The listings are arranged in the same order as the table of contents of the *Texas Administrative Code*.

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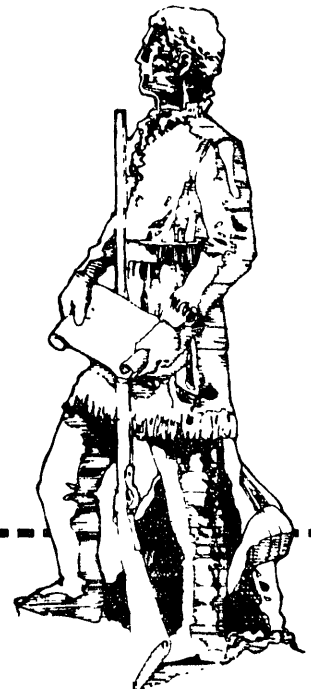
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