

Texas Register

Volume 17, Number 3, January 10, 1992

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Texas Register

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Information Available: The nine sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations

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

Secretary of State - opinions based on the election laws

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

Proposed Sections - sections proposed for adoption

Withdrawn Sections - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date

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

Open Meetings - notices of open meetings

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

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

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg" and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 17 (1992) is cited as follows: 17 TexReg 2402.

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

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

Texas Administrative Code

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

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

1 indicates the title under which the agency appears in the *Texas Administrative Code*; TAC stands for the *Texas Administrative Code*; §27.15 is the section number of rule (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).

Texas Register Art Project

This program is sponsored by the *Texas Register* to promote the artistic abilities of Texas students, grades K -12, and to help students gain an insight into Texas government. The artwork is used to fill otherwise blank pages in the *Texas Register*. The blank pages are a result of the production process used to create the *Texas Register*. The artwork does not add additional pages and does not increase the cost of the *Texas Register*.

Texas Register Publications



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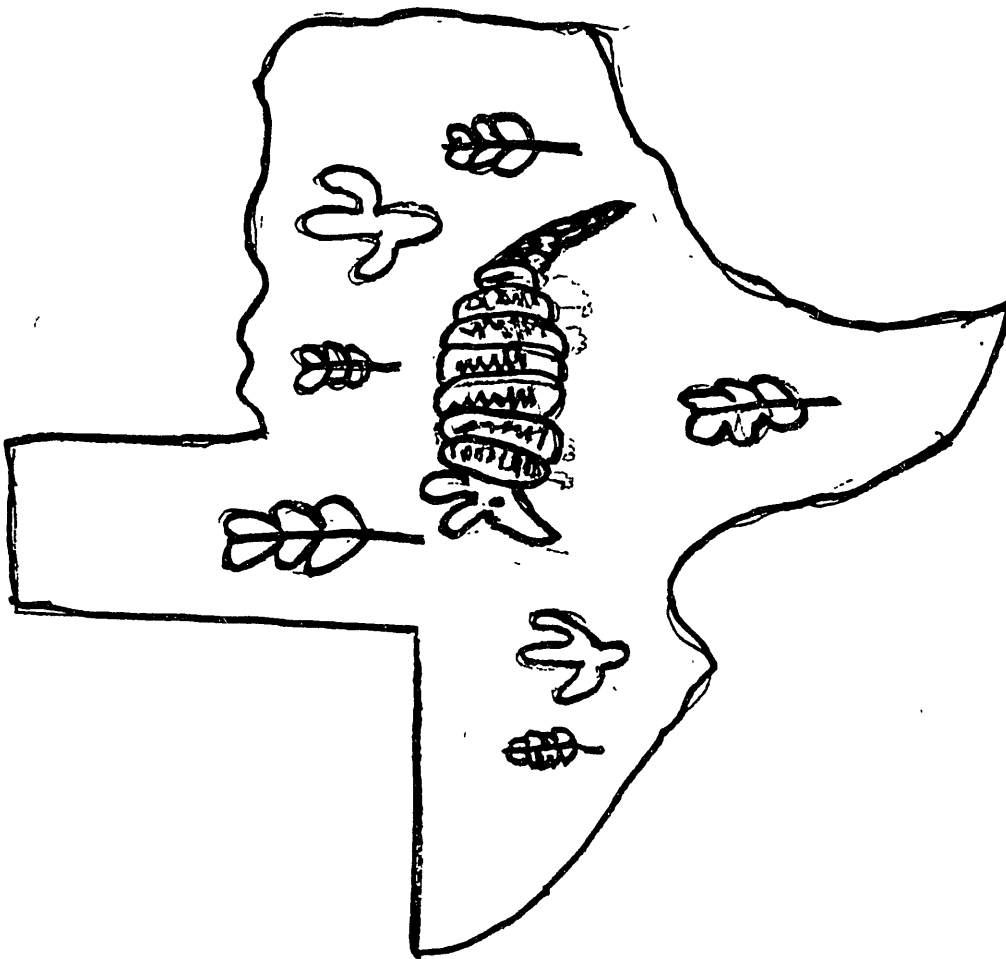
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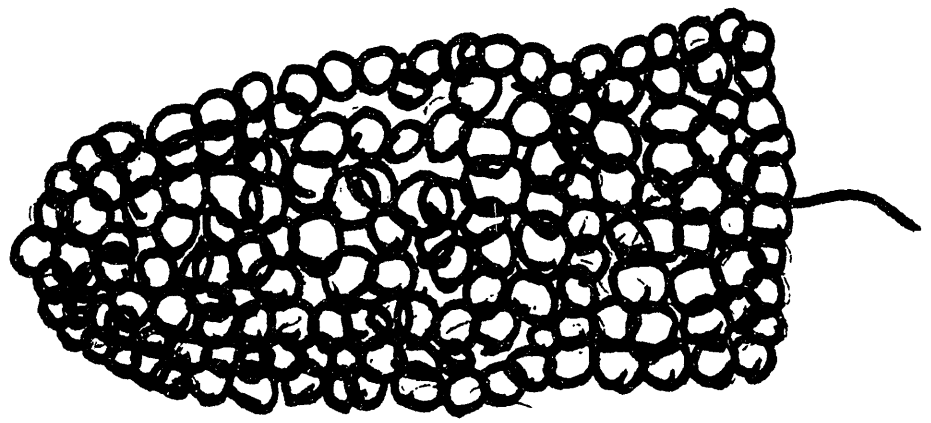
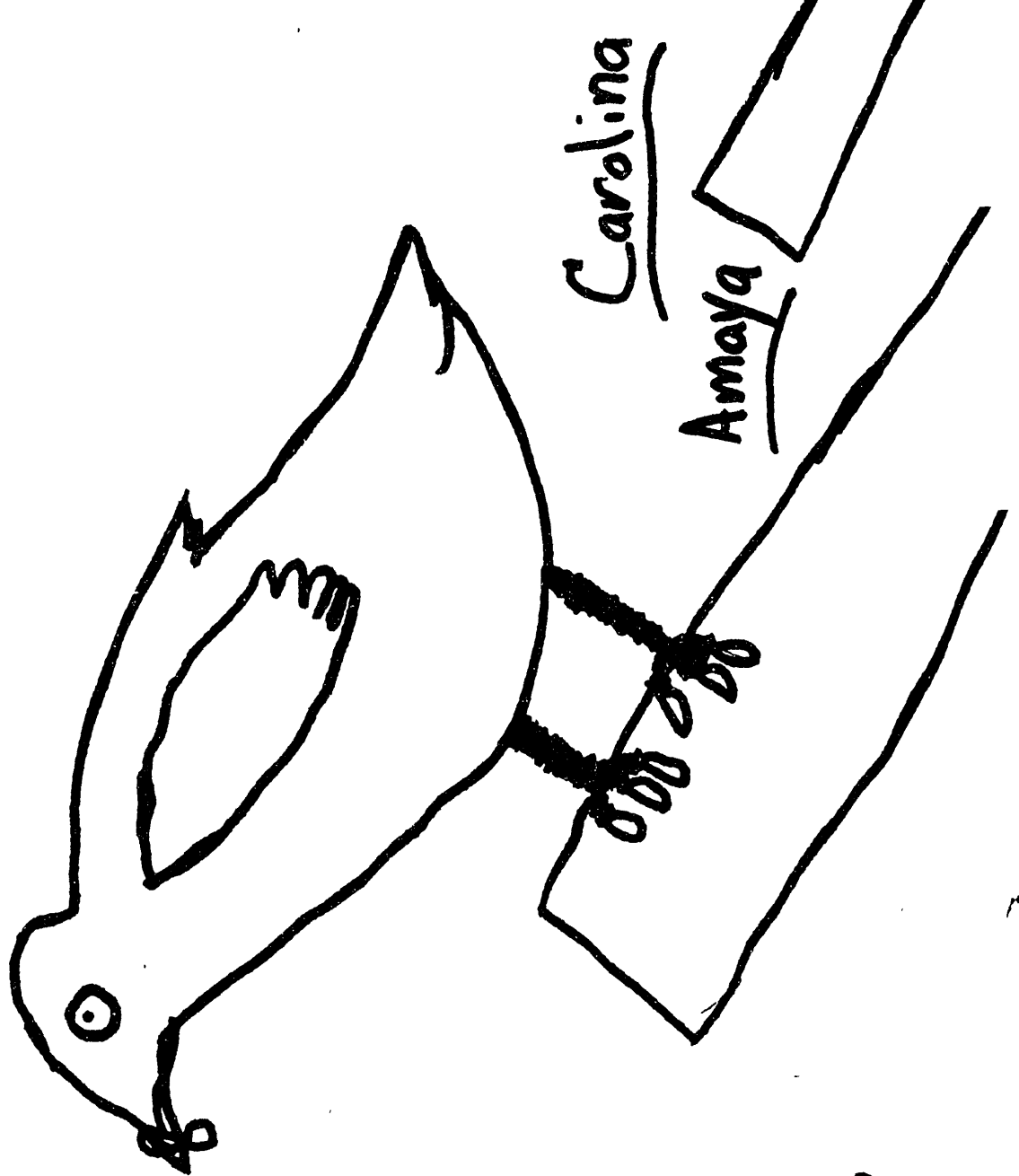
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Name: Chris Pineda

Grade: 3

School: Montgomery Elementary, Carrollton-Farmers Branch ISD

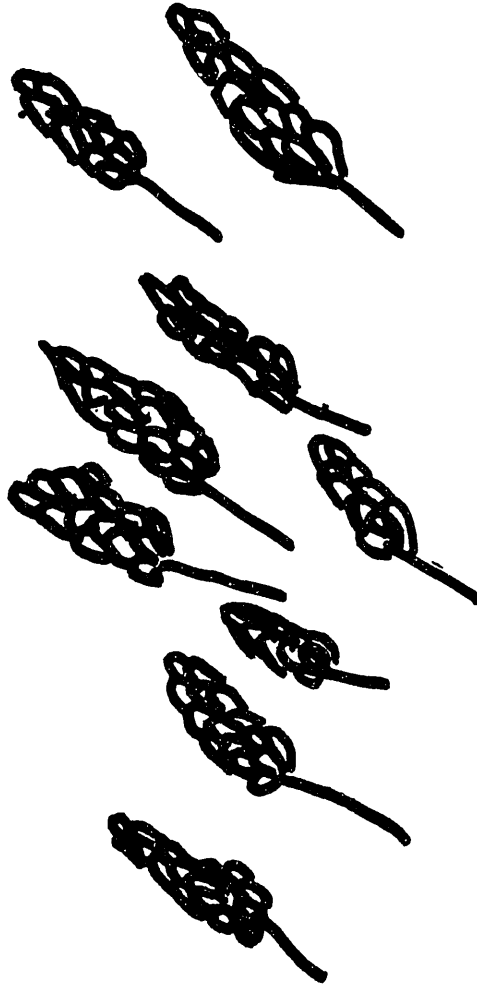
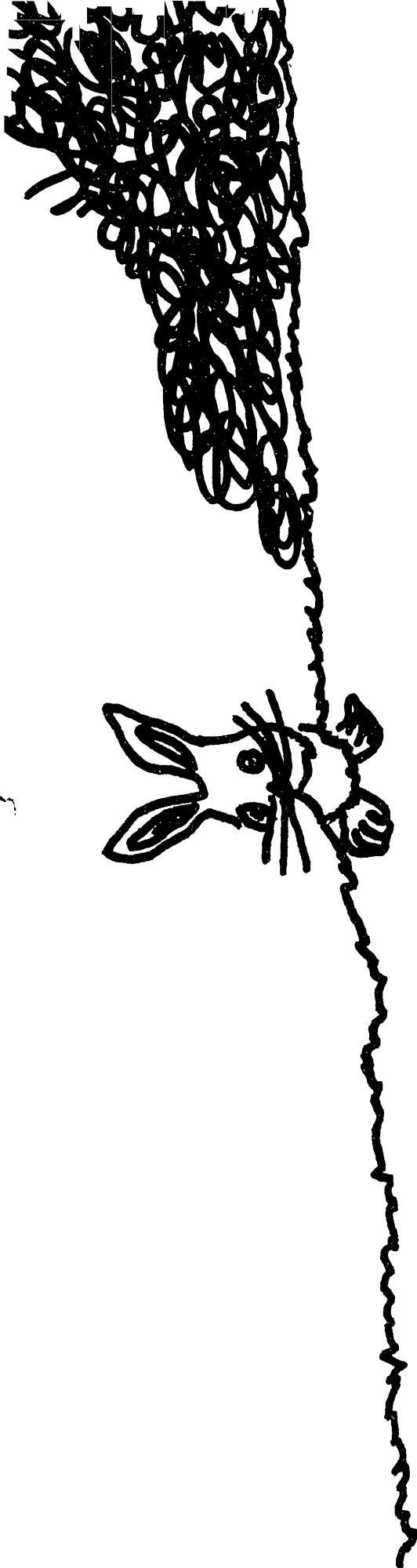


Name: Carolina Amaya

Grade: 3

School: Montgomery Elementary, Carrollton-Farmers Branch ISD

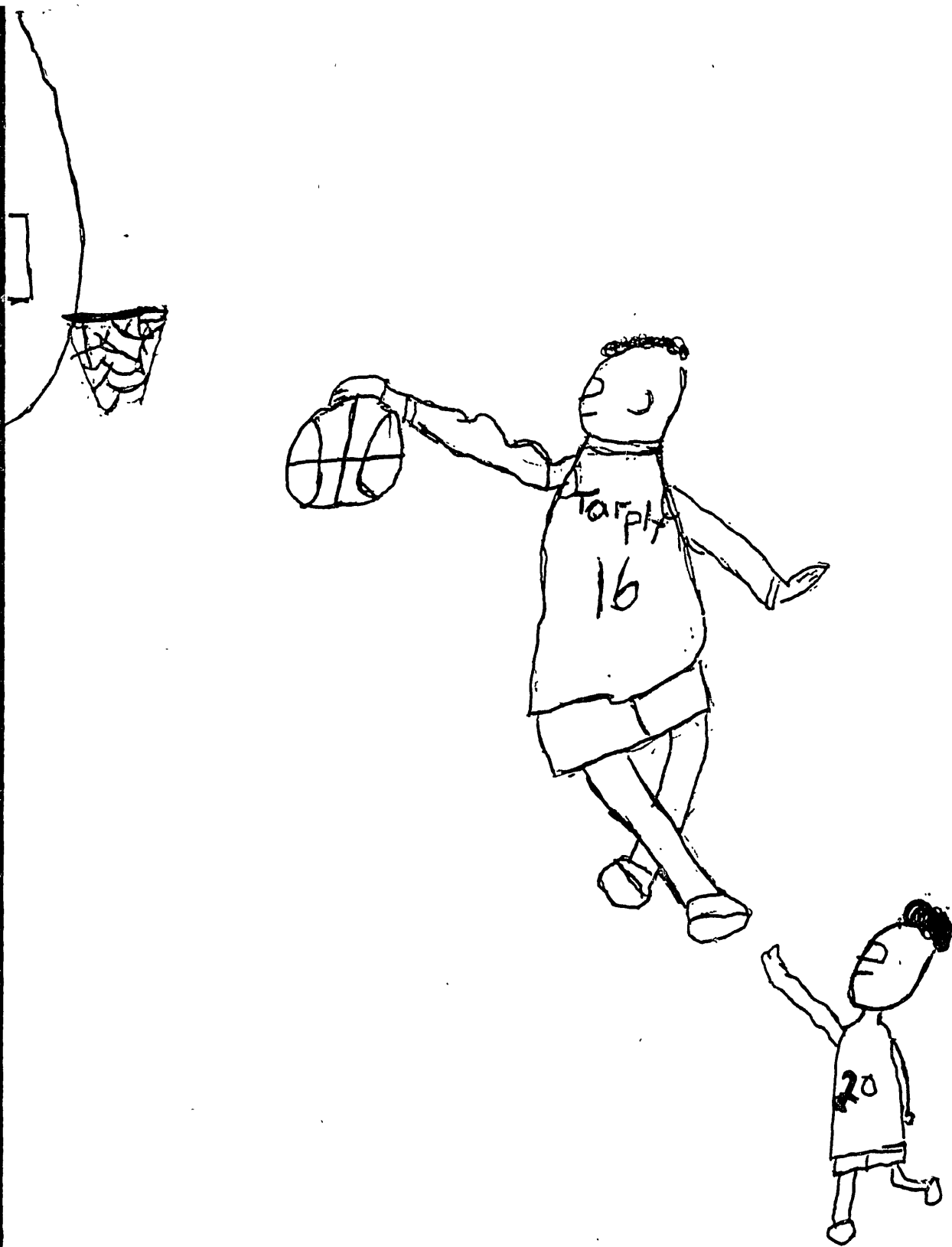
Karla
Gibbs



Name: Karla Gibbs

Grade: 3

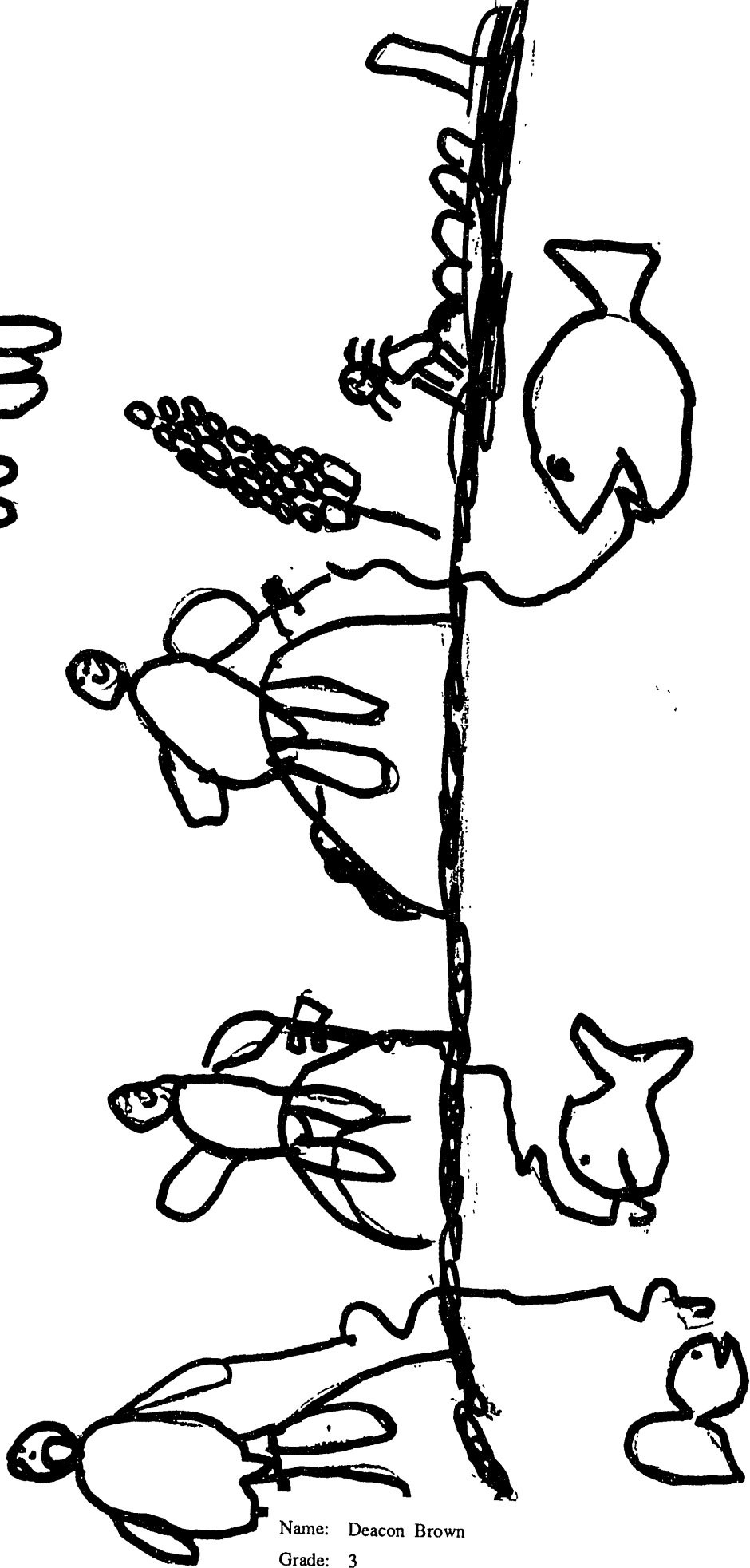
School: Montgomery Elementary, Carrollton-Farmers Branch ISD



Name: Andre Nedd

Grade: 3

School: Montgomery Elementary, Carrollton-Farmers Branch

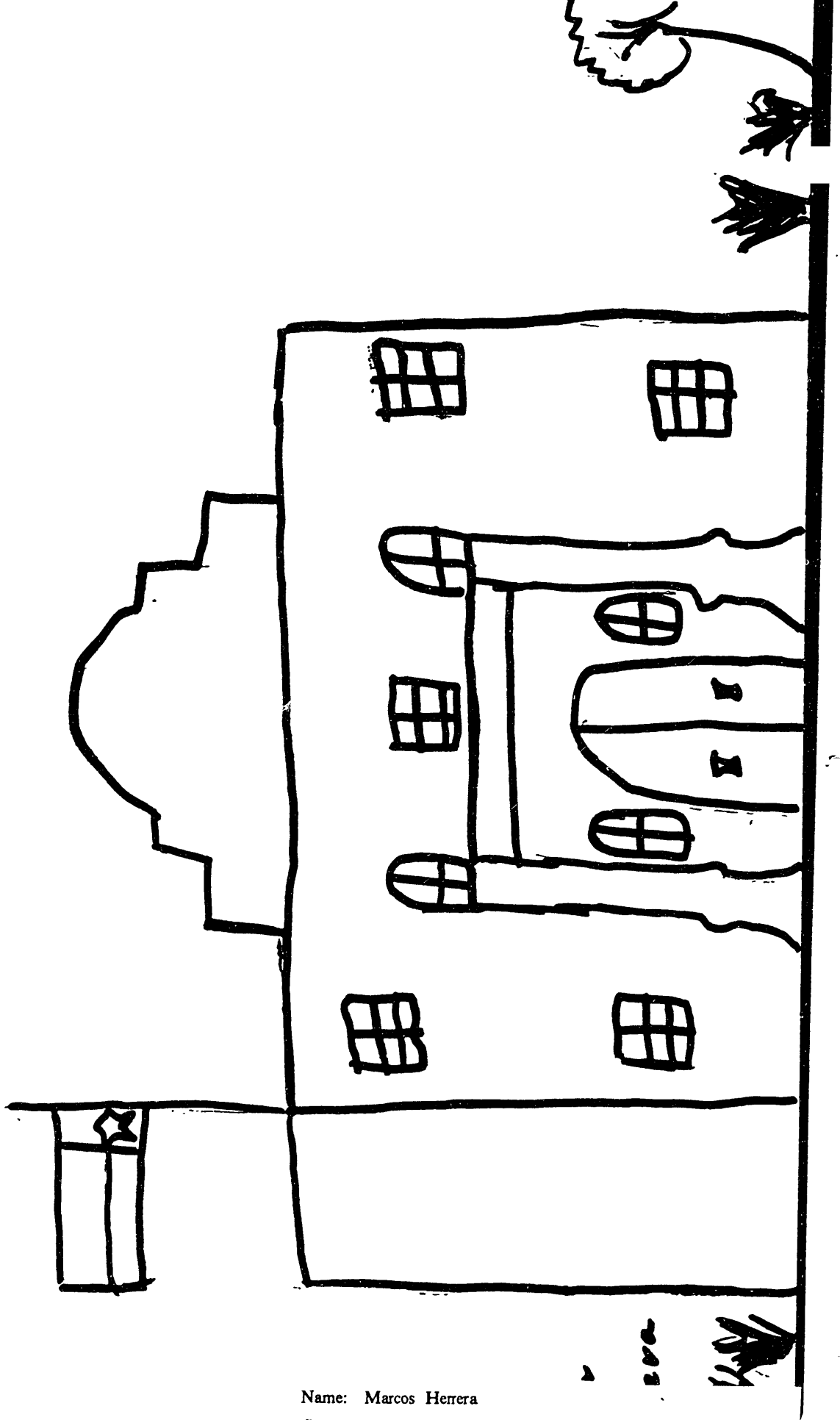


Deacon Brown

Name: Deacon Brown

Grade: 3

School: Montgomery Elementary, Carrollton-Farmers Branch ISD



Name: Marcos Herrera

Grade: 3

School: Montgomery Elementary, Carrollton-Farmers Branch ISD

Proposed Sections

Before an agency may permanently adopt a new or amended section, or repeal an existing section, a proposal detailing the action must be published in the *Texas Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the section. Also, in the case of substantive sections, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

Symbology in proposed amendments. New language added to an existing section is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a section.

TITLE 22. EXAMINING BOARDS

Part XXV. Structural Pest Control Board

Chapter 593. Licenses

• 22 TAC §593.21

(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 Structural Pest Control Board or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Structural Pest Control Board proposes the repeal of §593.21, concerning technician license standards. The section is being re-proposed to reflect many changes in the licensure requirements.

Benny M. Mathis, Jr., executive director, has determined that for the first five-year period the repeal is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeal.

Mr. Mathis also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be that the requirements for technician licensure are strengthened and licensees are better trained and educated. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to Roger B. Borgelt, 9101 Burnet Road, Suite 201, Austin, Texas 78758.

The repeal is proposed under Texas Civil Statutes, Article 135b-6, which provides the Structural Pest Control Board with the authority to establish standards for testing, licensing, and regulating persons engaged in the structural pest control business.

§593.21. Technician License Standards.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas on December 31, 1991.

TRD-9200020

Benny M. Mathis, Jr.
Executive Director
Structural Pest Control
Board

Earliest possible date of adoption: February 10, 1992

For further information, please call: (512) 835-4066

TITLE 34. PUBLIC FI- NANCE

Part I. Comptroller of Public Accounts

Chapter 3. Tax Administration

Subchapter O. State Sales and Use Tax

• 34 TAC §3.298

The Comptroller of Public Accounts proposes an amendment to §3.298, concerning amusement services. The amendment makes changes authorized by the 72nd Legislature, 1991, First Called Session. Effective October 1, 1991, nonprofit country clubs described by the Internal Revenue Code of 1986, §501(c)(7), are required to collect sales tax from their members on various fees and dues such as initiation fees, membership dues, green fees, etc. Additionally, amusements provided jointly by the state, a municipality, county, school district, special district, political subdivision of the state or the United States, and a for-profit group are subject to sales tax. See subsection (g) of this section for specific exclusions from the amusement services exemption.

Tom Plaut, chief revenue estimator, has determined that for the first five-year period the section is in effect there will be no significant revenue impact on state or local government as a result of enforcing or administering the section. This section is adopted under the Tax Code, Title 2, and does not require a statement of fiscal implications for small businesses.

Dr. Plaut also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be in providing new information regarding tax responsibilities. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Lucy Glover, Manager, Tax Administration Division, P.O. Box 13528, Austin, Texas 78711.

The amendment is proposed under the Tax Code, §111.002, which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administra-

tion and enforcement of the provisions of the Tax Code, Title 2.

§3.298. Amusement Services.

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

(1) (No change.)

(2) Nonamusement services—Activities which are primarily instructional in nature or nontaxable personal services. Places and services not covered by the tax on amusement services include, but are not limited to:

(A)-(F) (No change.)

(G) cruises which last longer than 24 hours and extend offshore outside Texas territorial limits; [and]

(H) fishing and hunting leases and guide services; and [.]

(I) sororities and fraternities.

(3)-(5) (No change.)

(6) Sales price of membership to country clubs, including clubs described by the Internal Revenue Code of 1986, §501(c)(7)—The sales price includes [Also included are] dues, initiation fees, and other charges, assessments, and fees required for a special privilege, status, or membership classification in a private club or organization. Whether or not the club has its own facilities is not relevant. Receipts subject to tax under the Texas Alcoholic Beverage Code, §202.02, are not included in the sales price of an amusement service.

(7)[(6)] Seller of admissions to amusement services—A person who sells more than 10 admissions to amusement services during a 12-month period and includes those persons who hold themselves out as engaging, or who habitually engage, in the selling of admissions to amusement services.

(8)(7) Sale of an amusement service admission—The transfer of title to or possession of a ticket or other admission document for a consideration or the collection of an admission, membership, or enrollment fee, whether by individual performance, subscription series, or membership privilege, or through the use of a coin-operated or credit-card-operated machine. The consideration paid may secure the admission privilege for an individual or a group of individuals. The contract or agreement whereby the right is secured for a provider to offer an amusement, recreation, or entertainment as an amusement service is not the sale of an admission to an amusement service and is not subject to sales tax, such as the paying of a fee to a singer for a performance that will be provided by the payer of the fee as an amusement service through the sales of tickets.

(b) Charges to private club members and guests. The membership dues, initiation fees, and other assessments and fees charged for a special privilege, status, or membership classification in a private club or organization, **including organizations described by the Internal Revenue Code of 1986, §501(c)(7), if the organizations provide amusements**, are taxable. Taxable fees for special privileges in the organization include, but are not limited to, liquor pool dues, boat slip rental fees, golf cart storage fees, locker rental fees, locker room use fees, and fees for access to the restaurant and bar. Separate charges for amusement services by persons operating clubs or other facilities over and above amounts received for membership or initiation fees, such as green fees or fees for admissions to swimming pools, racketball courts, or tennis courts, are also taxable. Initiation fees

which are refundable, as evidenced by a written agreement, are not taxable. [For charges for amusement services provided by nonprofit organizations, see subsection (g) of this section.]

(c)-(f) (No change.)

(g) Exemptions.

(1) Sales tax is not due on the sale of an amusement service if the service is provided exclusively:

(A) by a nonprofit organization, corporation, or association, **other than organizations described by the Internal Revenue Code of 1986, §501(c)(7)**, if the proceeds do not go to the benefit of an individual, except as a part of the services of a purely public charity. Initiation and membership fees and other assorted fees charged by such a nonprofit organization, corporation, or association are not taxable. Examples would include: organizations, corporations, or associations recognized as nonprofit organizations under the Internal Revenue Code, §501(c), [nonprofit country clubs,] Kiwanis clubs, labor unions, **sororities, fraternities**, and ex-students organizations. **Organizations described by the Internal Revenue Code of 1986, §501(c)(7) that provide amusements, do not qualify for this exemption even though organized as nonprofit organizations;**

(B)-(G) (No change.)

(2) (No change.)

(3) **Except as provided by paragraph (8) of this subsection, a [A] nonprofit group may hire a for-profit orga-**

nization to provide the expertise to produce an event without loss of the exemption provided by paragraph (1)(A) of this subsection. The nonprofit organization must hold itself out as the provider of the amusement and may not be a joint venturer with the for-profit entity.

(4)-(7) (No change.)

(8) **Unless the event is for educational purposes, an agency of this state, city, county, school district, special district, political subdivision of this state, or the United States that hires a for-profit organization or any other organization not listed in the Tax Code, §151.3101(a)(1), to provide the expertise to produce or provide a musical concert or other amusement event loses the exemption provided in paragraph (1) of this subsection. These organizations must collect sales tax on admissions to amusement events provided by or in conjunction with the for-profit organization or other organizations not listed in the Tax Code, §151.3101(a)(1).**

(h)-(j) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas on January 2, 1992.

TRD-9200026

Martin Cherry
Chief, General Law
Section
Comptroller of Public
Accounts

Earliest possible date of adoption: February 10, 1992

For further information, please call: (512) 463-4028



Adopted Sections

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

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

TITLE 1. ADMINISTRATION

Part XIV. Texas National Research Laboratory Commission

Chapter 301. Public Information

• 1 TAC §§301.1-301.5

The Texas National Research Laboratory Commission adopts new §§301.1-301.5, concerning the open records policy of the commission, the procedures that will be followed in response to requests for public information, the costs of obtaining such information, and the manner in which the commission will react to inquiries from public officials with respect to public information. Section 301.5 is adopted with changes to the proposed text as published in the October 4, 1991, issue of the *Texas Register* (16 TexReg 5451). Sections 301.1-301.4 are adopted without changes and will not be republished.

New §§301.1-301.5 provide the public with a formalized statement of commission open records policies and procedures in order to facilitate interaction between the commission and interested parties. The changes to the proposed text will further clarify the intent of the new sections. ¶

No comments were received regarding adoption of the new sections.

The new sections are adopted under the Texas Government Code, §465.012, which requires the commission to adopt rules necessary to carry out its powers and duties.

§301.5. Inquiries From Public Officials.

(a) All inquiries from public officials for public information will be promptly forwarded to the agency's office of public affairs, where staff will prepare a response for review and approval by the agency's executive director and the agency's general counsel. The agency will make every effort to provide the information requested within the confines of applicable law.

(b) The office of public affairs staff will conduct the necessary research, consult with appropriate agency staff personnel with knowledge relevant to the inquiry or request, and prepare a draft letter. Once the

draft letter is approved by the general counsel and appropriate agency personnel, the office of public affairs staff will print a final version on agency stationery to be reviewed, approved, and signed by the agency's executive director. Signature by the executive director is required for all responses to inquiries from public officials unless the executive director otherwise determines.

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

Issued in Dallas, Texas on December 30, 1991.

TRD-9200024

Edward C. Bingler
Executive Director
Texas National Research
Laboratory Commission

Effective date: January 23, 1992

Proposal publication date: October 4, 1991

For further information, please call: (214) 709-3800

Chapter 302. Relocation Assistance

• 1 TAC §§302.1-302.6

The Texas National Research Laboratory Commission adopts new §§302.1-302.6, concerning the relocation assistance policies and procedures of the commission in response to adoption of Senate Bill 543 by the 72nd Texas Legislature, without changes to the proposed text as published in the November 1, 1991, issue of the *Texas Register* (16 TexReg 6185).

New §§302.1-302.6 will provide the public with a greater understanding of commission policies and procedures in relation to the relocation assistance program and entitlements due effected persons through that program.

No comments were received regarding adoption of the new sections.

The new sections are adopted under the Texas Government Code, §465.012(a), as added by Chapter 582, Senate Bill 543, 72nd Legislature, and the Texas Property Code, §21.046(c), which requires the commission to adopt rules necessary to carry out powers and duties under applicable law and to adopt rules relating to the administration of a relocation assistance program in connection with the acquisition of real property by the commission.

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

Issued in Dallas, Texas, on December 30, 1991.

TRD-9200023

Edward C. Bingler
Executive Director
Texas National Research
Laboratory Commission

Effective date: January 23, 1992

Proposal publication date: November 1, 1991

For further information, please call: (214) 709-3800

Chapter 303. Procurement

• 1 TAC §303.1

The Texas National Research Laboratory Commission adopts new §303.1, concerning the commission's definition of mission related procurement with regard to purchases of supplies, materials, services, and equipment for commission use, without changes to the proposed text as published in the November 1, 1991, issue of the *Texas Register* (16 TexReg 6186).

New §303.1 provides the public with a formalized statement of commission policies and procedures in the area of procurement in order to facilitate interaction between the commission and interested parties.

No comments were received regarding adoption of the new section.

The new section is adopted under the Texas Government Code, §465.082, which requires the commission to adopt rules to guide its purchases of supplies, materials, services, and equipment to carry out eligible undertakings.

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

Issued in Dallas, Texas, on December 30, 1991.

TRD-9200022

Edward C. Bingler
Executive Director
Texas National Research
Laboratory Commission

Effective date: January 23, 1992

Proposal publication date: November 1, 1991

For further information, please call: (214) 709-3800

**TITLE 16. ECONOMIC
REGULATION**

**Part IV. Texas Department
of Licensing and
Regulation**

**Chapter 68. Elimination of
Architectural Barriers**

(EDITOR'S NOTE: House Bill 39, Chapter 8, §4.01, 72nd Legislature, Second Called Session, transferred the administration of the Elimination of Architectural Barriers from the General Services Commission to the Texas Department of Licensing and Regulation. The Texas Register is administratively moving these rules from Title 1, Part IV. General Services Commission to Title 16, Part IV. Texas Department of Licensing and Regulation. The following table illustrates the rule numbers under Title 1 and the new corresponding numbers under Title 16. The text is being reprinted without change from Title 1.)

Old numbers	New Numbers
1 TAC Chapter 115	16 TAC Chapter 68
1 TAC §115.51	16 TAC §68.101
1 TAC §115.52	16 TAC §68.102
1 TAC §115.53	16 TAC §68.103
1 TAC §115.55	16 TAC §68.105
1 TAC §115.56	16 TAC §68.106
1 TAC §115.57	16 TAC §68.107
1 TAC §115.58	16 TAC §68.108
1 TAC §115.59	16 TAC §68.109
1 TAC §115.60	16 TAC §68.110
1 TAC §115.61	16 TAC §68.111
1 TAC §115.62	16 TAC §68.112

§ 68.101. General

The authority for the administration and enforcement of Texas Civil Statutes Article 601b, Article 7, et seq., except as otherwise provided in §7.05(f), rests with the State Purchasing and General Services Commission. The responsibility for exercising this authority within the State Purchasing and General Services Commission lies with the Elimination of Architectural Barriers Section of the Building and Property Services Division. These rules and regulations are established to implement and promote the state policy to eliminate, insofar as possible, unnecessary structural obstacles encountered by the aged, handicapped, or disabled persons, whose ability to engage in gainful occupations or to achieve maximum personal independence is needlessly restricted when they cannot readily use public buildings and facilities. Administration of these rules and regulations will be to implement the state policy under statutory authority, and all decisions made in regard to the approval of buildings covered by the Act shall be in the interest of eliminating unnec-

essary architectural barriers to the handicapped. Public officials are encouraged to assist in implementing the policy of the state through development and enforcement of local building codes and building permit regulations. A building owner's obligation to comply with the provisions of the Act and the rules and regulations set out in these sections may not be satisfied by a simple showing of compliance with local building codes or ordinances.

§ 68.102. Definitions The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

Act-When used in these sections, shall refer to Texas Civil Statutes, Article 601b, § 7.

Building and facilities-Any or all portions of buildings, structures, walks, parking lots, parks, recreation areas, or other improvements to real property.

Building owner-The person or persons, company, corporation, authority, commission, board, governmental entity, institution, or any other unit, that holds title to subject buildings or facilities.

Buildings-When used in these sections, regarding those structures referred to in paragraph (d) of §7.02 of the Act, may include buildings, building elements, and improved areas.

Commission-The State Purchasing and General Services Commission.

Determination of impracticality-The formal process by which the governmental department, agency, or unit concerned petitions the commission to rule on the impracticality of applying one or more of the standards and specifications to a building or facility referred to in paragraph (a) or (c), §7.02, of the Act.

Public buildings and facilities-As used in the application of the Act, shall not include those buildings and facilities owned and operated by the federal government, or which fall under the provisions of Public Law 90-480 (42 United States Code §4151 et seq.).

State agency-A board, a commission, a department, an office, or other agency of the state government.

Substantially renovated, modified, or altered-As referred to in paragraph (a), §7.02(a), of the Act, shall mean any structural change which alters the use, capacity, or function of a building or facility to such an extent as to permit inclusion of any one or all of the standards set forth in the Act. Remodeling only for the purpose of non-structural decor and normal maintenance repairs shall not constitute substantial changes.

§ 68.103. Subject Buildings and Facilities

(a) Public buildings, as identified in §7.02(a), of the Act, are subject to compliance with the provisions of the Act.

(1) If public funds are used in the construction of a building at any time during the construction process, even after construction has commenced, the building or facility is subject to compliance.

(2) For purposes of this Act, land donations by governmental units or any other use of public lands on which buildings or facilities are constructed shall be deemed to be funded in part by public funds even though structures on that land are constructed with private funds.

(3) Buildings constructed with private funds, but which were constructed for the primary purpose of donating or deeding to a public entity, shall be subject to compliance with the Act.

(4) The commission may inquire of any building owner as to the source of funding used in the construction of a building under inquiry. Absent any satisfactory evidence to the contrary, the commission may presume that the subject building falls under the Act.

(b) Privately owned buildings and facilities identified in §7.02(c) of the Act that are leased or rented to state agencies are subject to compliance with the Act.

(1) If it is determined by the agency that the space to be leased will not be used by the public and that the occasion for employment for the aged, handicapped, or disabled persons is improbable because of the physical requirements of the work or the nature and function of the facility, the agency shall, prior to the award of a contract, submit to the commission in written form the standards it has determined to be impractical and the reasons for such determination. Information contained in the submittal should include, but is not limited to, the following:

- (A) proposed location of the leased space;
- (B) agency's function within the leased space;
- (C) estimated number of daily visitors;
- (D) estimated number of employees and description of jobs to be performed;
- (E) total square footage within the leased space;

(F) number of parking spaces to be included in the contract.

(2) The commission will review the submittal and shall determine if full compliance is not practical and shall set out the standards and specifications which are considered practical. If no written determination of impracticality is submitted by an agency requiring space prior to the award of contract, full compliance with all standards and specifications of the Act shall be required.

(3) Leasing contracts shall include, or incorporate by reference, the standards and specifications required by the Act.

(c) Privately owned buildings and facilities, as identified in §7.02(d), of the Act, are subject to compliance with the Act.

(1) Texas population tables published by the U.S. Bureau of Census, including estimates for other than decennial census, will be used to determine county populations.

(2) The phrase "constructed on or after January 1, 1978" shall include only those buildings on which construction work was commenced on or after that date, and shall not include those buildings under construction prior to January 1, 1978.

(A) For the purpose of this subparagraph, "commencement of construction" shall be determined by visible placement of engineering stakes, delivery of lumber or other construction materials to the job site, erection of batter boards, and other such work that, upon inspection, would have put a person on notice that construction had begun.

(B) If submission of plans and specifications prior to commencement of construction was not possible, such plans and specifications shall be submitted for approval as soon as possible following such commencement of construction. Provisions of the Act shall be adhered to regardless of the time the plans and specifications were submitted for approval.

(C) In projects or developments calling for stage construction, or where more than one building is being constructed, each stage or building shall be considered to be a separate project for purposes of this Act.

(3) For privately funded buildings and facilities, the provisions of the Act and the rules and regulations contained in these sections pertain only to new construction and are not applicable in renovation projects.

(4) The commission may request assistance from county and city departments that have construction responsibilities under local construction ordinances or building permits issuance responsibilities. Such assistance may include project design information, funding information, verification of compliance, inspection results, etc.

(d) Privately owned buildings and facilities not otherwise covered in §7.02(c) and (d), of the Act, are eligible for inclusion in the state's elimination of architectural barriers program if:

(1) building owners voluntarily request assistance from the board;

(2) the building owner or his authorized representative agrees to pay, if requested by the board, a fee to cover the costs of providing appropriate services. Fees shall not exceed \$100 per building or facility and shall be based on the time required to perform such services and reimbursement of related travel costs incurred; and

(3) the building owner or his authorized representative grants the board authorization to conduct on-site inspections. § 68.105. *Review of Plans and Specifications*

(a) All project plans and specifications of buildings and facilities covered by sections 7.02 (a) and (d) of the Act, shall be submitted to the commission for review and approval prior to bidding and award of contract.

(1) A certificate of compliance or a statement of compliance intent, as prescribed by §115.56 of this title (relating to Submission of Compliance Intent) shall accompany all plans and specifications submitted to the commission for review.

(2) After a prompt review of all submitted plans and specifications, the commission will notify the building owner, authorized representative, or other appropriate parties of the results of the review within 20 working days of receipt of plans and specifications. Plans and specifications will be approved by the commission only when the documents adequately reflect full compliance with all accessibility standards and specifications, or are in compliance with the standards and specifications approved on the basis of practicality as set forth in §115.56 of this title (relating to Submission of Compliance Intent)

(3) When project plans and specifications do not reflect satisfactory compliance with the standards and specifications, the commission will request verification of plan or design revisions. Such verifications may be made by submission of revised plans and specifications or in such written form as deemed appropriate by the commission. The submission of change orders and

addenda may be substituted for the construction documents for purposes of verifying design revisions and/or modifications.

(4) Enforcement of the requirement to submit plans and specifications shall be in accordance with the applicable subsection of §115.60 of this title (relating to Enforcement Powers).

(b) Costs of submitting and returning plans and specifications must be borne by the sender. Plans and specifications received by the commission that contain prepaid return postage will be returned immediately after the review. Plans and specifications received for review which do not have prepaid return postage are subject to destruction 30 days after the date of the commission's review reply unless the commission is furnished with prepaid postage or receives written instructions to return the document COD by specific carrier.

§ 68.106. *Submission of Compliance Intent*

(a) All projects involving buildings and facilities covered by §7.02(a) and (d) of the Act, must have a certificate of compliance or a statement of intent to comply, submitted to the commission by the building owner or authorized representative. Such documentation shall be set out on a form or forms as may be prescribed by the commission and submitted with the plans and specifications prescribed in §115.55 of this title (relating to Review of Plans and Specifications).

(1) In accordance with, §7.02(a) of the Act, covering public buildings, if the governmental department, agency, or unit concerned shall determine, after taking all circumstances into consideration, that full compliance with any particular standard or specification is not practical, a written statement to that effect shall be submitted with the plans and specifications, together with the reasons for such a determination. The commission shall decide whether in fact such standards or specifications are impractical and shall set forth in its review and approval of the plans the extent to which an attempt shall be made to comply with the standard or specification. A statement or letter of impracticality will be sent to the applicant.

(2) In accordance with §7.02(a) of the Act, if the governmental department, agency, or unit involved determines that the entire building or facility is not open to the general public and that the occasion for employment of the aged, handicapped, or disabled persons is improbable, a statement to that effect should accompany the plans and specifications for the building or facility. The commission shall render a decision on the determination made by the applicant and shall issue a statement or letter of impracticality on the entire building or facility or state the extent to which accessibility

shall be required. Examples of types of buildings or facilities that may fall in this category are radio towers, utilities plants, water and sewage treatment facilities, waste handling and disposal facilities, certain type warehouse and storage facilities, boat docks, ramps, etc. Exclusion of these types of buildings and facilities will not be allowed if they contain areas of significant size and wherein administrative, supervisory, or other functions are performed that might be performed by handicapped persons.

(b) State agencies that have rehabilitation functions or that extend direct services to disabled and handicapped persons may be consulted by the commission when making impracticality determinations.

§ 68.107. Inspections and Verifications

The commission is authorized to inspect all buildings and facilities applicable under §115.53 of this title (relating to Subject Building and Facilities), to ascertain if compliance with the accessibility standards and specifications has been met.

(1) Inspections will be performed during normal working hours of the building owner, authority, or unit concerned. Any deviation from normal working hours shall be at the convenience of the owner, authority, or unit concerned.

(2) The commission's representative making an inspection will request that the building owner or a designated representative be present during the inspection.

(3) During each inspection, the commission's representative will make field note entries on a form prescribed by the commission for such purposes. The completed form will become part of the permanent file that will be maintained on each project and will be the source document in support of any subsequent reports, notifications, or other actions.

(4) The building owner, authorized representative, or other appropriate parties will be advised by the board of the results of each inspection within 60 days following the date of inspection.

(5) The commission is authorized to verify corrections, as covered by §115.59 of this title (relating to Corrective Modifications), by performing reinspections or by requesting documentary evidence from the building owner or his authorized representative that corrective measures have been achieved.

(6) The commission is authorized to perform reinspections when it is suspected or when evidence indicates that a change in function or utility has occurred within a building or facility that might previously have been granted an exclusion based on impracticality due to function or utility.

(7) A building owner or authorized representative shall, upon request of the commission, furnish the commission with a statement that completely and accurately reflects compliance with the standards and specifications determined by the commission as prescribed within these rules. The statement shall be in such form and contain such information deemed necessary by the commission, to be able to ascertain compliance.

§ 68.108. Accessibility Certifications and Approvals

(a) Accessibility certifications are granted by the commission upon completion of satisfactory inspections or other forms of verifications deemed appropriate by the commission that the buildings and facilities are in compliance with all accessibility standards and specifications.

(1) Within 10 days following satisfactory verification of compliance, a letter of certification covering each building or facility that meets all accessibility standards and specifications will be issued by the commission to appropriate building owners or designated representatives.

(2) In order to promote the identification of buildings and facilities that are accessible to the handicapped, appropriate accessibility symbols shall be made available by the commission. The design of the symbol shall be an adaptation of the international symbol that is used to identify barrier-free structures. Accessibility symbols may be used only on those buildings that have been properly certified by the commission.

(b) Building and facility accessibility approvals will be granted by the commission upon satisfactory verification that buildings and facilities are in compliance with all building standards and specifications not otherwise excluded by previous impracticality determinations as prescribed in §115.55 of this title (relating to Review of Plans and Specifications).

§ 68.109. Corrective Modifications

(a) When corrective modifications to achieve compliance are deemed necessary by the commission, based on inspections or other evidence of noncompliance, the commission will establish a reasonable period of time in which corrections are to be made and will advise the building owner or the authorized representative of the time limitation by written notice which will also include an itemized listing of all deficiencies. An extension of the designated period may be granted by the commission if satisfactory evidence is presented to the commission showing that the time specified is inadequate to perform the necessary corrections.

(b) The building owner or his designated representative shall be instructed to

notify the commission when modifications have been completed.

(c) All modifications are subject verification as prescribed in §115.57 of this title (relating to Inspections and Verifications), prior to certifications or approvals by the commission.

§ 68.110. Enforcement Powers

(a) The commission is authorized to institute and prosecute proceedings in district court to compel compliance with the law as provided in paragraph (b), §20 of the Act.

(1) No action by the commission to initiate legal proceedings shall be taken until:

(A) the commission has complied with §115.59(a) of this title (relating to Corrective Modifications);

(B) the appropriate official of the commission has determined that compliance had not been accomplished upon expiration of the allotted period per §115.59(a) of this title (relating to Corrective Modifications), and that the building owner, authority, or unit involved has not shown evidence of performing the prescribed corrections;

(C) the authority, building owner, or other appropriate persons have been given final notification by the commission requesting compliance within 90 days from the date on which the notice was received. The final notice shall be issued by registered or certified mail, return receipt requested, and shall advise the party or parties involved of the failure to comply, the action proposed to be taken, the specific provisions under which the proposed action is to be taken, and the basis for the action; and

(D) the expiration of at least 90 days from receipt by the building owner of the final notice. The commission shall have the authority to extend the 90-day period when circumstances justify such extension. Request for extension of time may be made by the building owner, authorized representative, or appropriate parties; however, such requests must be received by the commission prior to the expiration of the 90-day period and must contain satisfactory evidence of good faith in complying.

(2) Legal proceedings are initiated by the State Purchasing and General Services Commission by notifying the Office of the Texas Attorney General of the specific violations of the provisions of the Act and presenting evidence to that department that all procedures previously taken to effect compliance have not resulted in compliance.

(3) The commission will maintain all documents, materials, and other evidence on file for use in support of any legal action taken and shall be open to examination by all parties involved.

(b) The commission is authorized to enforce the provisions of the law pertaining to lease facilities covered under section 7.02(c), of the Act asset out within this section or under the appropriate provisions of Texas Civil Statutes Article 601b, Article 6.

§ 68.111. Complaints and Investigations

(a) Any person or persons who suspect that any building or facility should be, but is not, in compliance with provisions of the Act may submit a complaint to the commission with the request that an investigation of noncompliance be made. Complaints must be in written form and must contain information sufficient to initiate investigative procedures. The information should include, but is not limited to the following:

(1) the name of the building owner or authority;

(2) the name and address of the building or facilities in question;

(3) the name of the person or persons who might be responsible for the operation of the building or facilities, if other than the building owner;

(4) available historical data relative to the age of the building or facilities, suspected additions or renovations, proposed or current construction work, and funding of previous construction projects;

(5) an itemized list of suspected violations of the Act;

(6) the name and address of the person or persons issuing the complaint.

(b) The commission will make a prompt investigation when a compliance complaint contains sufficient information to indicate a probable failure on the part of a building owner to comply with the provisions of the Act. The investigative proce-

dures of the commission may include on-site inspections, solicitation of information from the building owner or authority, or from whatever other sources deemed appropriate by the commission.

(c) All administrative and enforcement procedures contained within these rules and regulations shall be followed during the investigation process and any subsequent action that may be taken.

(d) The commission shall make a report to the person(s) who filed the complaint within a reasonable time after its investigation of the building or facility. This report shall contain a summary of the commission's findings. If the complaint is determined to be justified, the report shall also contain a statement of the commission's plan of action for enforcing compliance.

§ 68.112. Standards and Specifications

(a) Purpose and authority. The purpose of this section is to implement Texas Civil Statutes, Article 601b, §7.05(c), requiring the State Purchasing and General Services Commission to adopt standards and specifications that are consistent in effect to those adopted by the American National Standards Institute, Inc. (ANSI). The standards and specifications contained in this section are considered to be consistent in effect to those contained in ANSI A117.1-1986. They are intended to make buildings and facilities accessible to and usable by people who are mobility impaired. Mobility impairment includes, but is not limited to, the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. The specifications contained in ANSI A117.1 standards are based on adult dimensions and anthropometric and do not set out adjusted specifications suitable for children. Some of the standards and specifications contained in this section have been derived from human data relative to children between the ages of five and 15 and are presented in subsection (d)(1)(B) of

this section by age and school grade categories.

(b) Application.

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

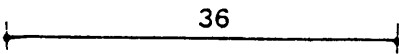

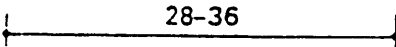





(2) Equal access. The application of these standards are to further the concept of equal treatment for disabled individuals to the maximum extent possible and reasonable.

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

(c) Graphic conventions and definitions.

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

Table (c) 1
Graphic Conventions

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

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

(A) Access aisle--Is an accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

(B) Accessible--Describes a site, building, facility, or portion thereof that complies with this standard and that can be approached, entered, and used by physically disabled people.

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

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

(E) Adaptability--The capability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be altered or added in order to

accommodate the needs of persons with different types or degrees of disability on an as needed basis.

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

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

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

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

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

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

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

(M) Common use--Refers to those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people (for example, residents of a dormitory, the occupants of an office building, or the guests of such residents or occupants) rather than the public at large.

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

(O) Cross slope--Is a slope that is perpendicular to the direction of travel.

See subparagraph (II) of this paragraph, Running slopes.

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

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

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

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

(T) Essential features--Are those supporting elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include, but are not limited to, entrances, toilet rooms, dining areas, accessible routes, laundry rooms, and lounges. Essential features do not include those spaces that house the major activities for which the building or facility is intended, such as classrooms and offices. See subparagraph (V) of this paragraph, Functional spaces.

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

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

(W) lbf.--Pounds force.

(X) Level--Defines a ground or floor surface or part of a surface having a

slope of no more than 1:50 (2.0%) at any point, in any direction. Slopes expressed in terms of 1/4 inch per foot shall be considered 2.0% and shall be acceptable as level.

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

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

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

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

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

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

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

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

(GG) Public use--Describes interior or exterior rooms or spaces that are made available to the general public and that provide goods, services, or educational

and employment opportunities. Public use may be provided at a building or facility that is privately or publicly owned.

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

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

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

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

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

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

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

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

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

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

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

(SS) Tactile warning--Is a standardized surface texture applied to, or

built into, walking surfaces or other elements to warn visually impaired people of hazards in the path of travel.

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

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

(d) Scope and application: minimum requirements.

(1) General.

(A) Appropriate number and location. The guidelines for determining the

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

- (i) population to be served;
- (ii) availability to the user;
- (iii) location relative to distance and time;

(iv) location relative to isolation or separation;

(v) function of the building or facility; and

(vi) equal treatment and opportunity.

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

Table (d) 1

Ages: 5 thru 10 or 11
Grades: K thru 5 or 6

Ages: 11 thru 14 or 15
Grades: 6 thru 8 or 9

Restrooms:

Water Closet. To top of seat.	14" - 15"	15" - 17"
Urinal. Maximum to basin opening.	14"	16"
Grab Bars. To top.	28" - 30"	30" - 32"

Lavatories.

Frontal Approach - Min Knee Clearance	26"	28"
- Max to top	30"	32"
- Max to Faucets	18"	20"
Side Approach - Max to top	32"	34"
- Max to Faucets	16"	18"

Mirrors. Maximum to Bottom.	34"	37"
Shelves and Dispensers. Maximum Height to Control Device -		
Frontal Approach	42"	45"
Side Approach	48"	51"

Drinking Fountains: Max to Spout	32"	34"
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Switches and Controls:

Frontal Approach - Maximum	42"	45"
Side Approach - Maximum	48"	51"

Telephones: Maximum to top Device

Frontal Approach	42"	45"
Side Approach	48"	51"

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

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

piers, hike and bike trails, picnic areas, amphitheaters, courtyards, and plazas.

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

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

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

(C) Protruding objects. All objects that protrude from surfaces or posts into circulation paths shall comply with subsection (g) of this section.

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

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

Table (d) 2

Total Parking	Required Minimum Number of Accessible Spaces
1 to 50	1
51 to 100	2
101 to 350	3
351 to 500	5
Over 500	1% of total spaces

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

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

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

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

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

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

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

(H) Drinking fountains and water coolers. If drinking fountains or water coolers are provided, an appropriate number, but never less than 50% of those provided, shall be on an accessible route and shall comply with subsection (p) of this section. The appropriate number of accessible units shall be based on the total number provided and their location with respect to distance and availability. The accessible

units shall be distributed strategically and equitably throughout the site and there should not be more than 250 feet between accessible units or from any point of the site if units are provided within that distance. If only one drinking fountain or water cooler is provided within a site, it shall comply with subsection (p) of this section.

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

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

(3) Accessible buildings and facilities: new construction.

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

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

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

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

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

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

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

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

Exception. With the approval of the commission, exemptions may be allowed for mezzanines, balconies, porches, galleries, verandas, basements, penthouses, and other areas having insignificant functions that are unrelated to the building's purpose when such areas contain less than 2,000 square feet of floor space; do not

contain activities and functions involving the sale of goods or services; and do not contain educational or employment opportunities not available in accessible locations within the same building or facility.

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

(i) at each accessible entrance;

(ii) an appropriate number, but never less than one, at each space required to be accessible within a building or facility;

(iii) each door that is an element of an accessible route; and

(iv) each door required by subsection (f)(11) of this section.

(H) Entrances. At least 50%, but never less than one, of grade level entrances of a building shall comply with subsection (n) of this section. When a building or facility has entrances which normally serve any of the following functions: transportation; passenger loading and unloading; accessible parking; taxi stands; public streets and sidewalks; or accessible interior vertical access, then at least one of the entrances serving each such function shall comply with subsections (n) and (o) of this section. Because entrances also serve as emergency exits whose proximity to all parts of buildings and facilities is essential, it is preferable that all exits be accessible.

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

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

(J) Toilet facilities. If toilet facilities are provided, then each public and

common use toilet room shall be on an accessible route and shall comply with subsection (q) of this section.

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

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

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

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

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

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

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

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

Table (d) 3

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

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

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

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

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

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

Table (d) 4

<u>Capacity of Seating in Assembly Areas</u>	<u>Number of Required Wheelchair Locations</u>
50 thru 100	2
101 thru 300	4
301 thru 600	6
Over 600	1.0% of total

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

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

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

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

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

(D) Elements, spaces, common areas, and essential features. If elements, spaces, common areas, or special use areas as described in paragraph (1)(D) of this subsection are located in the existing building or facility and they are not provided in the addition, then consideration shall be given to making those elements, spaces, and common areas accessible in the existing building or facility. Any such element or space considered to be essential to the occupants or users of the building or facility shall be on an accessible route and shall be made accessible by complying with applicable specifications. Spaces considered essential include, but are not limited to, dining rooms, food service areas, and medical treatment facilities.

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

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

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

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

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

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

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

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

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

(6) Accessible dwelling units.

(A) Multi-unit facilities. When 10 or more dwelling units are provided in a multi-unit facility, the appropriate number of units required to be accessible shall not be less than 10% for housing projects designated for the exclusive use of the disabled or elderly, and not less than 5.0% for all others. Accessible dwelling units shall comply with the requirements of subsections (e)-(u) of this section except as modified or exempted by subsection (z) of this section.

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

(7) Accessible buildings and facilities: historic preservation.

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

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

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

(8) Accessible health care facilities.

(A) General. Health care facilities shall include general hospitals, psychiatric treatment facilities, nursing homes,

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

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

- (i) 50% of patient toilets and bedrooms;
- (ii) all public and common use areas; and
- (iii) all areas which may provide employment opportunities for disabled persons.

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

- (i) at least one room for each type of treatment;
- (ii) all patient rooms;
- (iii) all public use areas and spaces;
- (iv) all common use areas; and
- (v) all areas which may provide employment opportunities for disabled persons.

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

- (i) at least 10% of patient bedrooms;

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

(iii) all public use areas and spaces;

(iv) all common use areas; and

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

(e) Space allowances and reach ranges.

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

(A) Length: 42 inches.

(B) Width: 26 inches.

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

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

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

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

(4) Clear floor or ground space for wheelchairs.

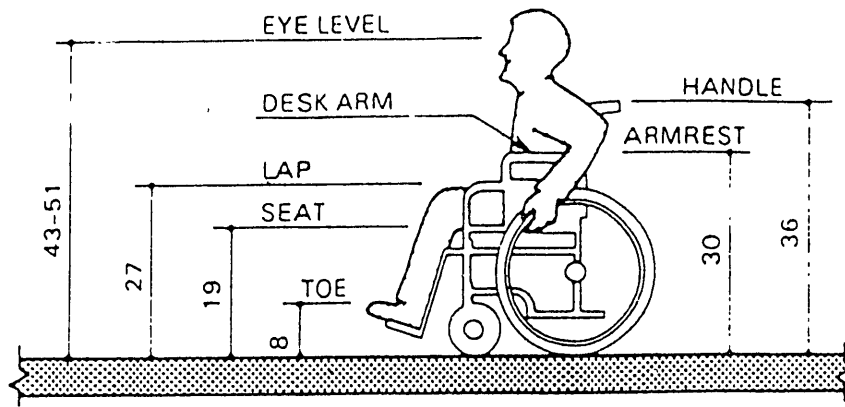
(A) Size and approach. The minimum clear floor or ground space required to accommodate a single stationary wheelchair and occupant is 30 inches by 48 inches. See Figure (e)5.1. The minimum clear floor or ground space for wheelchairs may be positioned for forward or parallel approach to an object. See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

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

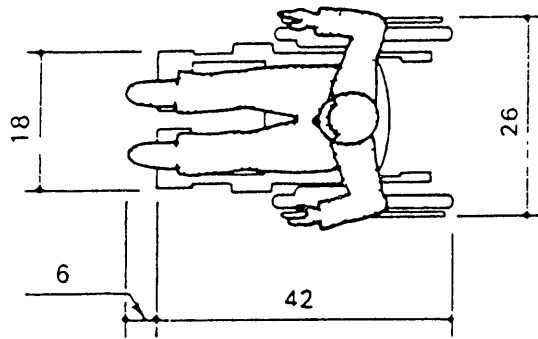
(C) Surfaces of wheelchair spaces. Clear floor or ground spaces for wheelchairs shall have surfaces complying with subsection (h) of this section.

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

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



(e) 1.1



(e) 1.2

FIGURE (e) 1

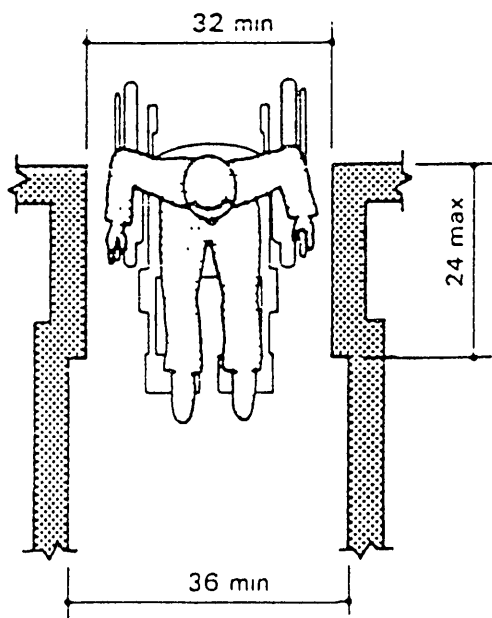


FIGURE (e) 2

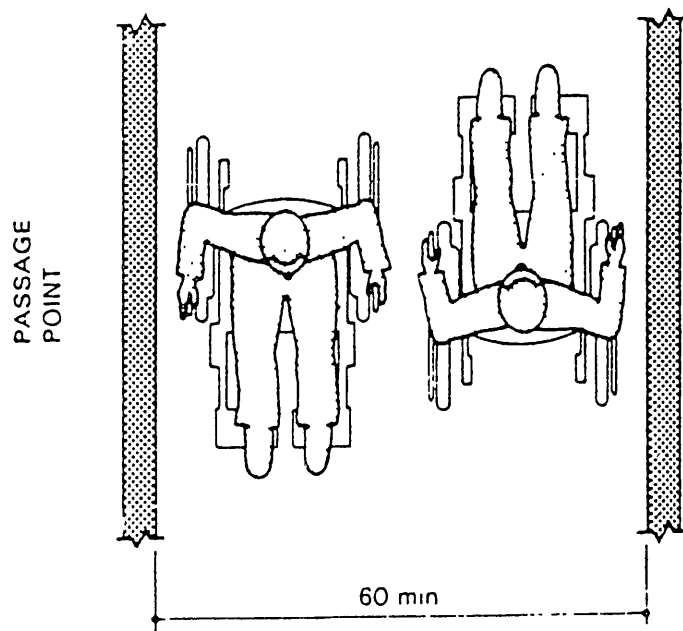
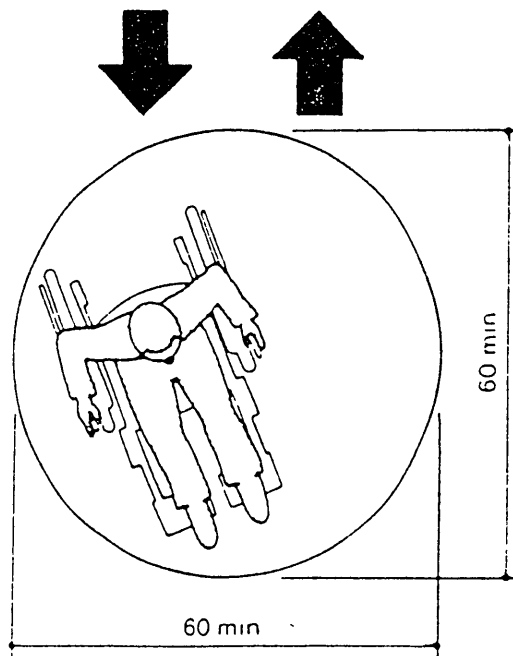
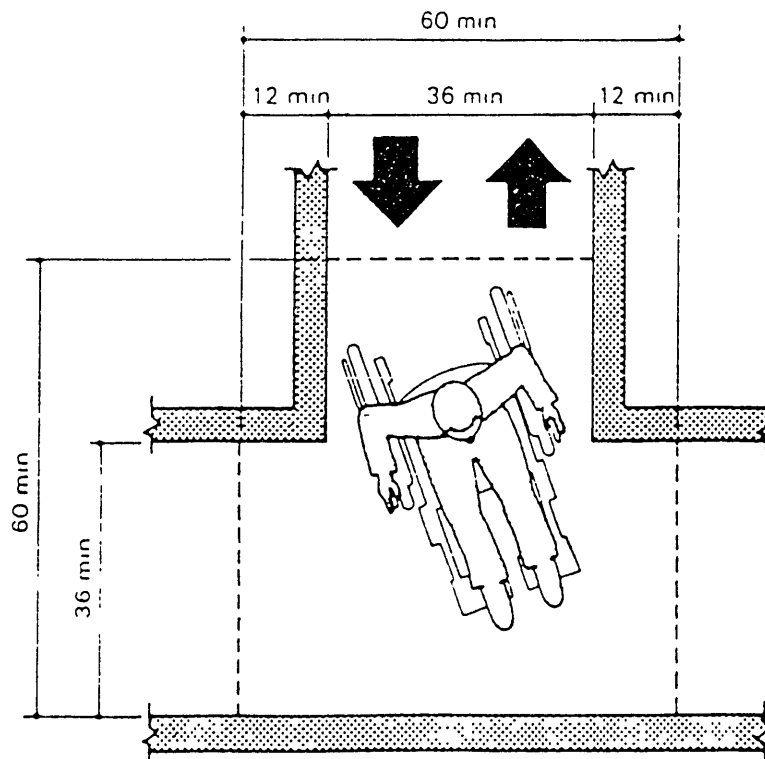


FIGURE (e) 3



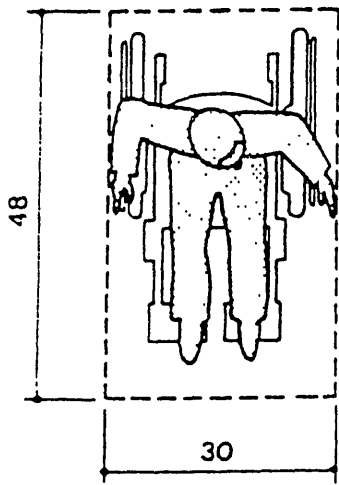
(e) 4.1



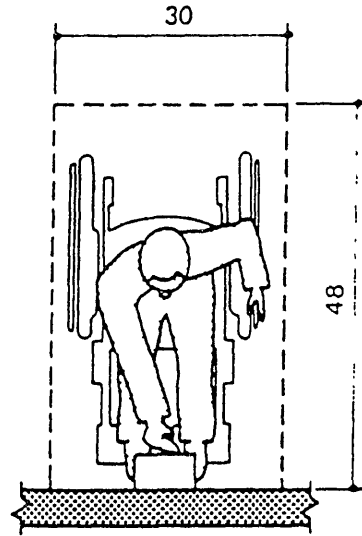
(e) 4.2

FIGURE (e) 4

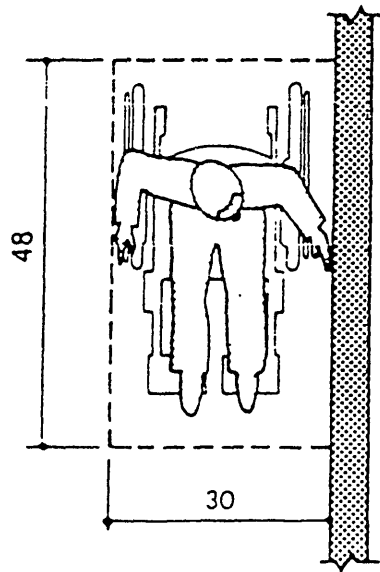
NOTE: Dashed lines indicate minimum length of clear space required on each arm of the T-shaped space in order to complete the turn.



(e) 5.1

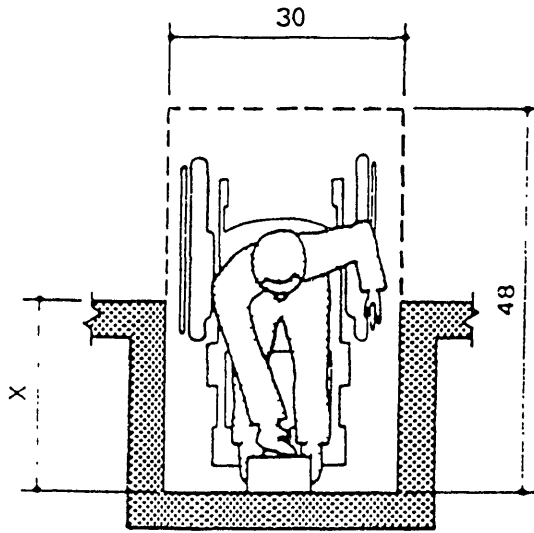


(e) 5.2



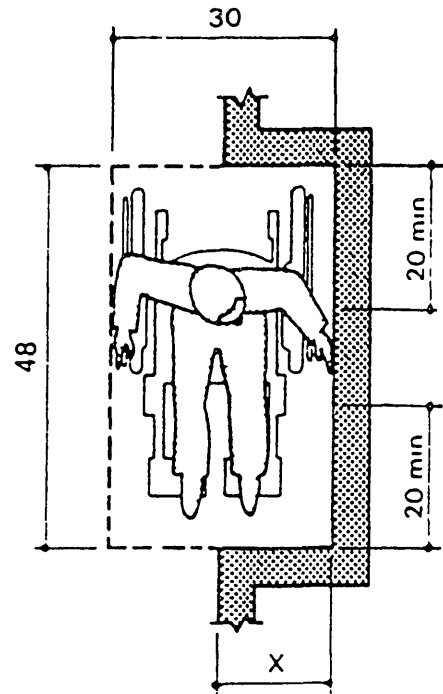
(e) 5.3

FIGURE (e) 5



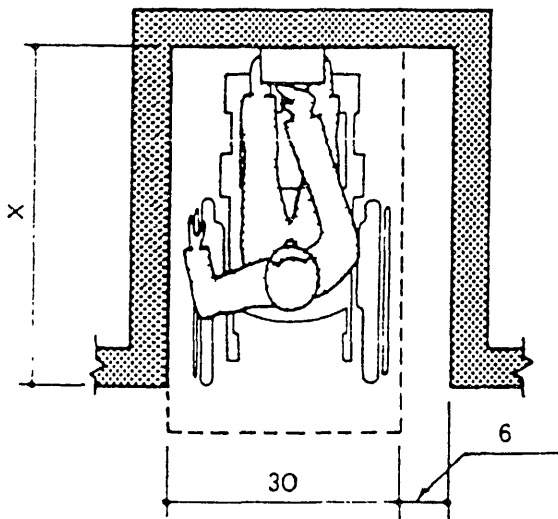
NOTE: x is less than or equal to 24 in.

(e) 5.4



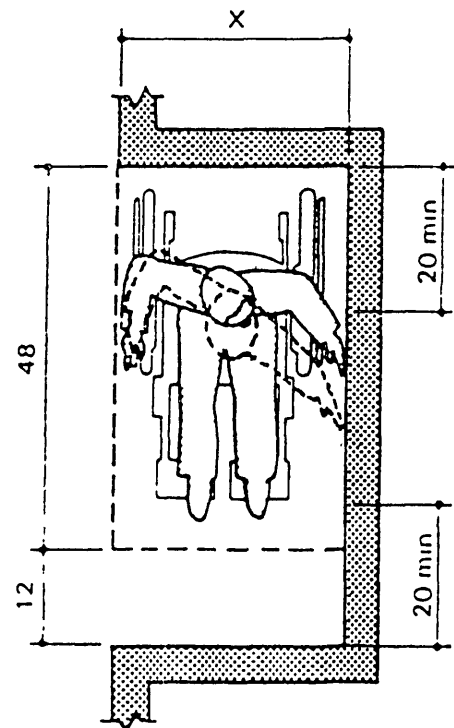
NOTE: x is less than or equal to 15 in.

(e) 5.5



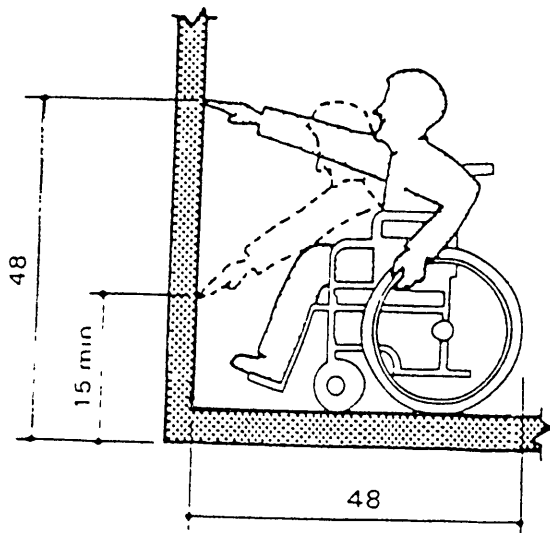
NOTE: If x is greater than 24 in, then an additional maneuvering clearance of 6 in shall be provided as shown.

(e) 5.6

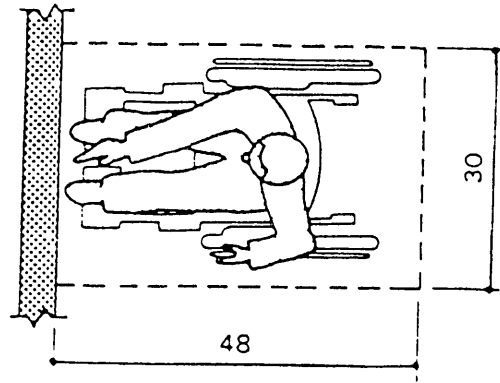


NOTE: If x is greater than 15 in, then an additional maneuvering clearance of 12 in shall be provided as shown.

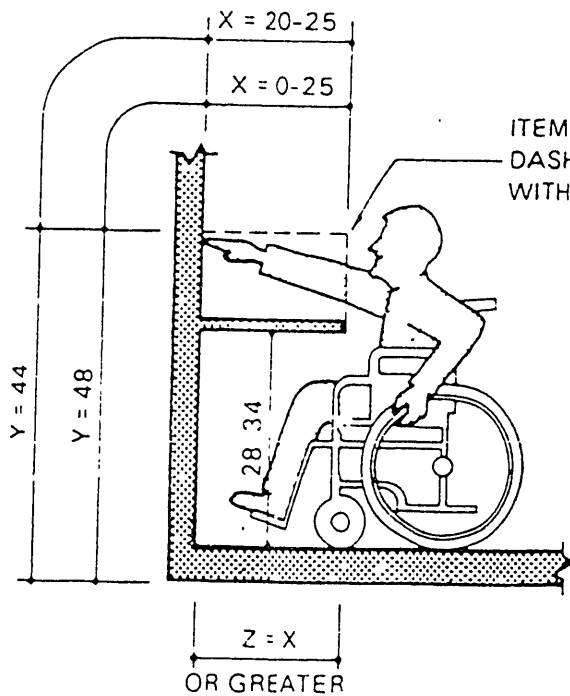
(e) 5.7



(e) 6.1



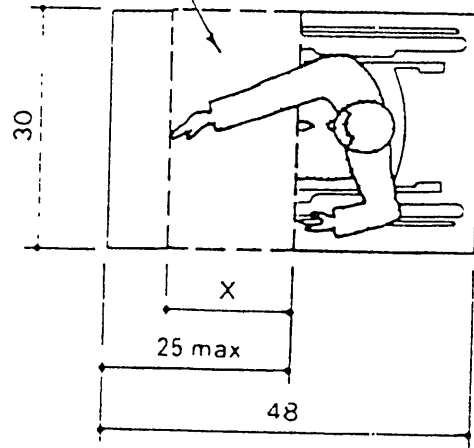
(e) 6.2



(e) 6.3

ITEMS WITHIN
DASHED LINES ARE
WITHIN REACH

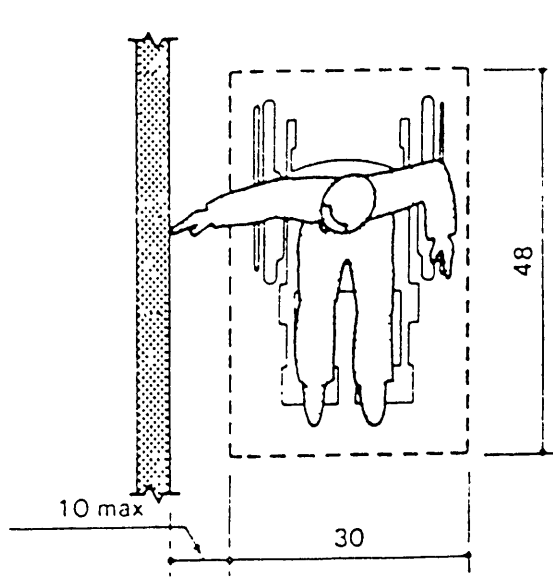
CLEAR FLOOR OR
GROUND SPACE
SHALL EXTEND NO
MORE THAN 25 in
UNDER THE
OBSTRUCTION



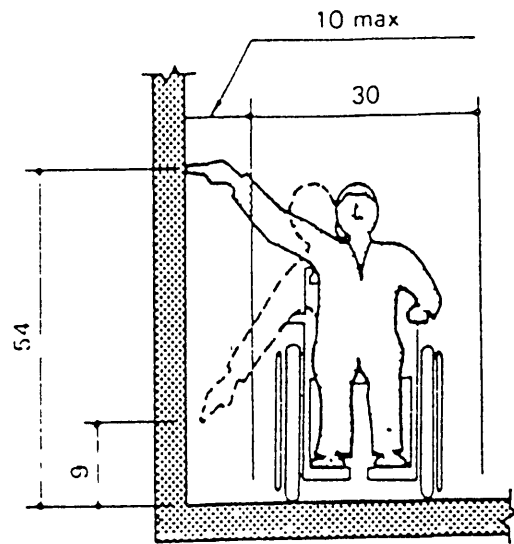
(e) 6.4

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

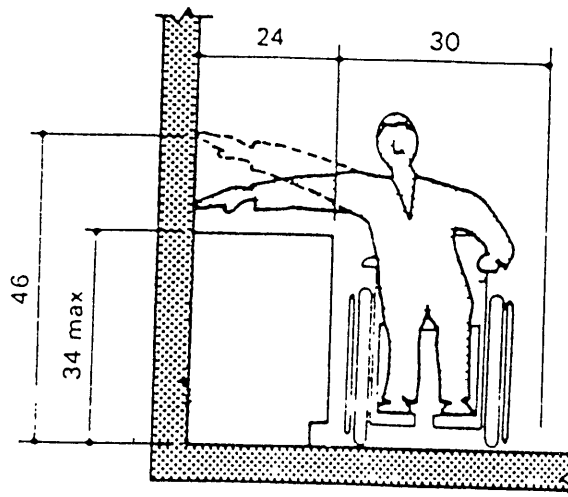
FIGURE (e) 6



(e) 7.1



(e) 7.2



(e) 7.3

FIGURE (e) 7

(f) Accessible routes.

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

(2) Location.

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

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

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

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

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

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

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

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

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

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

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

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

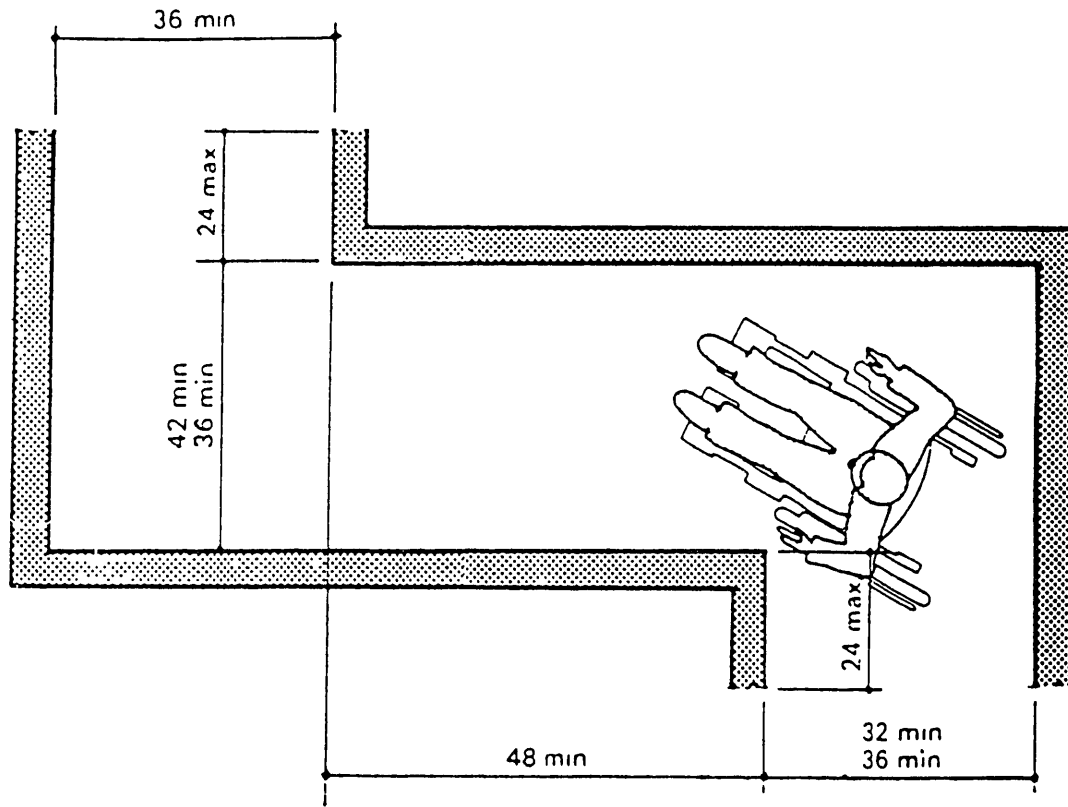
Exception. An accessible route with a slope greater than 5.0% but not exceeding 6.0% may be exempted if the length does not exceed 30 feet.

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

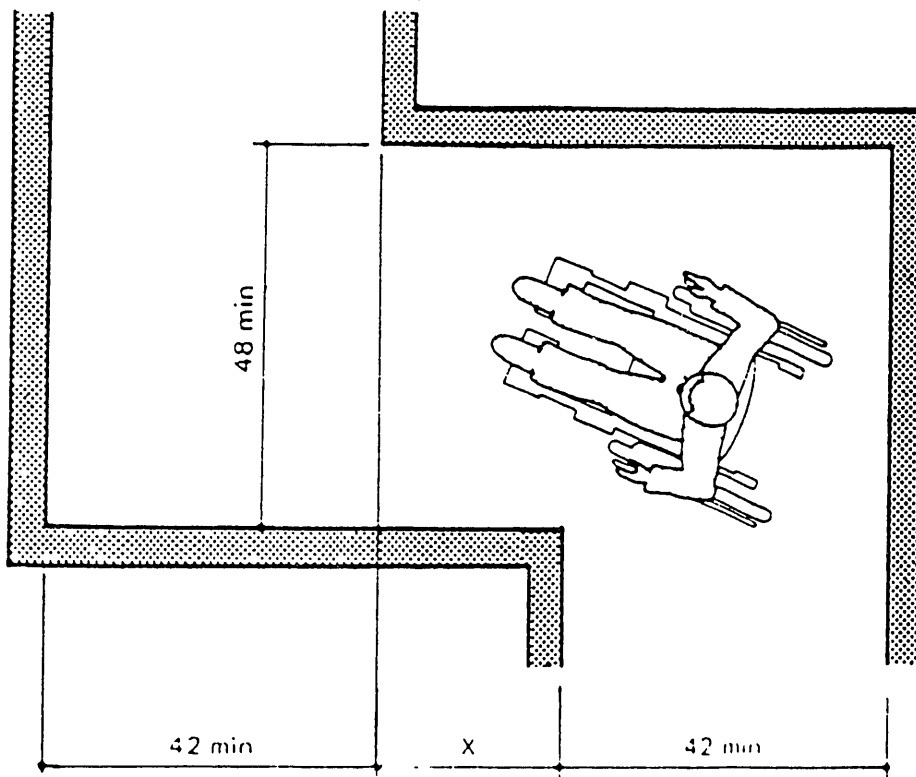
(9) Changes in level. Changes in level at doorways shall comply with subsection (n)(8) of this section. Changes in level up to 1/4 inch may be without edge treatment. Changes in level between 1/4 inch and 3/4 inch except at doorways, shall be beveled with a slope no greater than 1:2. See Figures (f)2.1 and (f)2.2. If an accessible route has level changes greater than 3/4 inch, then curb ramps, ramps, elevators, or platform lifts complying with subsections (j), (k), or (m) of this section shall be provided.

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

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



(f) 1.1



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

(f) 1.2

FIGURE (f) 1

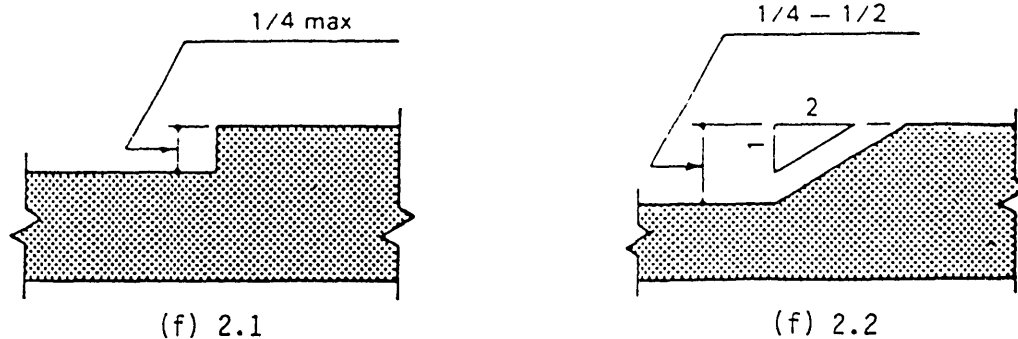


FIGURE (f) 2

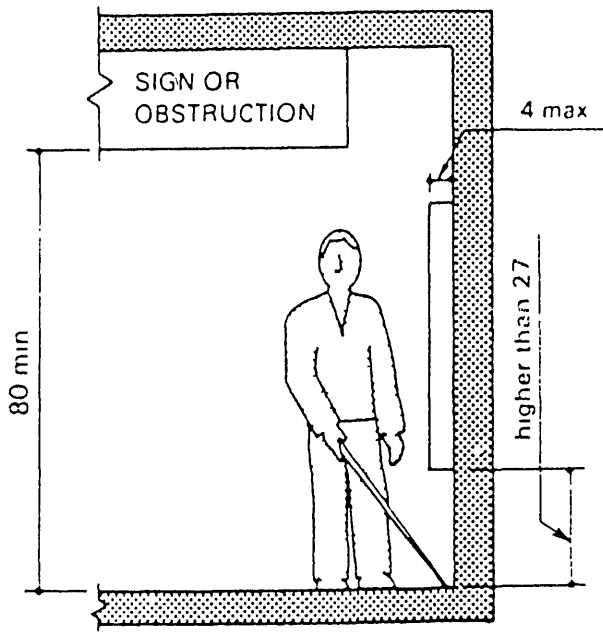
(g) Protruding objects.

(1) General. Potentially hazardous objects are detectable by vision impaired persons using long canes if the objects fall within the detection ranges illustrated in Figures (g)1.1-(g)1.9. Objects projecting from walls, posts, or any vertical surface, with their leading edge between 27 and 80 inches above ground or floor surfaces shall protrude no more than four inches into walks, halls, corridors, passageways, aisles,

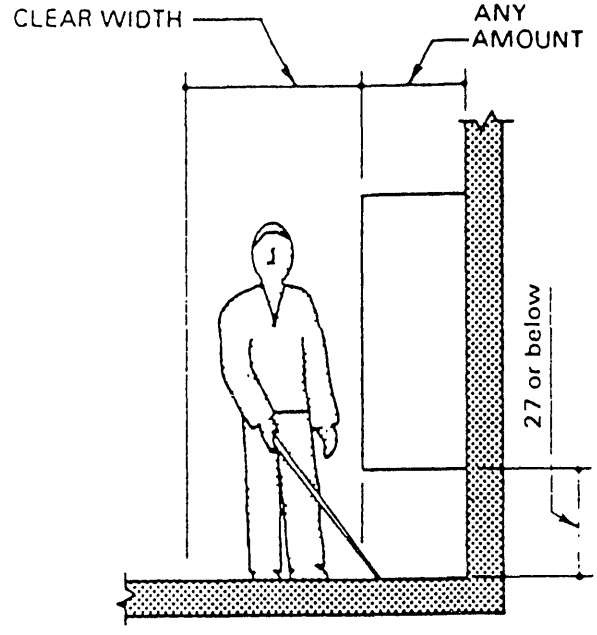
or any defined pedestrian way. See Figure (g)1.1. Objects mounted with their leading edge at or below 27 inches above ground or floor surfaces may protrude any amount. See Figure (g)1.2. Free-standing objects mounted on posts or pylons may overhang 12 inches maximum from 27 to 80 inches above the ground or floor surface. See Figures (g)1.7 and (g)1.8. Protruding objects shall not reduce the clear width required for

an accessible route or maneuvering space. See Figure (g)1.9.

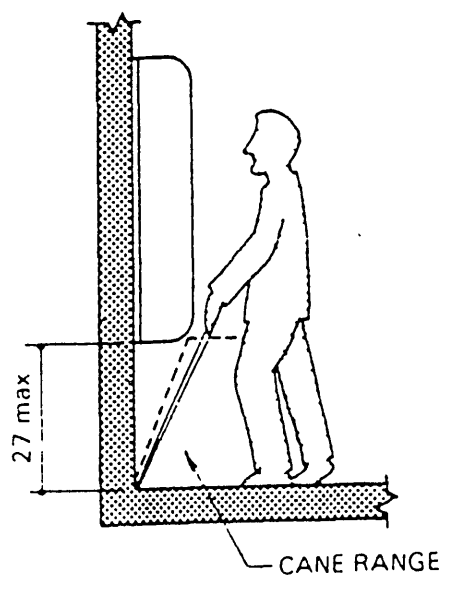
(2) Headroom. Walks, halls, corridors, passageways, aisles, and other circulation spaces shall have 80 inches minimum clear headroom. See Figure (g)1.1. If vertical clearance of an area adjoining an accessible route is reduced to less than 80 inches, a guardrail or other barrier having its leading edge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



(g) 1.1

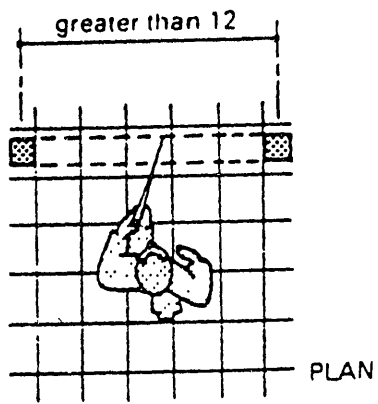


(g) 1.2

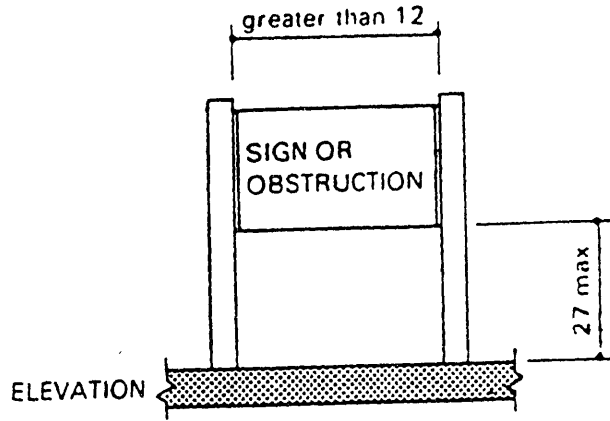


(g) 1.3

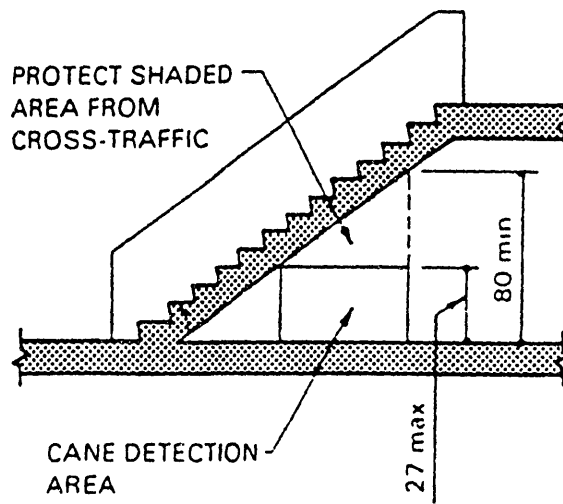
FIGURE (g) 1



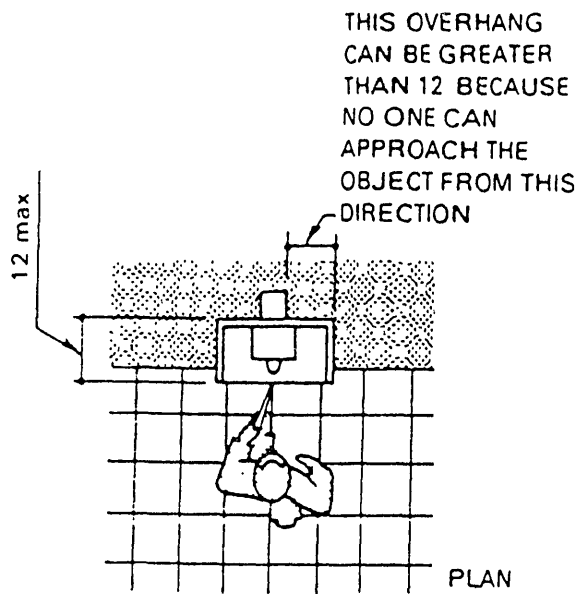
(g) 1.4



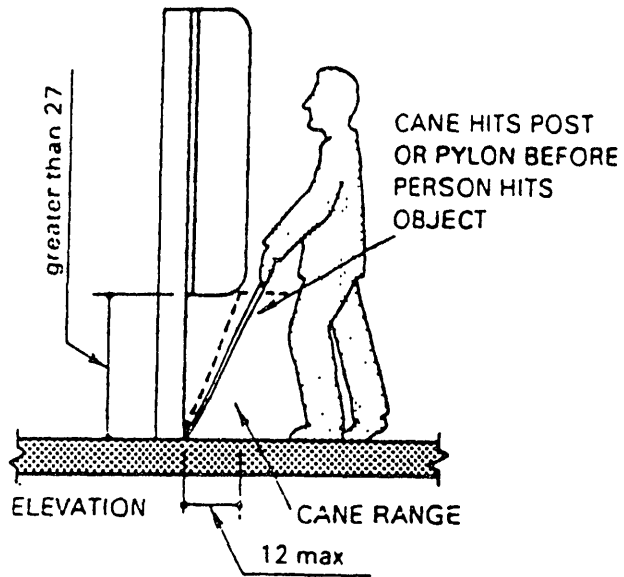
(g) 1.5



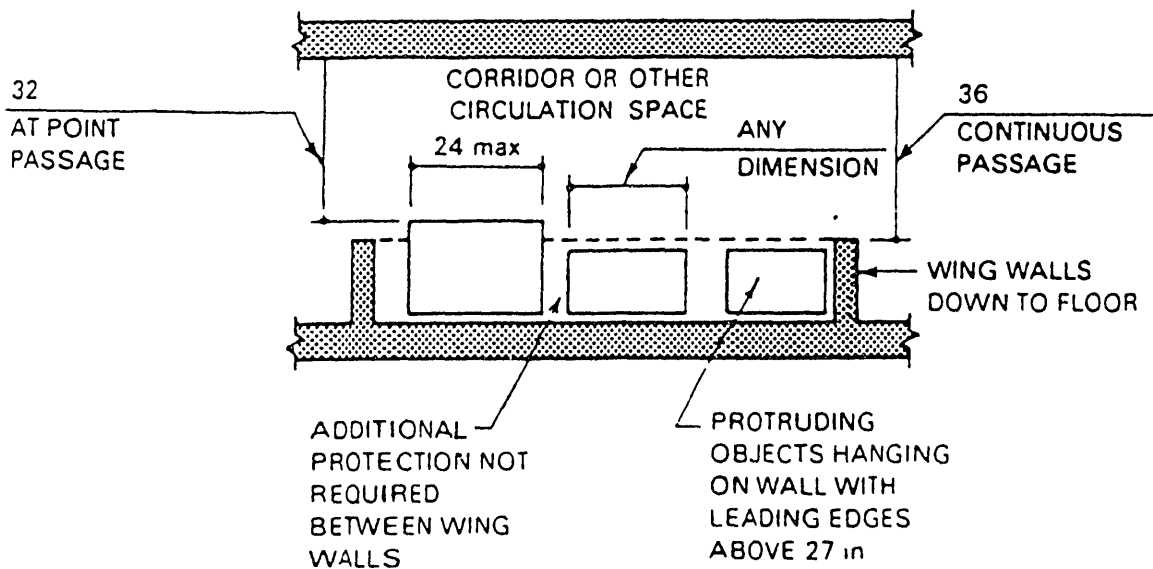
(g) 1.6



(g) 1.7



(g) 1.8



(g) 1.9

(h) Ground and floor surfaces.

(1) General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces, including floors, walks, ramps, stairs, and curb ramps shall be stable, firm, reasonably smooth, and slip resistant under most weather conditions and shall comply with this subsection. Soft or loose surface materials such as sand, gravel, bark, mulch, or wood chips are not suitable in spaces required to be accessible or as part of an accessible route. Cobblestone and other irregular surfaces such as improperly laid flagstone and brick pavers shall not be part of accessible routes, spaces, and elements.

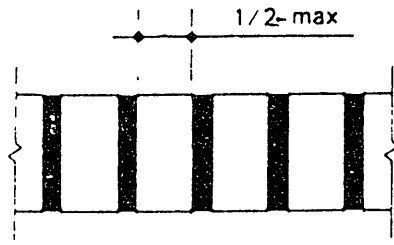
(2) Changes in level. Changes in level in excess of 1/4 inch shall comply with subsection (f)(9) of this section.

(3) Surface slopes. Any accessible space or route having a running slope greater than 1:20 (5.0%) shall be considered a ramp and shall comply with subsection (k) of this section. Cross slopes in accessible spaces and routes shall not exceed 1:50 (2.0%). Slopes expressed in terms of 1/4 inch per foot shall be considered acceptable.

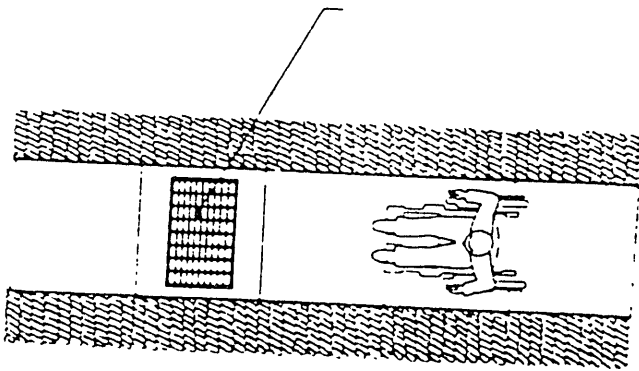
(4) Carpet. If carpet or carpet tile is used on a ground or floor surface, then it should be securely attached; and have a

firm cushion, pad, or backing or no cushion or pad. The pile height should not exceed 1/2 inch. Exposed edges of carpet should be fastened to floor surfaces and have trim along the entire length of the exposed edge complying with subsection (f)(7) of this section.

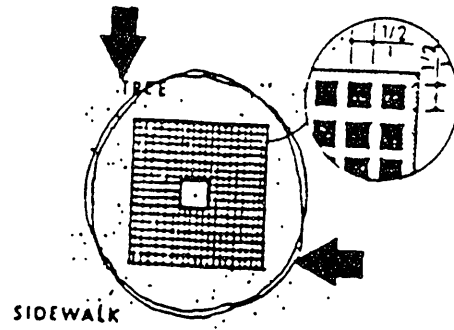
(5) Gratings. If gratings are located along accessible routes, then they shall have spaces no greater than 1/2 inch wide in one direction. If gratings have elongated openings, then they shall be placed so that the long dimension is perpendicular to the dominant direction of travel. See Figures (h)1.1-(h)1.3.



(h) 1.1



(h) 1.2



(h) 1.3

FIGURE (h) 1

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

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

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

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

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

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

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

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

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

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

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

(D) Accessible parking spaces shall be identified and reserved for the disabled by vertically mounted signs incorporating the symbol of accessibility and placed so that they will not be obscured by parked vehicles. There shall be a sufficient number of signs so that each space is clearly identified. The signage shall be of such size that it is legible from a distance that would be reasonable for the condition. Signs may be mounted on posts, walls, fences, columns, or other permanent vertical surfaces. They should be mounted between 48 inches and 80 inches above the

ground or floor surface unless they are part of an accessible route and must comply with subsection (f) of this section. See Figures (i)2.1-(i)2.8 for examples of acceptable signage.

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

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

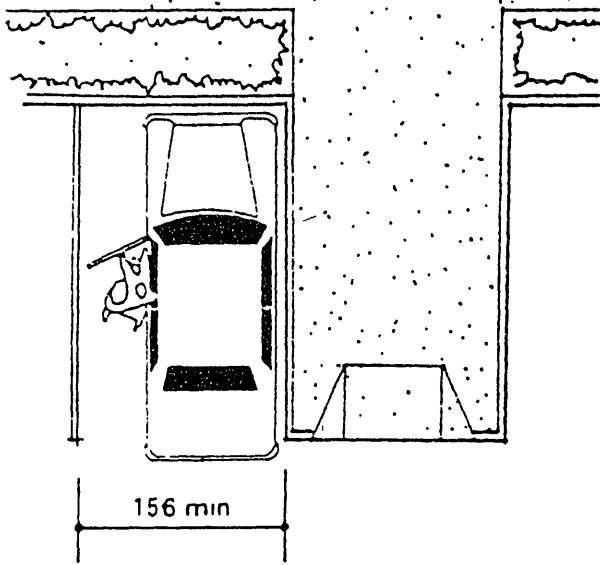
(B) There shall be an accessible route from the point of egress to the nearest accessible primary entry into the building or facility. The maximum distance of travel shall comply with paragraph (2) of this subsection.

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

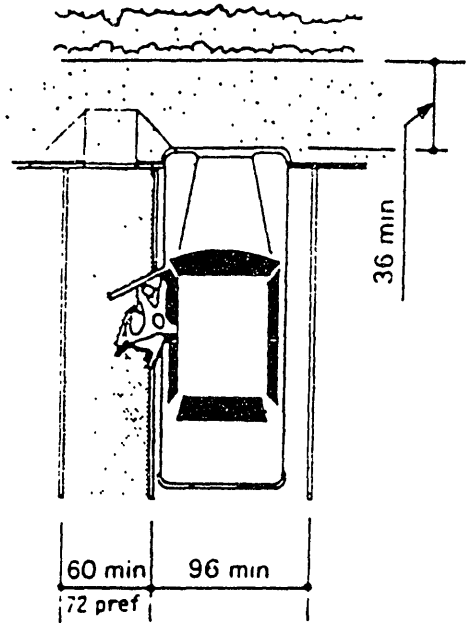
(D) If overhead or below grade walkways are provided, an appropriate number, but never less than one, shall be accessible by conforming to applicable standards and specifications required for accessible routes.

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

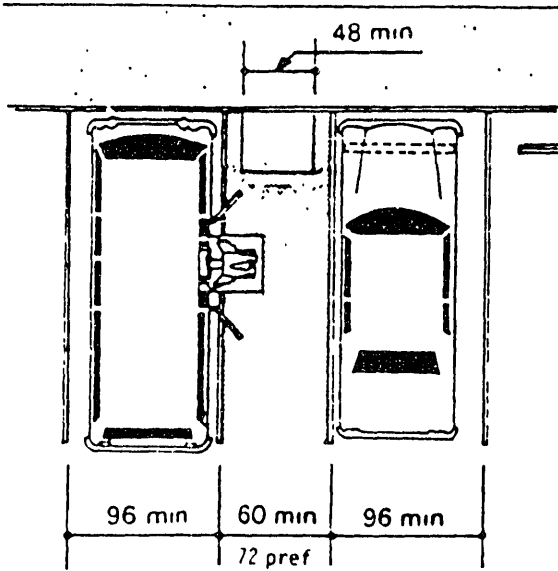
(6) Vertical clearance. Minimum vertical clearances of 114 inches shall be provided at accessible passenger loading and unloading zones; applicable parking areas including garages; and vehicle access routes to such areas from site entrances.



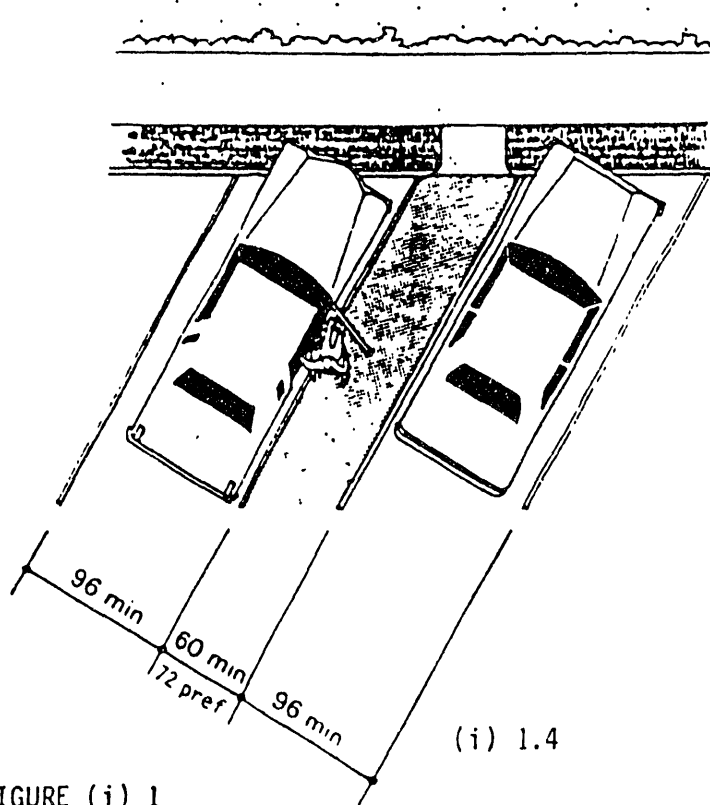
(i) 1.1



(i) 1.2

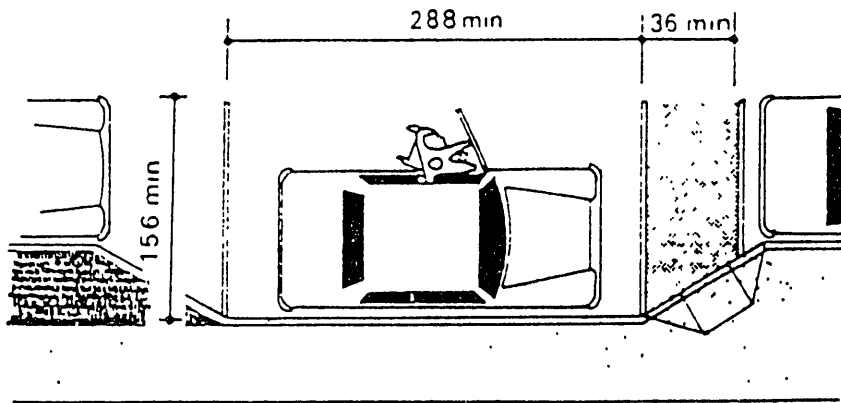


(i) 1.3



(i) 1.4

FIGURE (i) 1



(i) 1.5

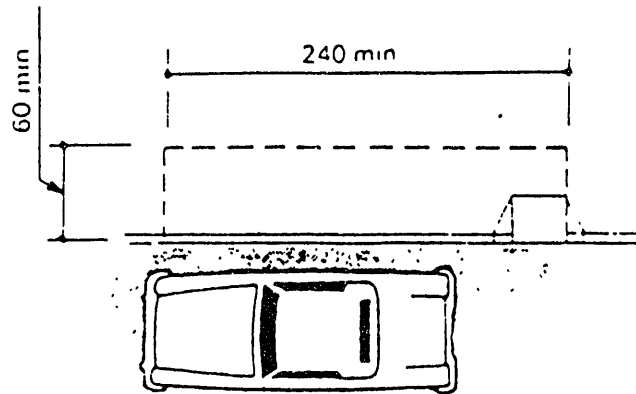
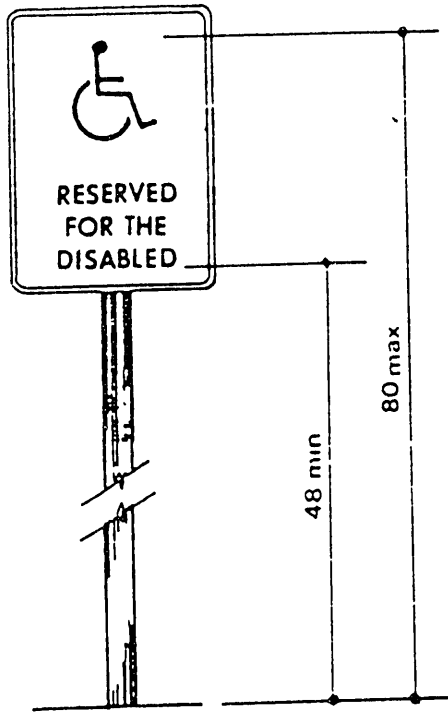


FIGURE (i) 3



(i) 2.1



(i) 2.2



(i) 2.3



(i) 2.4



(i) 2.5



(i) 2.6



(i) 2.7



(i) 2.8

(j) Curb ramps.

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

(2) Slope. Where ramps are required for curbs eight inches or less, they shall comply with either this subsection or subsection (k) of this section. See Tables (j)1 and (k)1. Where ramps are required for curbs in excess of eight inches the curb ramps shall comply with Table (k)1. Transitions from ramps to walks, gutters, or streets should be flush and free of abrupt changes. Maximum slopes of such adjoining surfaces shall not exceed 1:20 (5.0%) and shall have a surface-to surface angle of no less than 170 degrees. See Figure (j)1.1. Slopes shall be measured as shown in Figure (k)2.

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

(4) Surface. Surfaces of curb ramps shall comply with subsection (h) of this section. Textures may consist of ex-

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

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

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

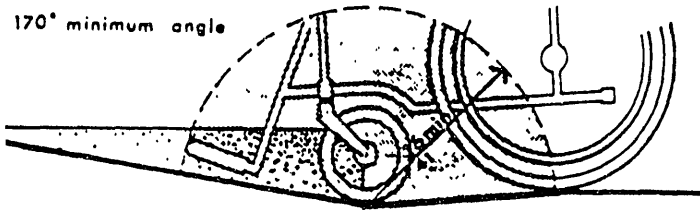
(7) Maneuvering clearance. There shall be a clear maneuvering space of at least 48 inches at the top and bottom of curb ramps. See Figure (j)2.2.

(8) Diagonal curb ramps. If diagonal (corner-type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow. If diagonal curb ramps are provided at marked crossings, the 48 inches minimum maneuvering clearance at the bottom of diagonal curb ramps should be within the markings. See Figures (j)3.3 and (j)3.4. If diagonal curb ramps have flared sides, they should also have a segment of straight curb at least 24 inches long located on each side of the curb ramp and within the marked crossing. See Figure (j)3.3.

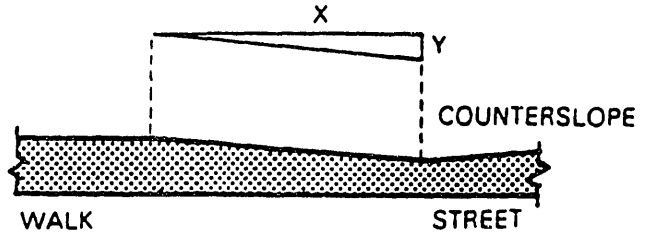
(9) Islands. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least 48 inches long in the part of the island intersected by the crossings. See Figures (j)3.1 and (j)3.2.

TABLE (j) 1

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



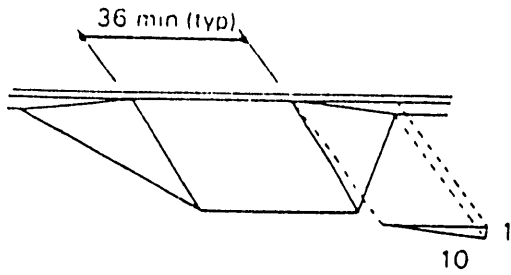
(j) 1.1



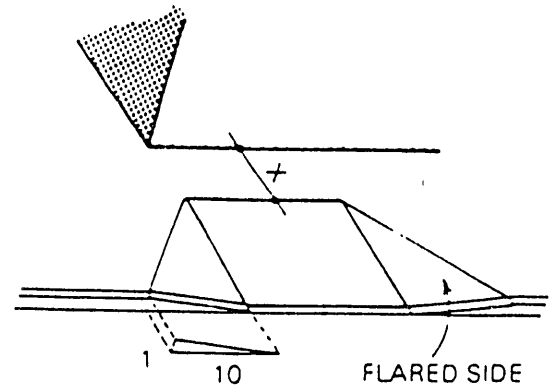
- NOTES:
 (1) Slope = $y:x$, where x is a level plane.
 (2) Counterslope shall not exceed 1:20-

(j) 1.2

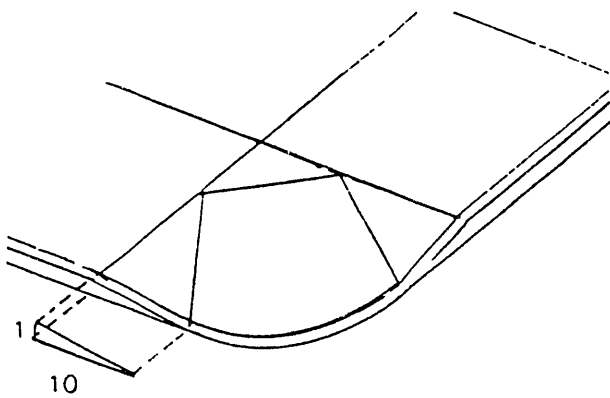
FIGURE (j) 1



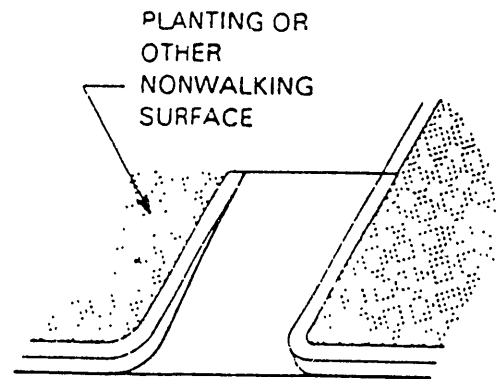
(j) 2.1



(j) 2.2

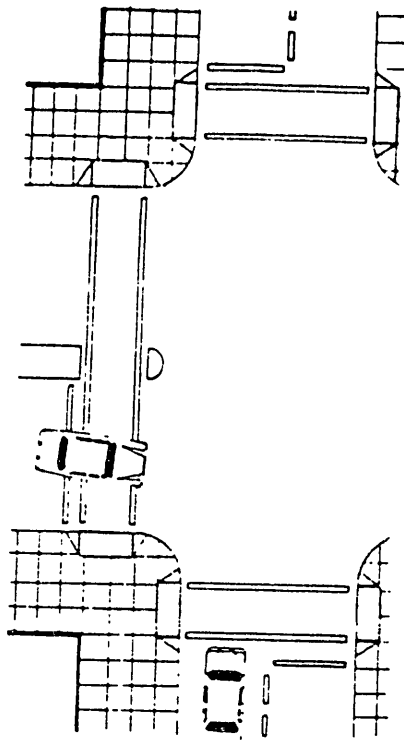


(j) 2.3

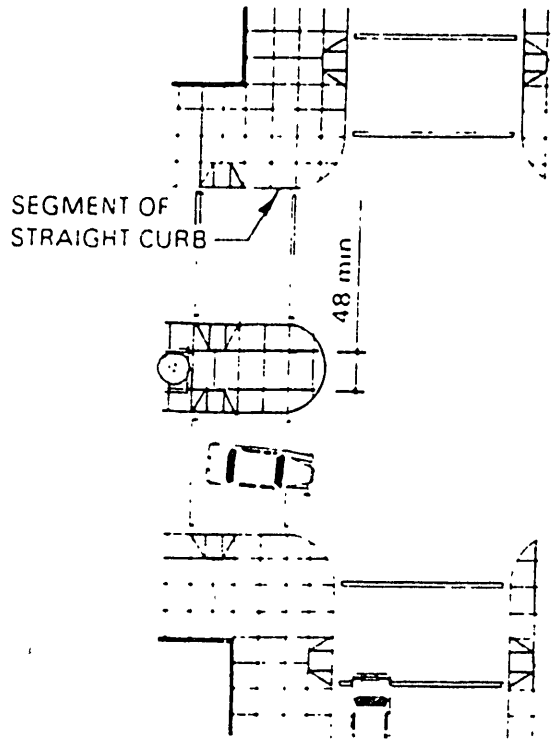


(j) 2.4

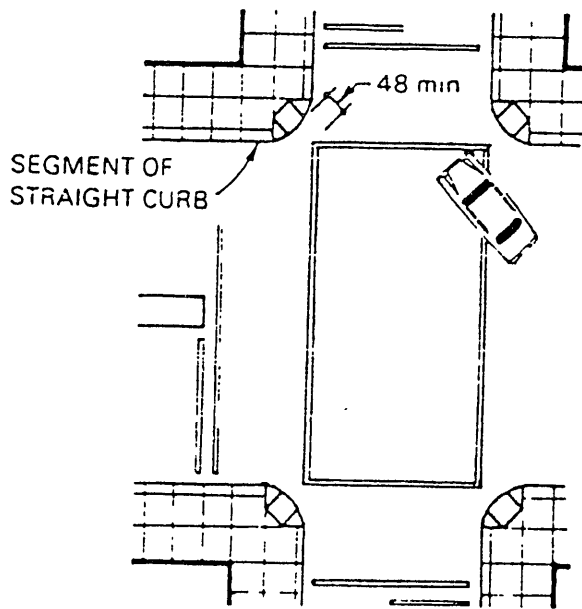
FIGURE (j) 2



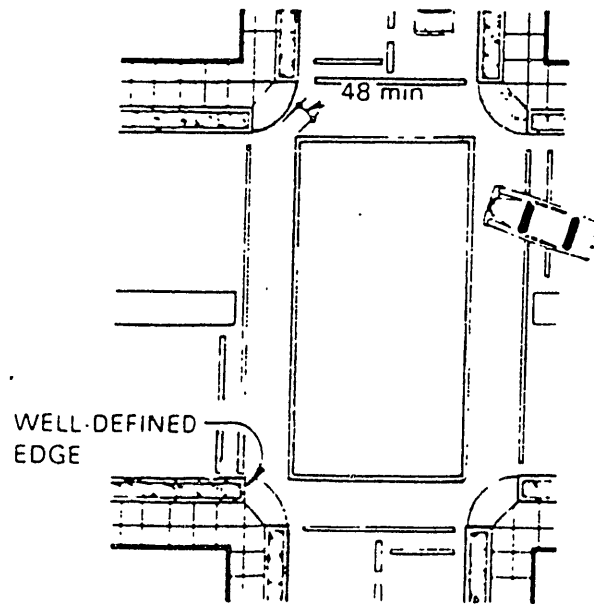
(j) 3.1



(j) 3.2



(j) 3.3



(j) 3.4

FIGURE (j) 3

(k) Ramps.

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

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

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

(2) Slope and rise. Ramps not to exceed the slope and rise ratios set out in Table (k)1. Slopes shall be measured and calculated as illustrated in Figure (k) 2. Transitions from walks to ramps shall be flush and free of abrupt changes. Maximum slopes of adjoining surfaces shall not exceed 1:20 (5.0%), and shall have a surface-to-surface angle of no less than 170 degrees. See Figure (j)1.1.

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

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

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

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

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

Exception. When change of direction does not exceed 45 degrees and the

intersecting surfaces are blended so that an abrupt level differential is not created, landings may be exempted.

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

(5) Handrails. Any ramp having a horizontal projection greater than 72 inches shall have handrails on both sides complying with this subsection. Handrails are not required on curb ramps complying with subsection (j) of this section. Handrails shall have the following features.

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

(B) Handrails shall extend at least 12 inches beyond the top and bottom of ramps and at level landings where the handrails are not continuous. Extensions shall be parallel with the floor or ground surface. 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 (u)1.

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

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

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

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

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

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

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

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

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

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

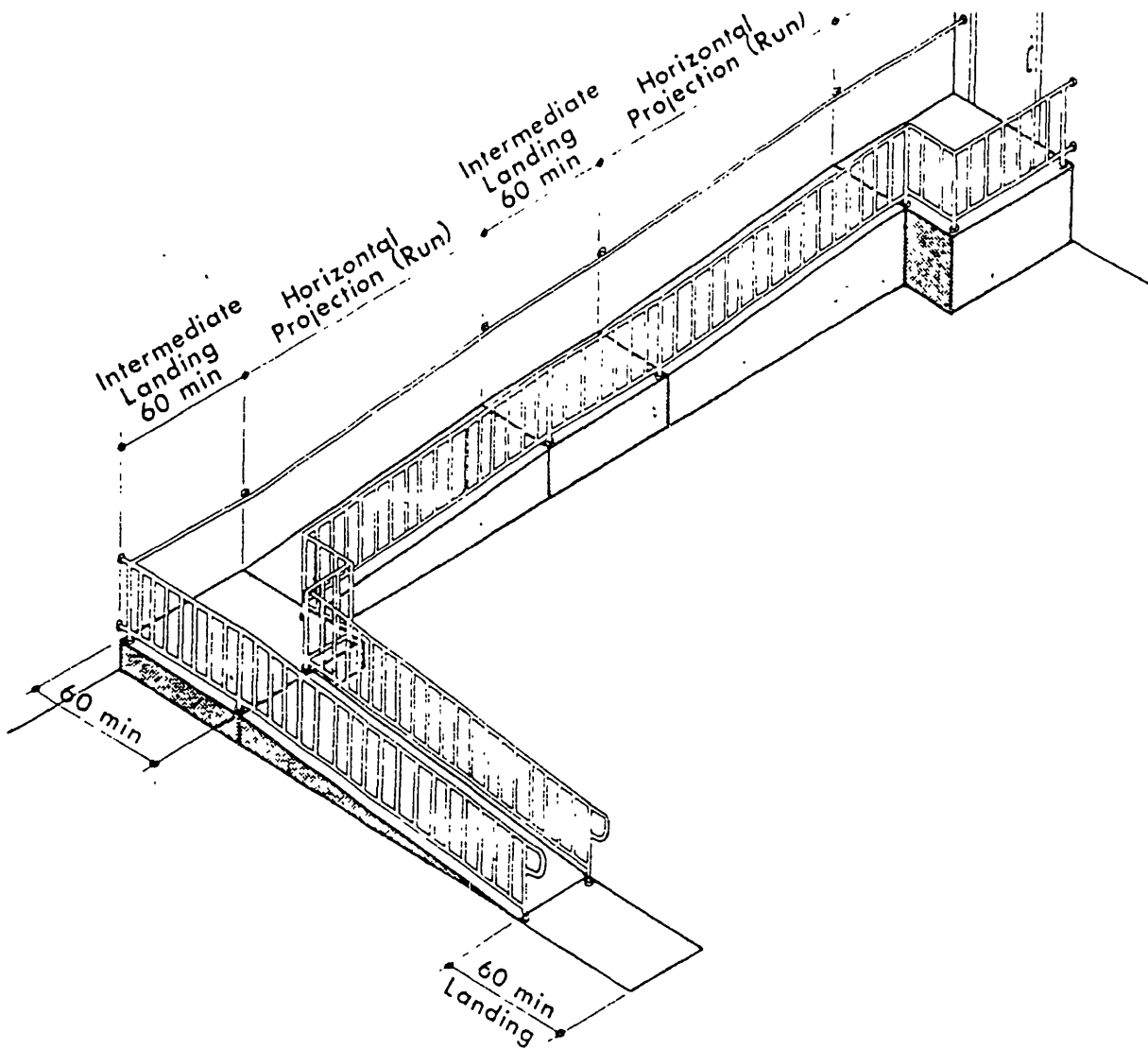
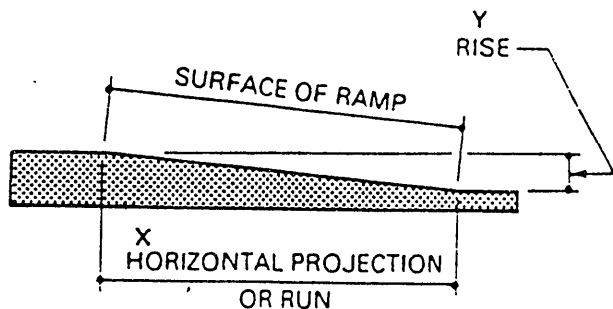


FIGURE (k) 1

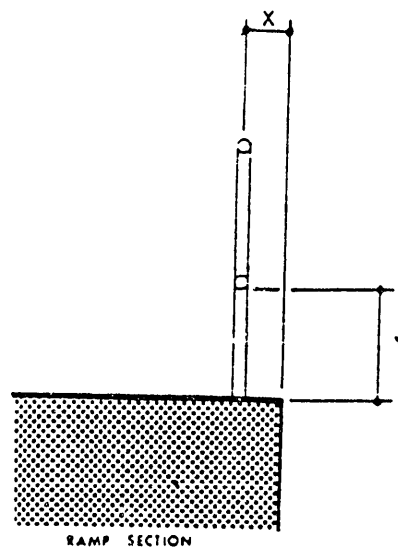
TABLE (k) 1

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



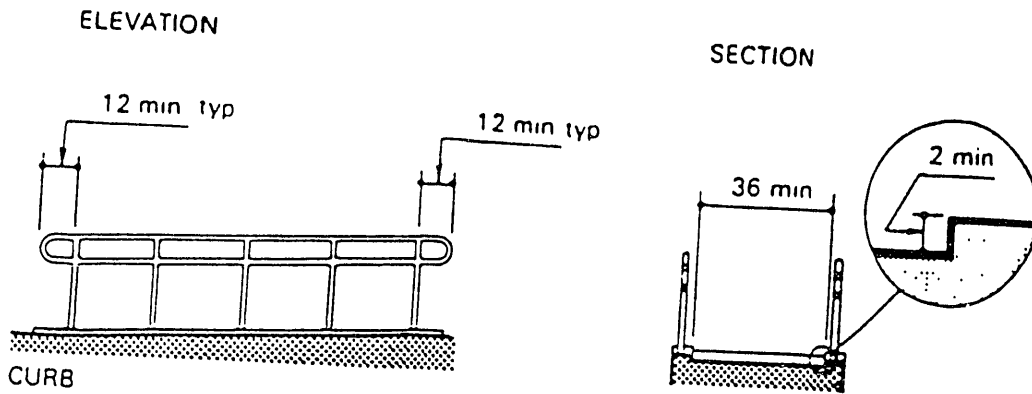
NOTES:
 (1) Slope = $y:x$, where x is a level plane.
 (2) Counterslope shall not exceed 1:20-

FIGURE (k) 2

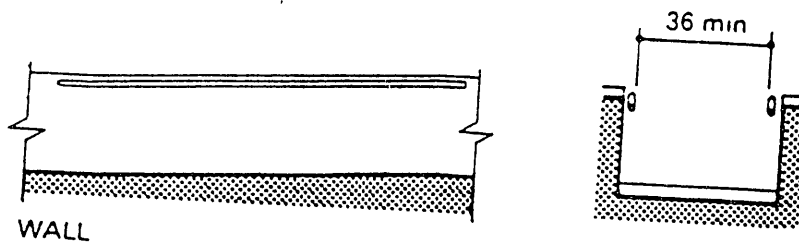


NOTE:
 If X is:
 0"-2" Y shall be: 3" max
 2"-6" 12" max
 6"-12" 12" max

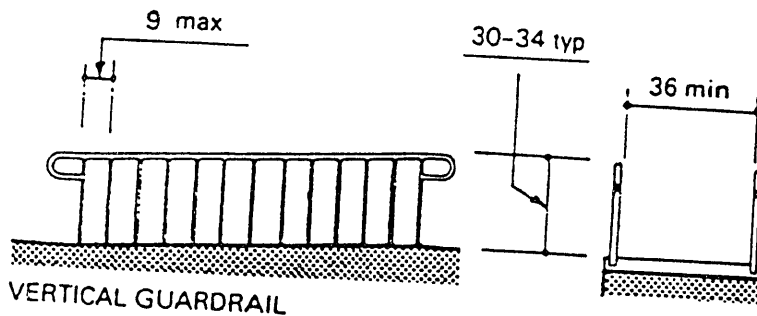
FIGURE (k) 3



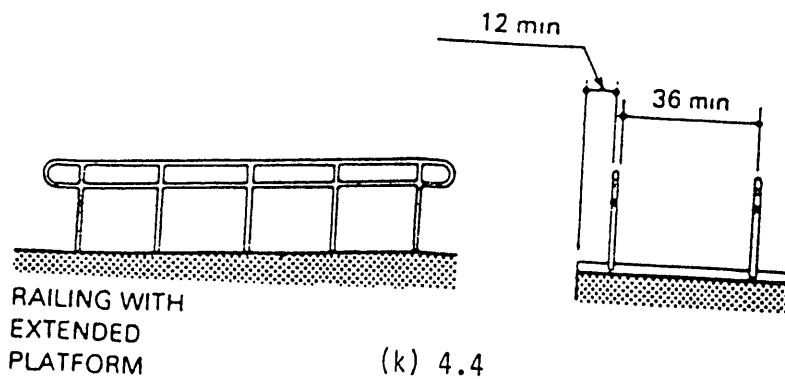
(k) 4.1



(k) 4.2



(k) 4.3



(k) 4.4

FIGURE (k) 4

(l) Stairs.

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

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

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

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

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

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

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

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

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

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

(C) Handrails that are wall-mounted or that are located adjacent to another surface or object shall have a clear space between the rail and adjacent surface of at least 1 1/2 inches. See Figures (u)2.1-

(u)2.5. Handrails may be located in a recess if the recess is a maximum of three inches deep and extends at least 18 inches above the top of the rail. See Figure (u)2.4.

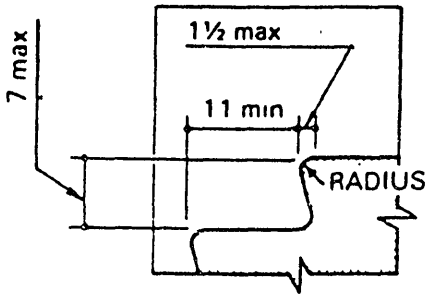
(D) Handrail gripping surfaces shall be continuous without interruption by mounting brackets, mullions, newel posts, or other construction elements or obstructions.

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

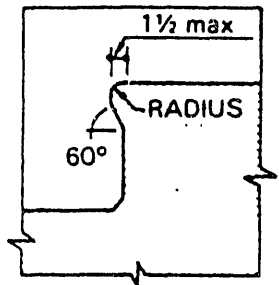
(F) The structural integrity of handrails and their mountings shall comply with subsection (u)(3)(B) of this section.

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

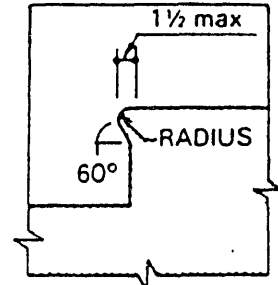
(H) Handrails and any wall or other adjacent surface shall be free of sharp or abrasive elements.



(1) 1.1

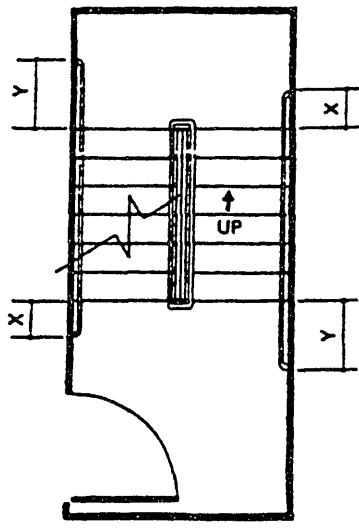


(1) 1.2

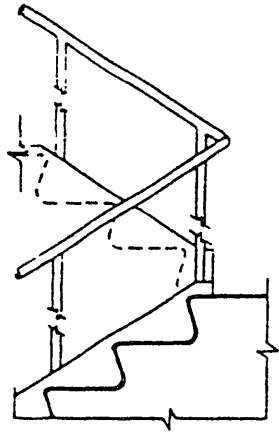


(1) 1.3

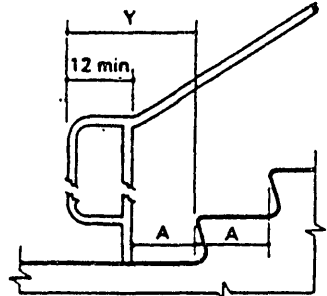
FIGURE (1) 1



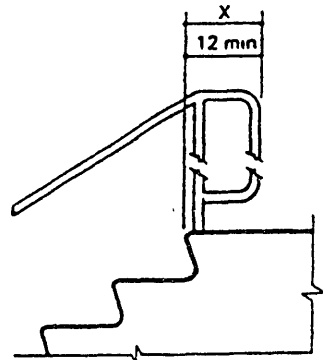
(1) 2.1



(1) 2.2



(1) 2.3



(1) 2.4

FIGURE (1) 2

(m) Elevators and platform lifts.

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

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

(3) Hall call buttons. Call buttons in elevator lobbies and halls shall be no

higher than 54 inches above the floor for side (parallel) approach and 48 inches for frontal approach. Such call buttons shall have visual signals to indicate when each call is registered and when each call is answered. Call buttons shall be 3/4 inch in the smallest dimension. When two call buttons in a set are provided, the button designating the up direction shall be on top. See Figure (m)1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) No floor buttons shall be higher than 54 inches above the car floor for side (parallel) approach and 48 inches for frontal approach. The minimum space necessary for a side approach to a control device is shown in Figure (m)4.2. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and shall have their centerlines no less than 35 inches above the floor.

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

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

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

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

(14) Platform lifts. Platform lifts, including residential elevators, are generally not considered a satisfactory substitute for elevators in most environments and are prohibited in buildings and facilities subject to these standards unless specifically approved by the commission in accordance with variance or waiver procedures contained in §115.56(a)(1) of this title (relating to Submission of Compliance Intent). When lifts are considered by the commission to be the only reasonable means of vertical transportation, they shall provide independent use

by disabled persons and shall comply with ANSI/ASME A17.1 and A17.1a, in addition to the following.

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

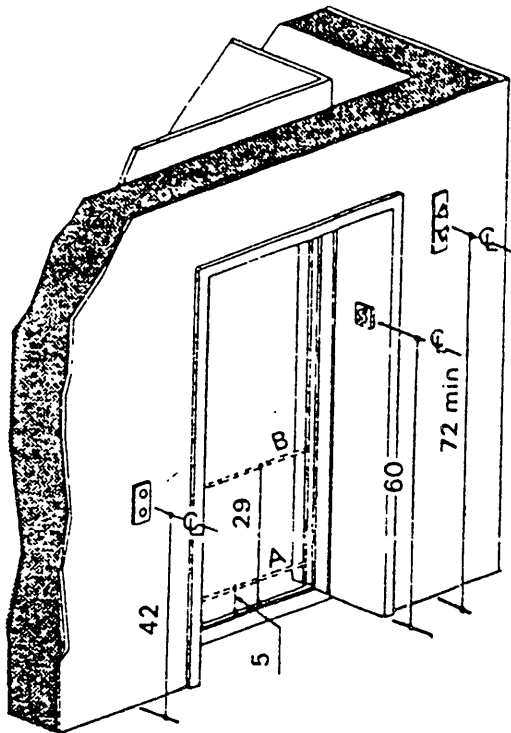
Exception. A minimum depth of 40 inches is allowed if adequate protection and footrest clearances are provided,

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

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

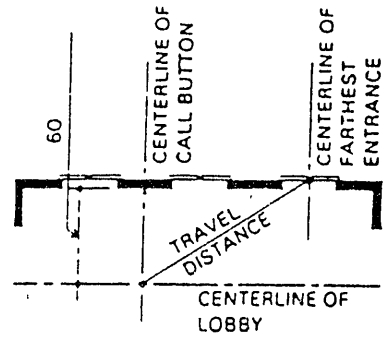
(D) Wheelstops and guard rails. Wheelstops and guard rails shall be provided wherever necessary to prevent wheelchairs from rolling or slipping off the platform edge.

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



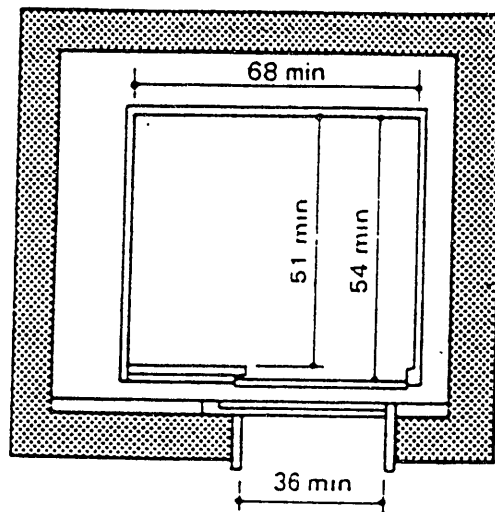
NOTE: The automatic door reopening device is activated if an object passes through either line A or line B. Line A and line B represent the vertical locations of the door reopening device not requiring contact.

FIGURE (m) 1



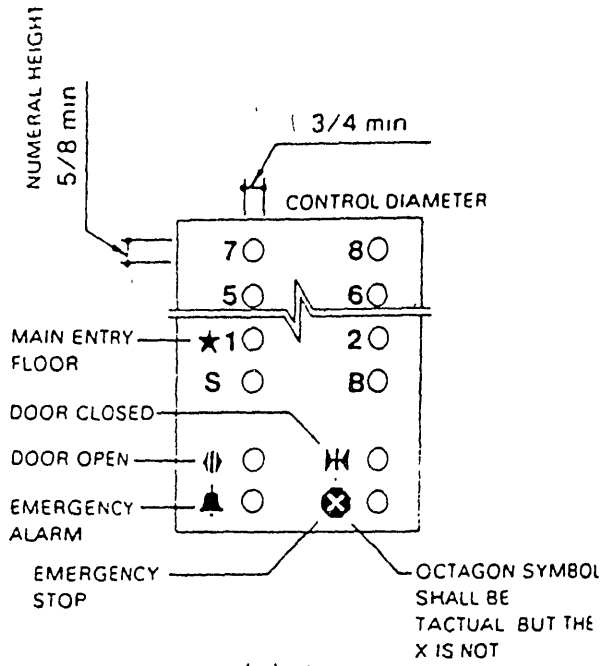
Travel Distance		Time (s)
ft	m	
0.75	0.23	5
10	3	7
15	4.5	10
20	6	13

FIGURE (m) 2

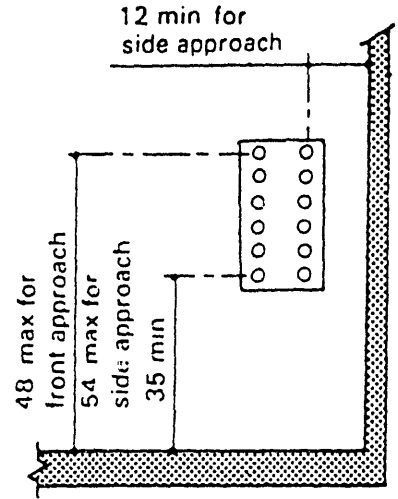


NOTE: Elevator cars with a minimum width less than that shown above, but no less than 54 in, are allowed for elevators with capacities of less than 2000 lb. A center opening door application necessitates increasing the 68 in dimension to 80 in.

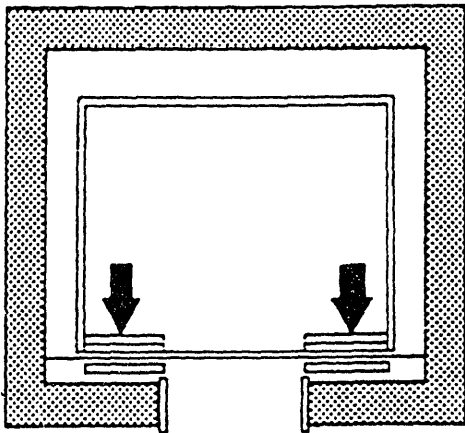
FIGURE (m) 3



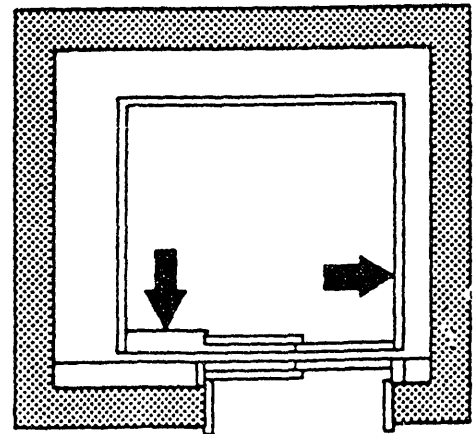
(m) 4.1



(m) 4.2



(m) 4.3



(m) 4.4

FIGURE (m) 4

(n) Doors and door openings.

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

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

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

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

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

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

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

(5) Two doors in series. The minimum space between two hinged or pivoted doors in series shall be 48 inches plus the

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

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

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

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

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

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

(9) Door hardware. Handles, knobs, pulls, latches, locks, and other operating devices on accessible doors shall be mounted no higher than 48 inches above the floor or ground surface and shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or severe twisting to operate. The force required to activate door hardware shall be greater than five pounds force. Preferred designs include, but are not limited to, lever-operated mechanisms, push-type mechanisms, and U-shaped handles. When sliding doors are fully open, operating hardware shall be exposed and usable from both sides. Doors to hazardous areas such as loading platforms, boiler rooms, mechanical and electrical rooms, and to other areas that might be dangerous to a blind person, shall be made identifiable to

the touch by a textured surface on the door handle, knob, pull, or other operating hardware. This textured surface may be made by knurling or roughening or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

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

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

(A) Exterior hinged doors shall not exceed 8.5 pounds force. Slight increases in opening force shall be allowed where 8.5 pounds force is insufficient to compensate for air pressure differentials.

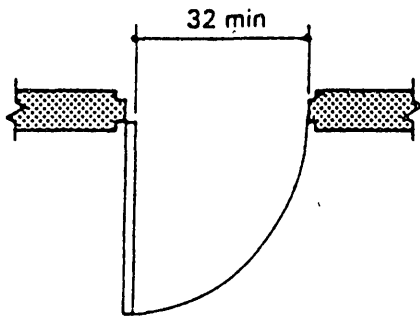
(B) Sliding doors, folding doors, and interior hinged doors shall not require a force exceeding five pounds force.

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

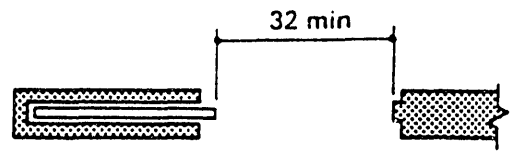
(12) Automatic and power-assisted doors. If automatic or power-assisted doors are utilized within a building or facility, they shall comply with this paragraph.

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

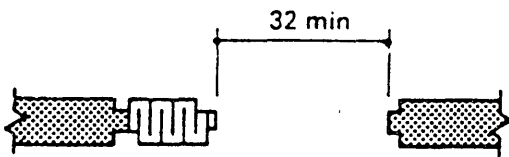
(B) Power-assisted doors shall comply with ANSI/BHMA A156.19. Such doors shall not exceed the minimum opening forces set out in paragraph (11) of this subsection; shall not open to back check faster than three seconds; and shall require no more than 15 pounds force to stop door movement.



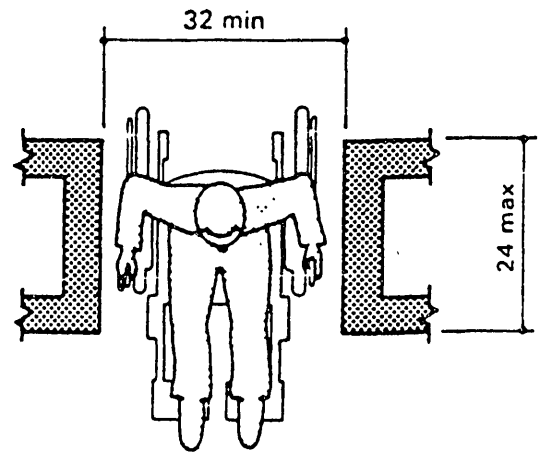
(n) 1.1



(n) 1.2

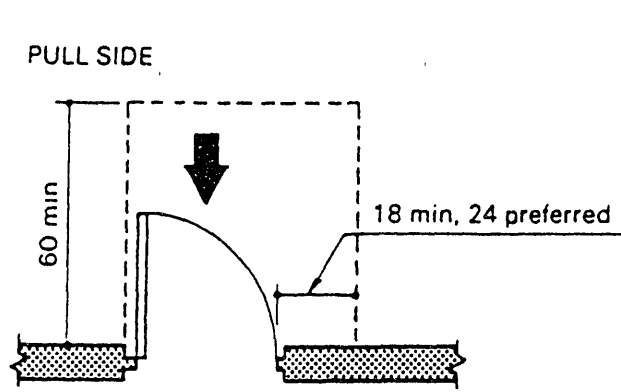


(n) 1.3

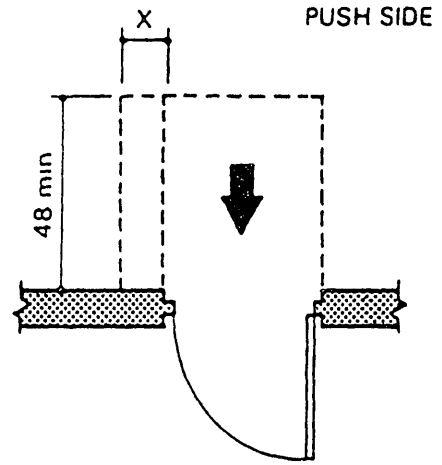


(n) 1.4

FIGURE (n) 1

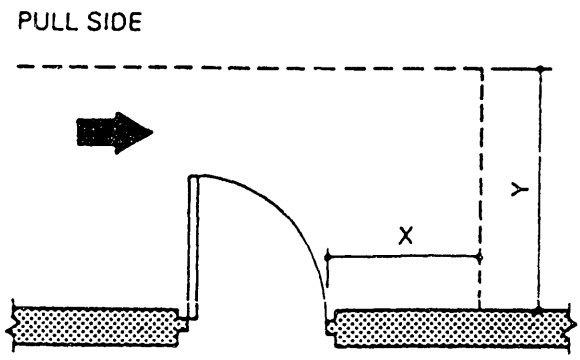


(n) 2.1



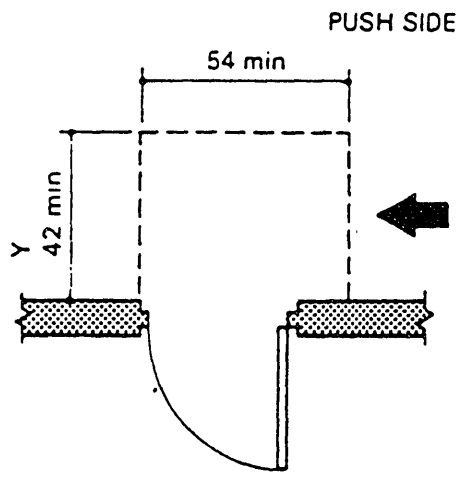
NOTE: $x = 12$ in if the door has both a closer and a latch.

(n) 2.2



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

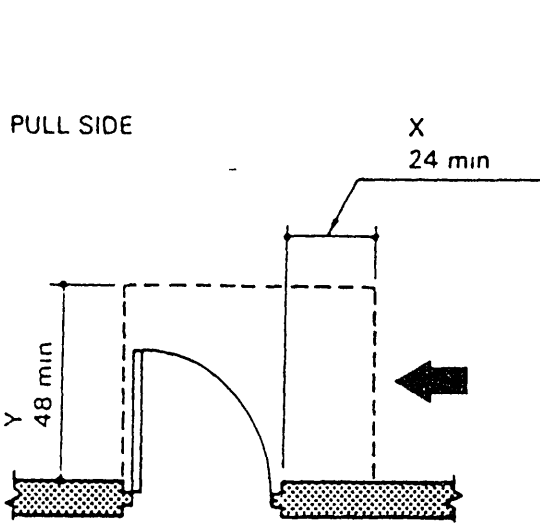
(n) 2.3



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

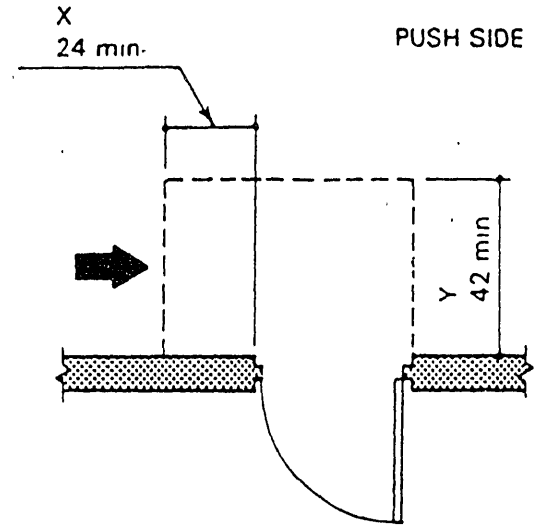
(n) 2.4

FIGURE (n) 2



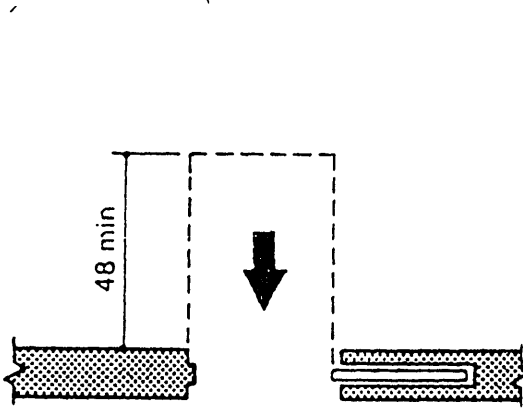
NOTE: $y = 54$ in minimum if the door has a closer.

(n) 2.5



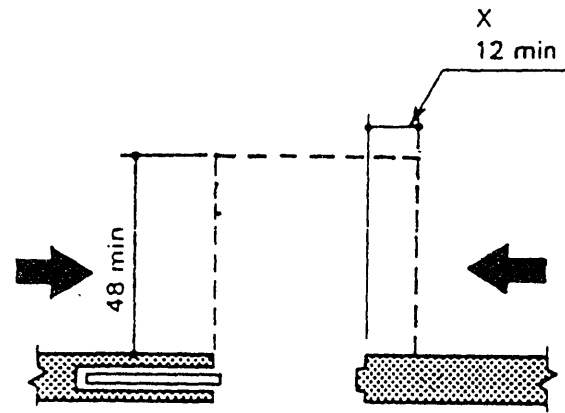
NOTE: $y = 48$ in minimum if the door has a closer.

(n) 2.6

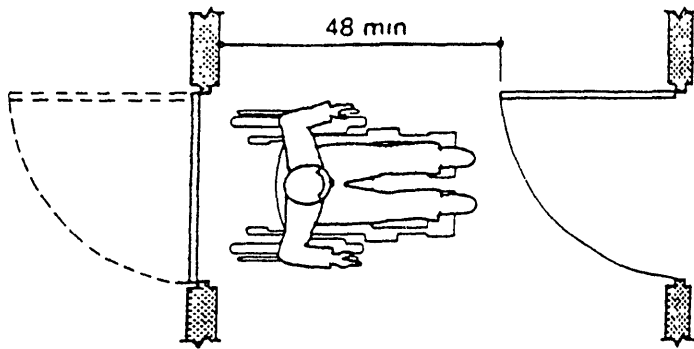


NOTE: All doors in alcoves shall comply with the clearances for front approaches.

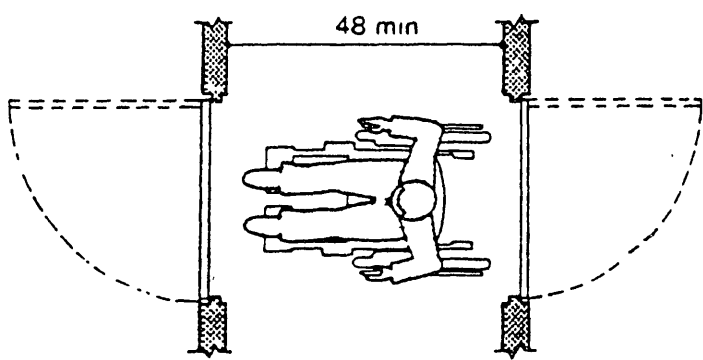
(n) 2.7



(n) 2.8



(n) 3.1



(n) 3.2
FIGURE (n) 3

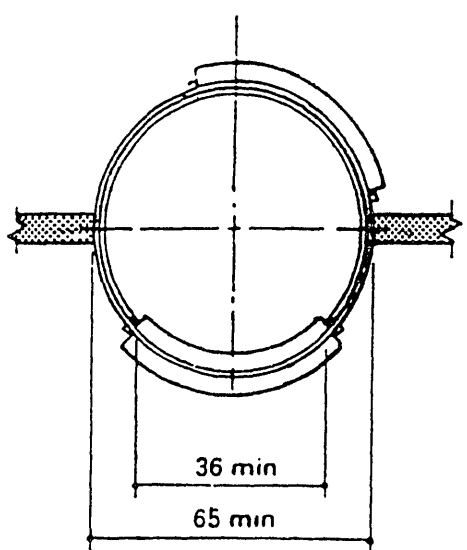
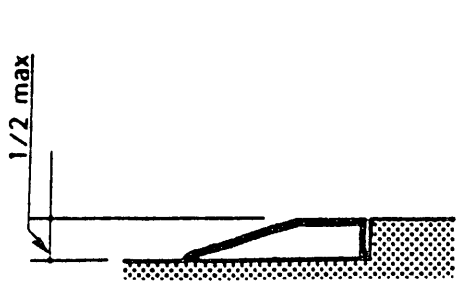
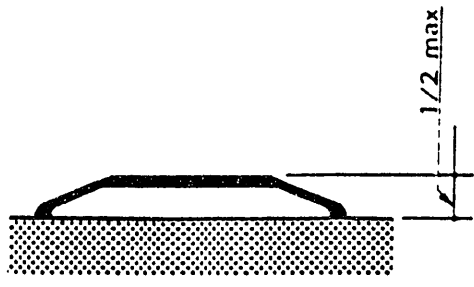


FIGURE (n) 4

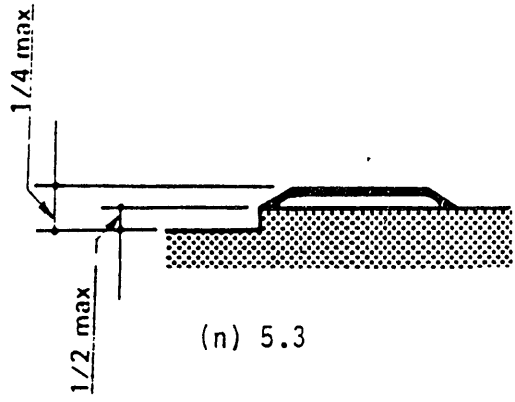
60
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20
10
0
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40
50
60



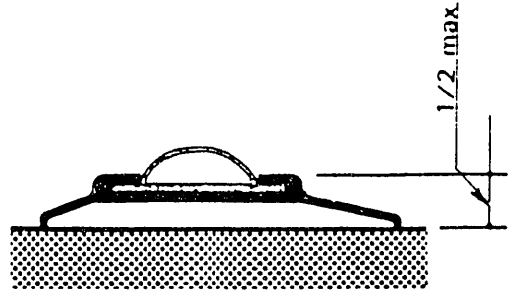
(n) 5.1



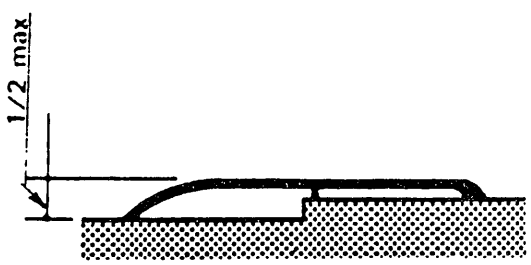
(n) 5.2



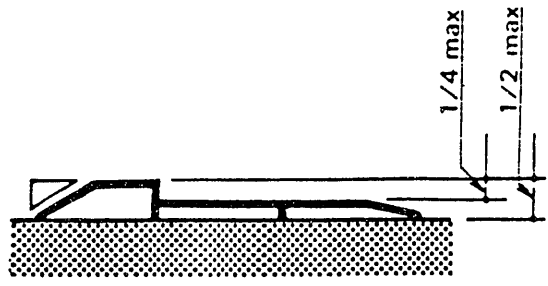
(n) 5.3



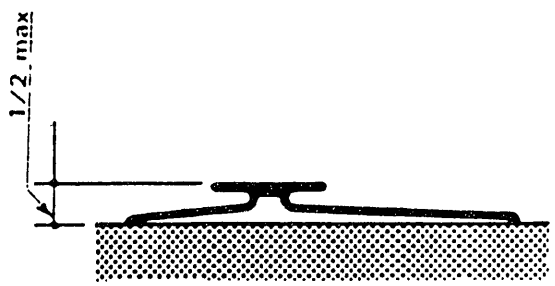
(n) 5.4



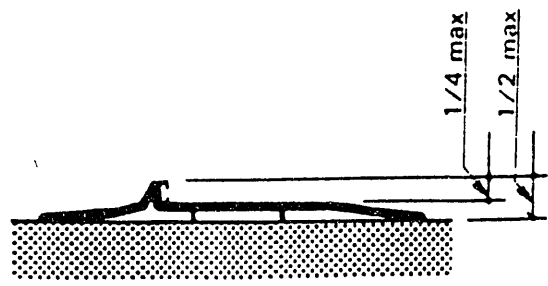
(n) 5.5



(n) 5.6



(n) 5.7



(n) 5.8

FIGURE (n) 5

(o) Entrances.

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

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

(p) Drinking fountains and water coolers.

(1) General. All drinking fountains and water coolers required to be accessible per subsection (d) of this section shall comply with this subsection shall comply

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

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

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

(4) Controls. Controls shall be located at or near the front edge of the foun-

tain or water cooler and shall comply with subsection (s) of this section.

(5) Clearances.

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

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

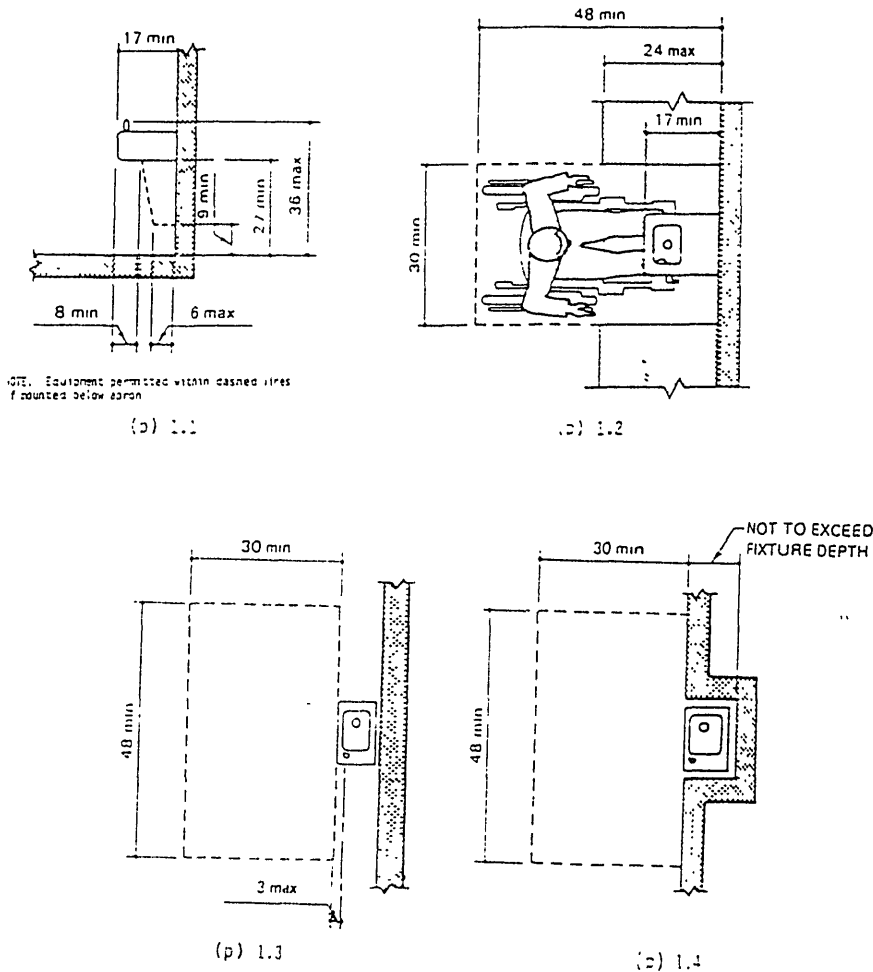
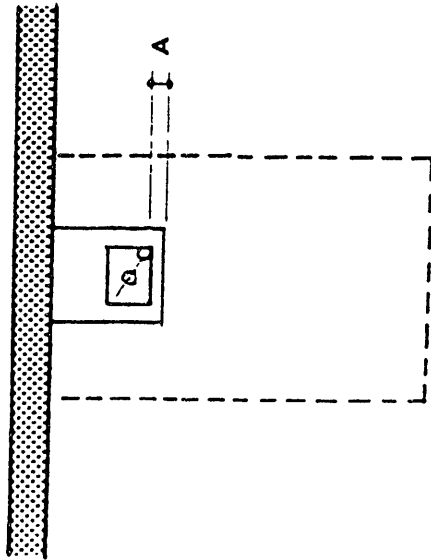
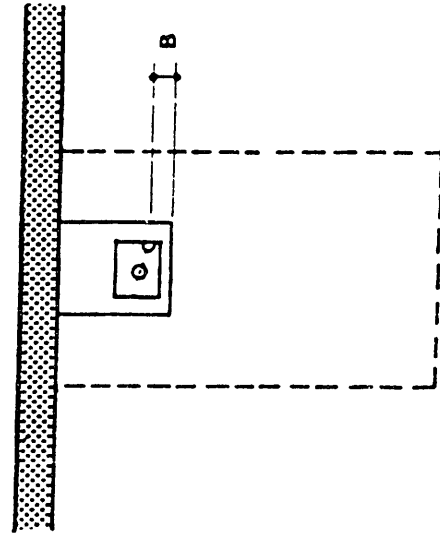


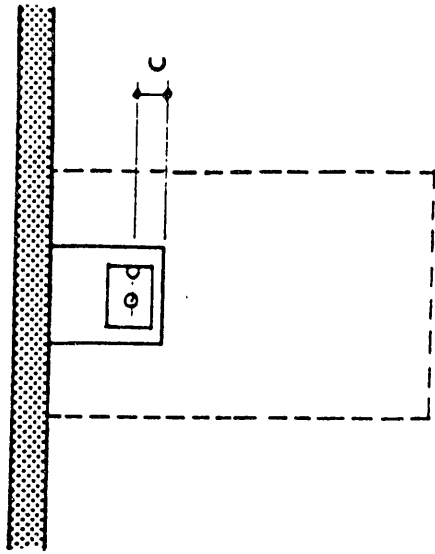
FIGURE (p) 1



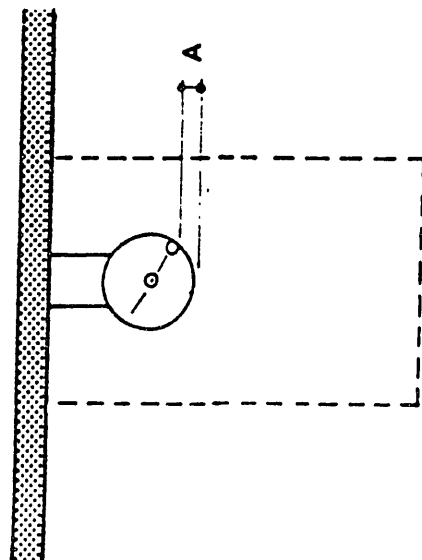
(p) 2.1



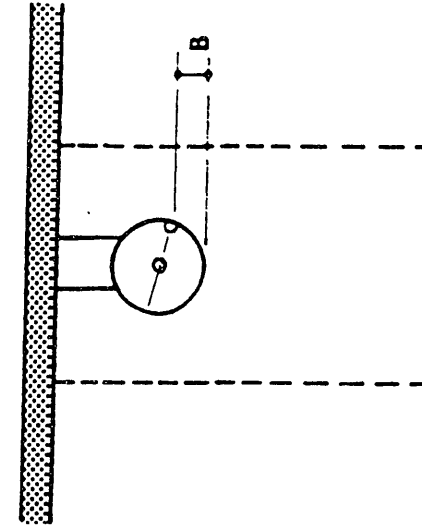
(p) 2.2



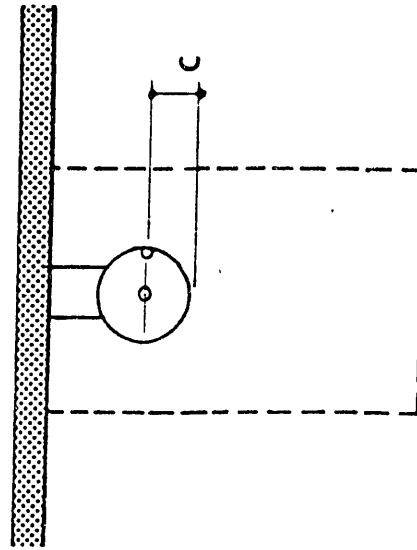
(p) 2.3



(p) 2.4



(p) 2.5



(p) 2.6

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

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

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

FIGURE (p) 2

(q) Toilet rooms.

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

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

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

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

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

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

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

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

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

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

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

(A) Water closets. Water closets in accessible stalls shall comply with the height requirement of paragraph (5)(B) of this subsection and shall be located in accordance with subparagraph (B) of this paragraph.

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

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

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

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

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

(7) Urinals.

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

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

(C) Clear floor space. A clear floor space 30 inches by 48 inches shall be provided in front of urinals to allow forward approach. See Figures (q)7.1 and (q)7.2 This clear space shall adjoin or overlap an accessible route and shall comply with subsection (e)(4) of this section. The clear space between privacy shields may be reduced to 24 inches provided the shields do not extend beyond the front edge of the urinal rim. See Figure (q)7.3.

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

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

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

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

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

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

(9) Toilet room fixtures and equipment.

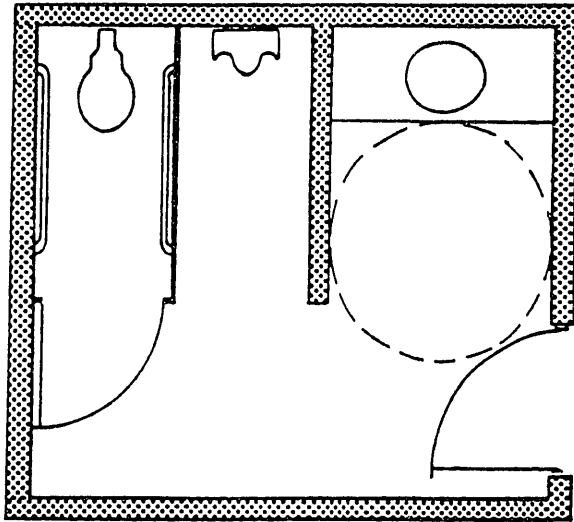
(A) Mirrors. If mirrors are provided, at least one should be mounted so that the bottom edge of the reflecting surface is no higher than 40 inches above the floor. See Figure (q)8.1.

Exception. Mirrors having a permanent (fixed) tilt may be mounted higher than the prescribed height provided the viewing level is equal to the 40 inch

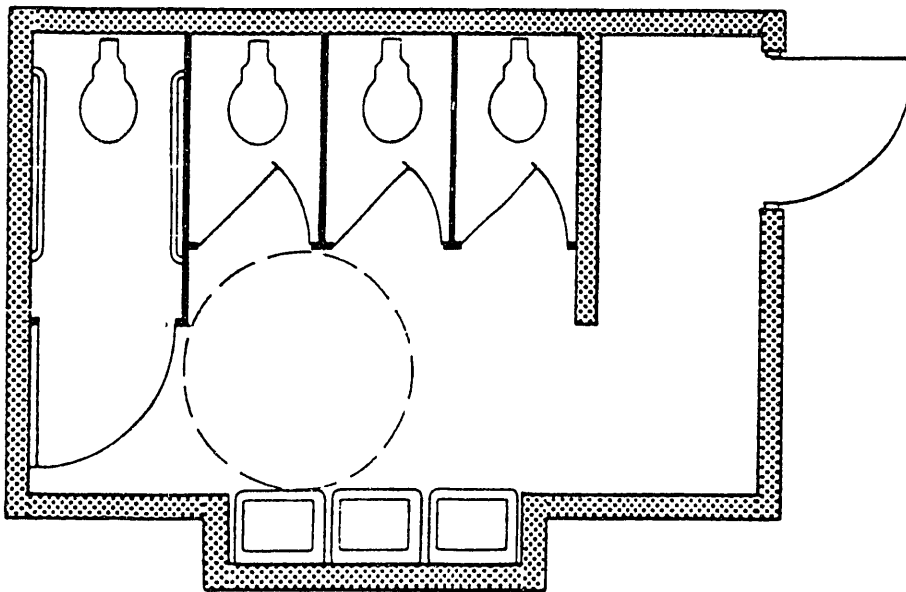
height at a distance of approximately 48 inches. See Figure (q)8.1.

(B) Controls, dispensers, and other equipment. At least one of each type of control, dispenser, or other operable

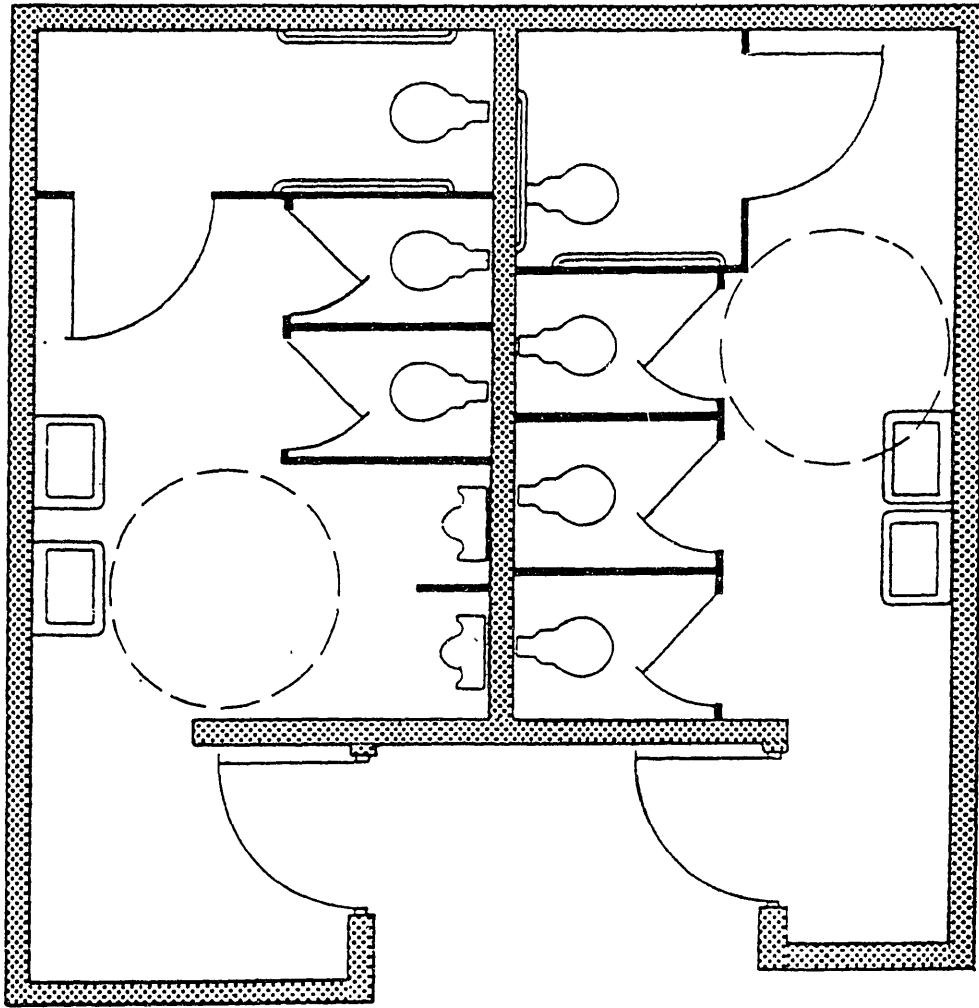
equipment that is provided in an accessible toilet room shall be on an accessible route, shall be within the reach limitations prescribed in subsection (e)(5) and (6) of this section, and shall comply with section (s) of this section.



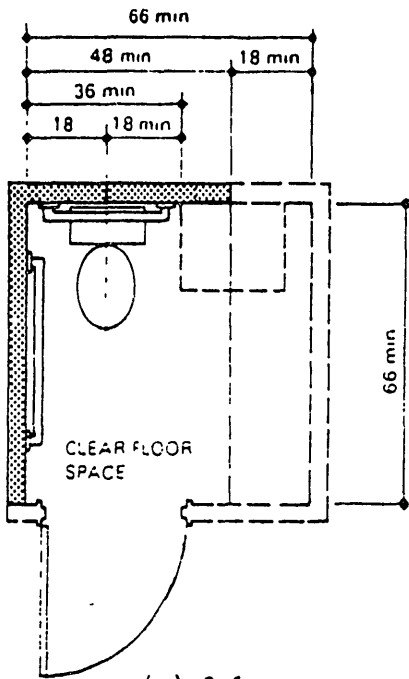
(q) 1.1



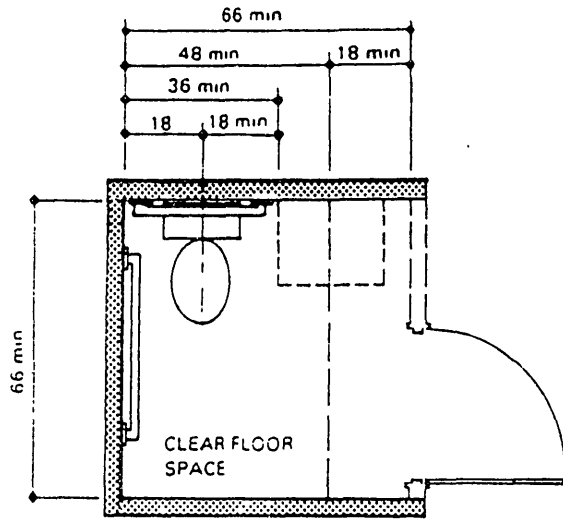
(q) 1.2
FIGURE (q) 1



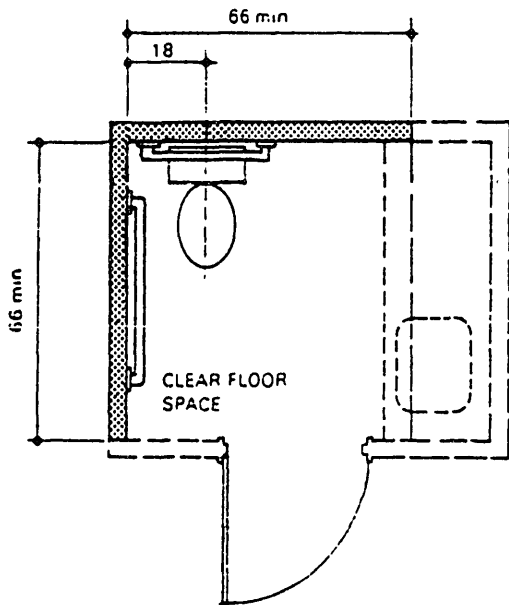
(q) 1.3



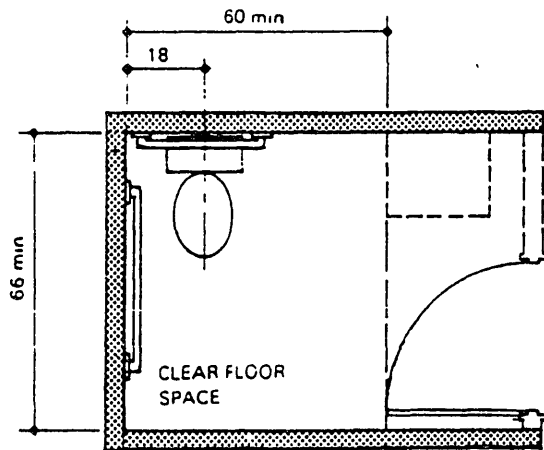
(q) 2.1



(q) 2.2

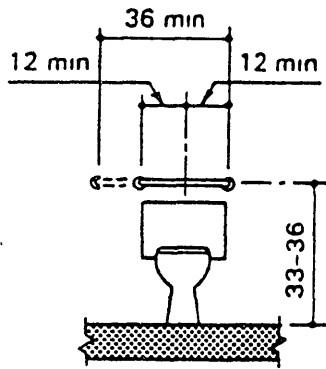


(q) 2.3

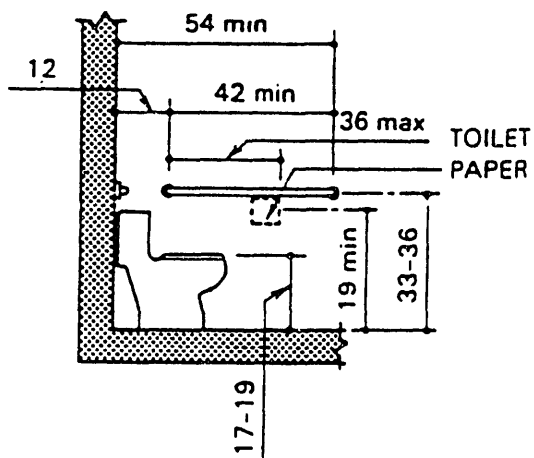


(q) 2.4

FIGURE (q) 2

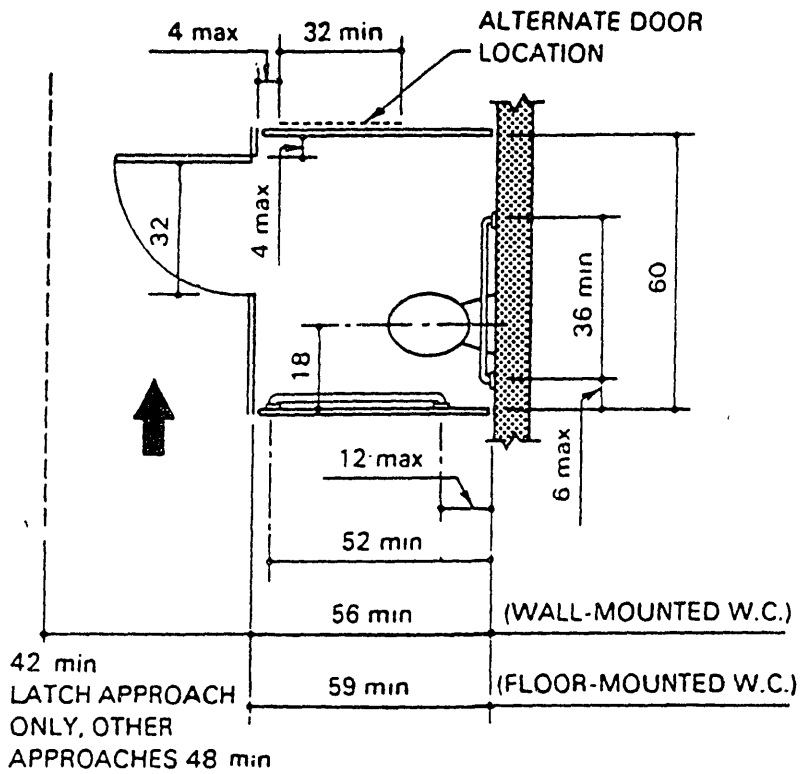


(q) 3.1



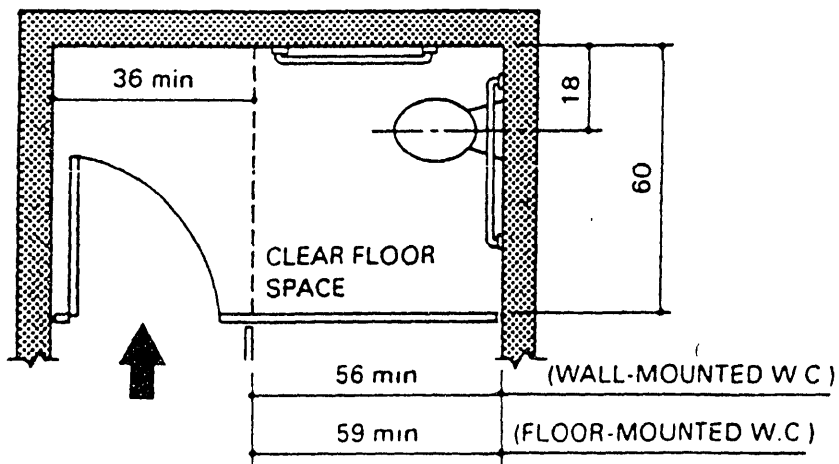
(q) 3.2

FIGURE (q) 3



MIDDLE OF ROW

(q) 4.1

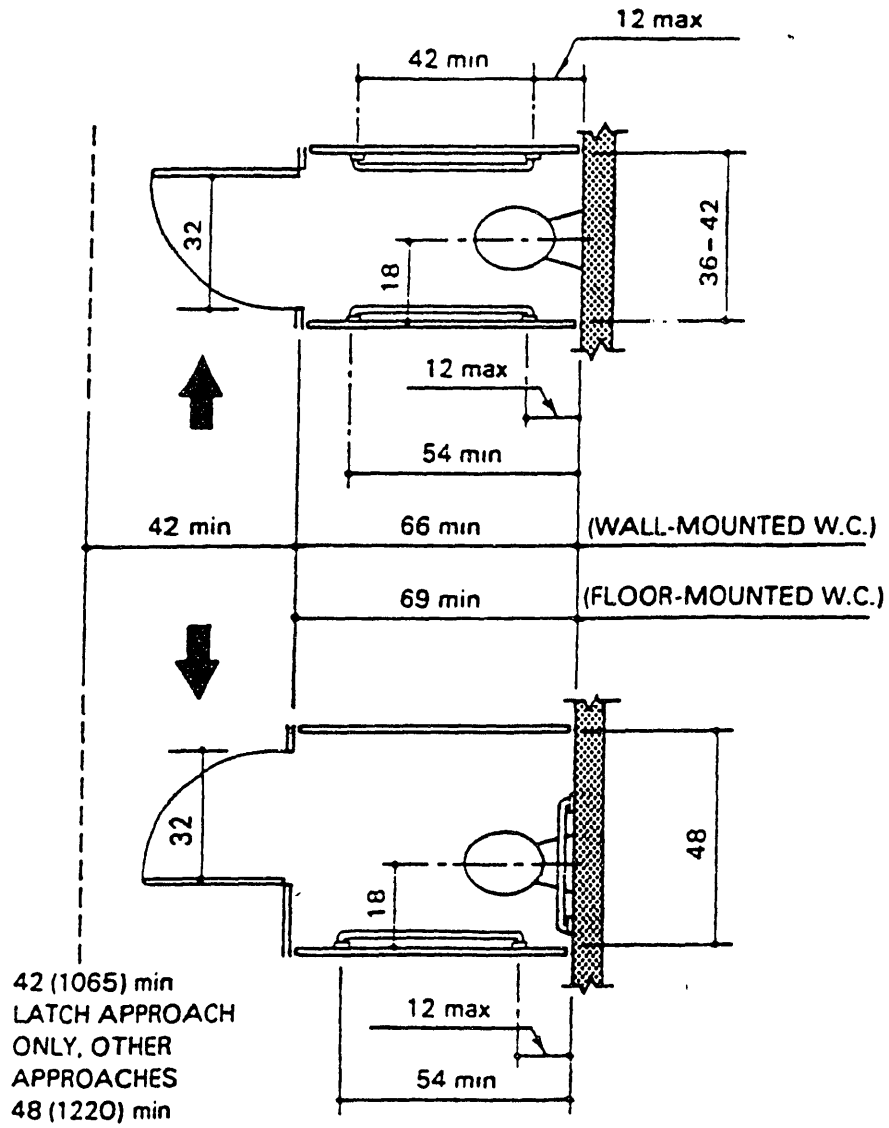


END OF ROW

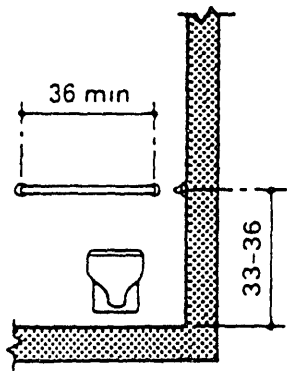
(q) 4.2

FIGURE (q) 4

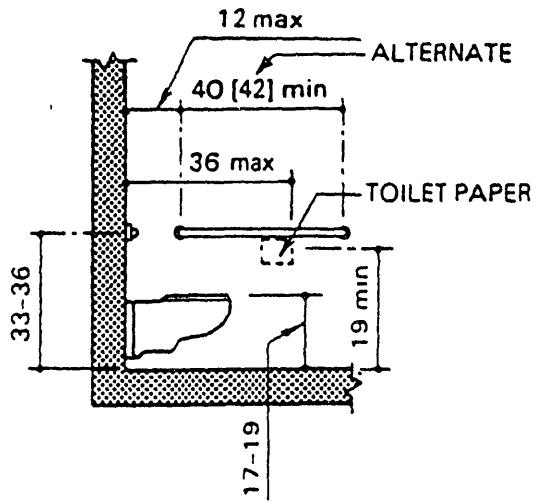
(q) 4.3



(q) 4.4

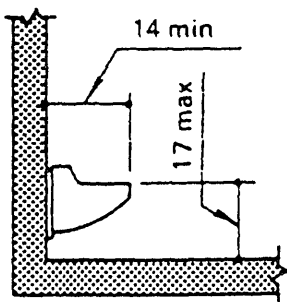


(q) 5.1



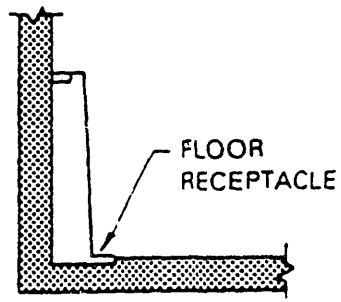
(q) 5.2

FIGURE (q) 5



ELONGATED
WALL-HUNG

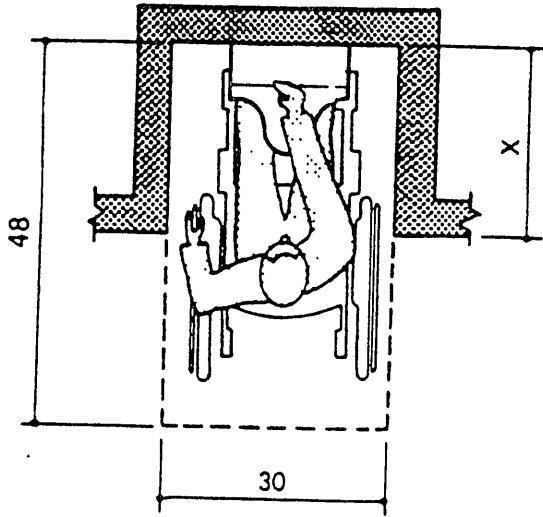
(q) 6.1



STALL TYPE

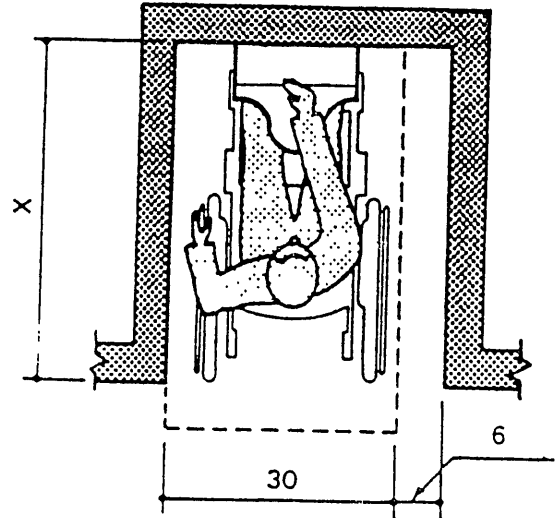
(q) 6.2

FIGURE (q) 6



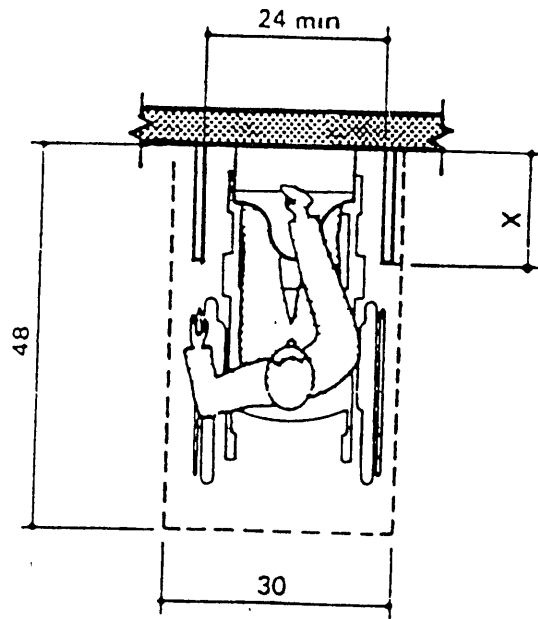
NOTE: x is less than or equal to 24 in.

(q) 7.1



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

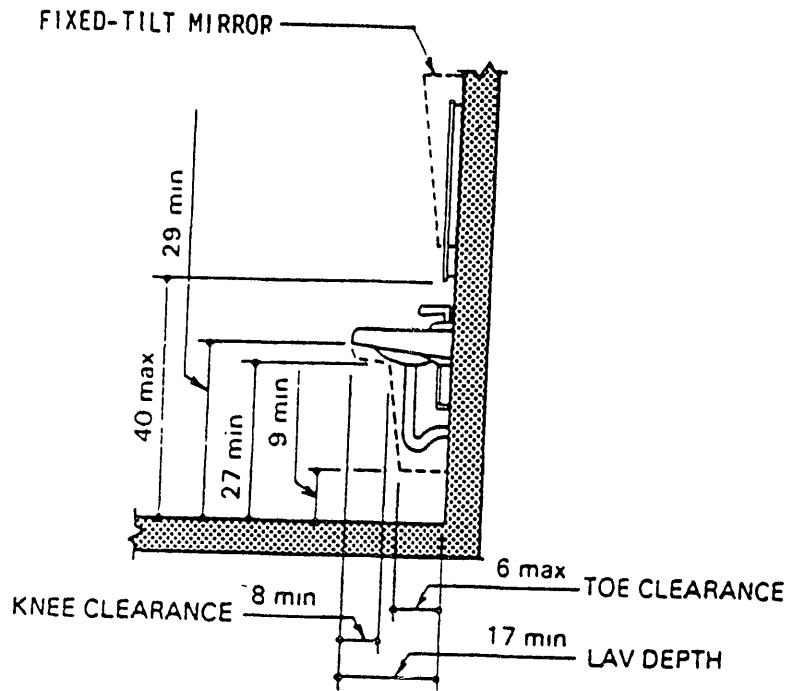
(q) 7.2



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

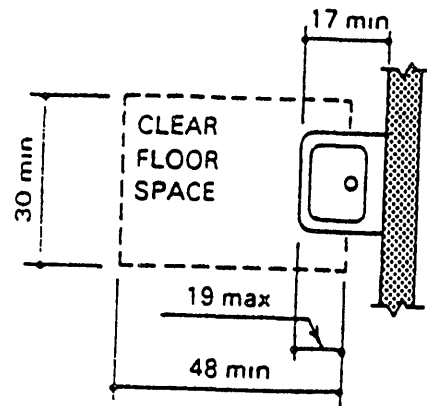
(q) 7.3

FIGURE (q) 7

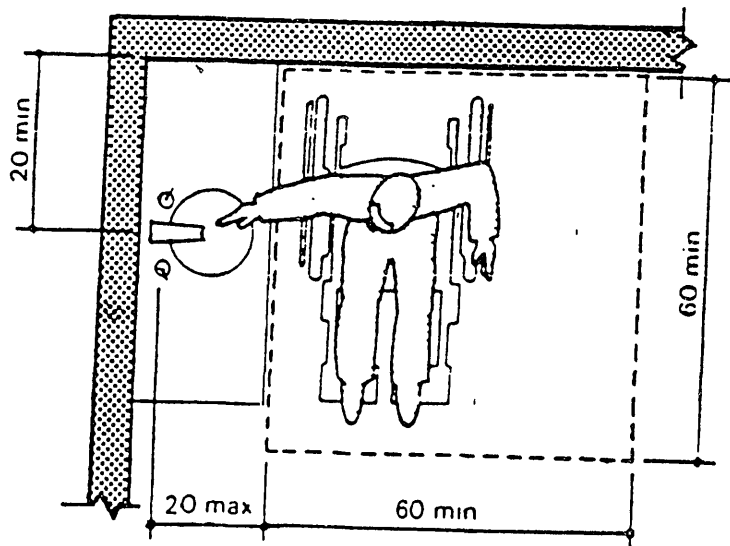


NOTE: Dashed line indicates dimensional clearance of optional underlavatory enclosure.

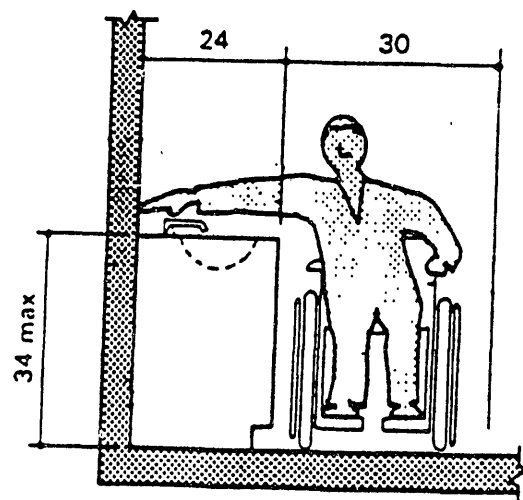
(q) 8.1



(q) 8.2



(q) 8.3



(q) 8.4

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

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

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

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

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

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

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

(C) Grab bars. If provided during construction or renovation, grab bars shall be installed as shown in Figures (r)2.1-(r)2.3 and (r)3.1-(r)3.6, and shall comply with subsection (u)(2) of this section. If grab bars are not installed during construction or renovation, as allowed in

subsection (z)(2) of this section, structural reinforcement or other provisions that will allow installation at a later time shall be provided in locations matching those shown in Figures (r)4.1-(r)4.6.

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

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

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

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

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

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

(C) Grab bars. If provided during construction or renovation, grab bars

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

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

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

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

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

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

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

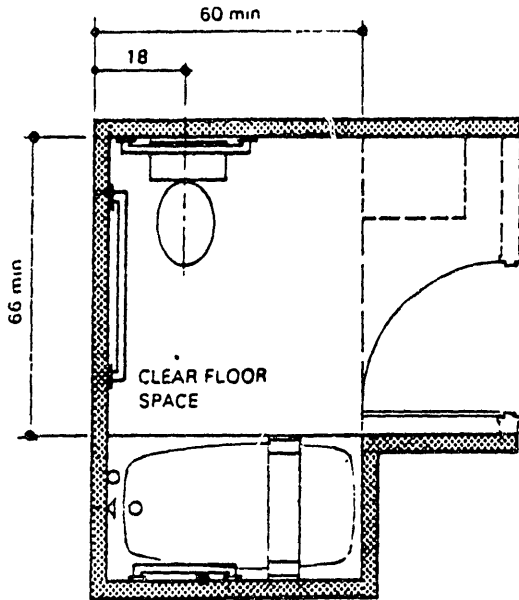


FIGURE (r) 1

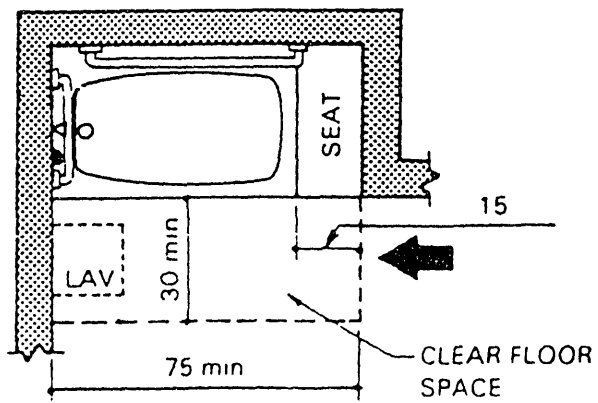
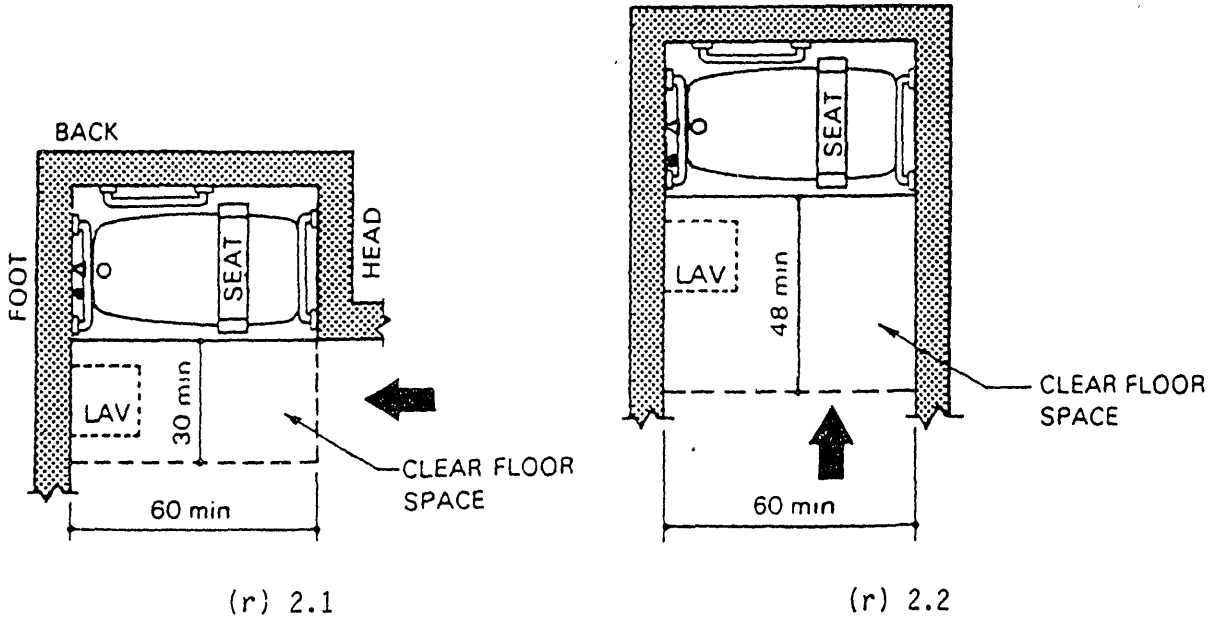
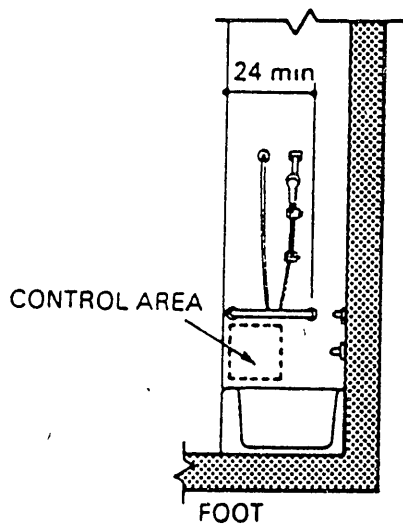
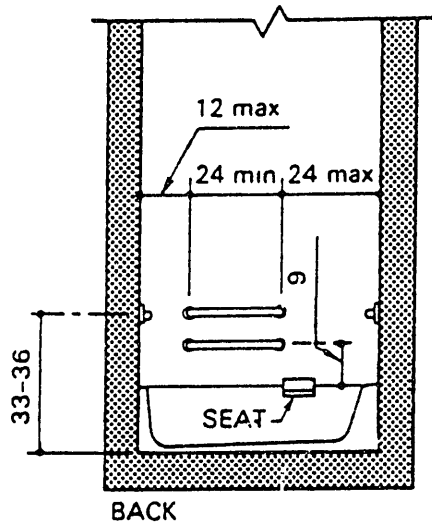


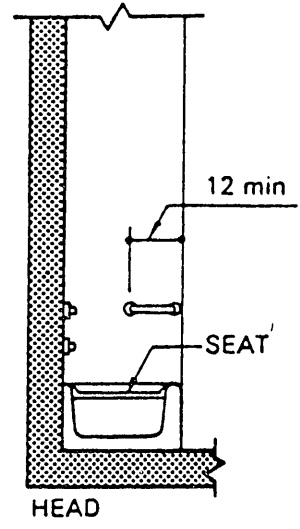
FIGURE (r) 2



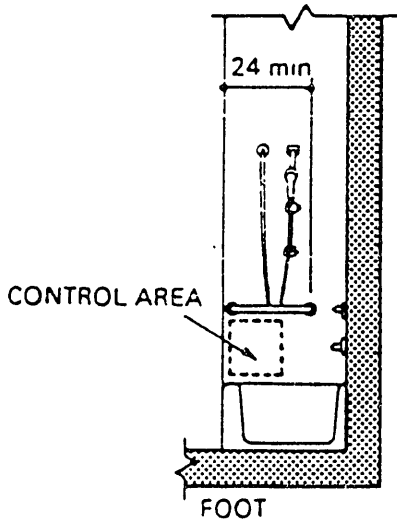
(r) 3.1



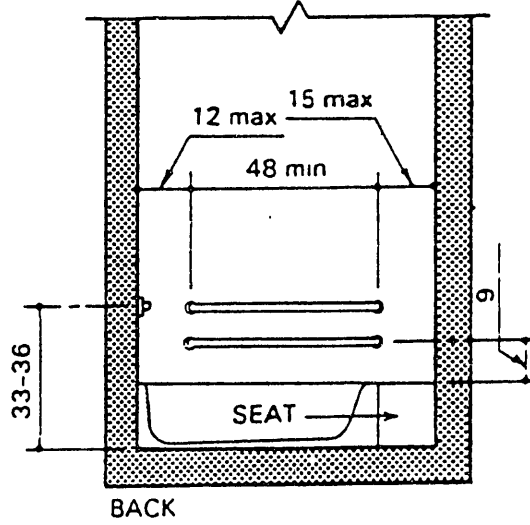
(r) 3.2



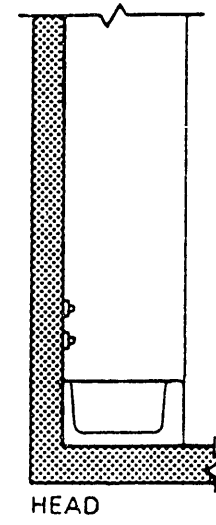
(r) 3.3



(r) 3.4

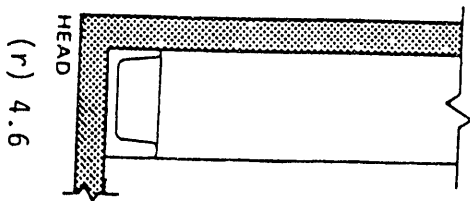
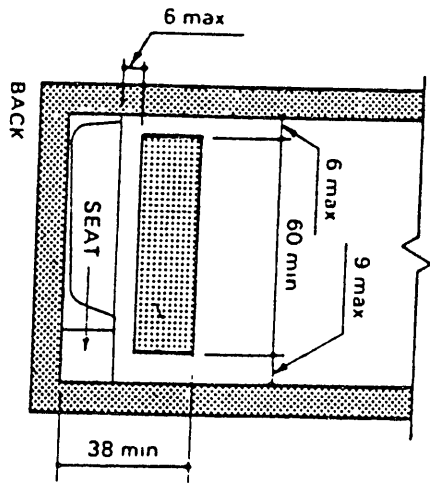
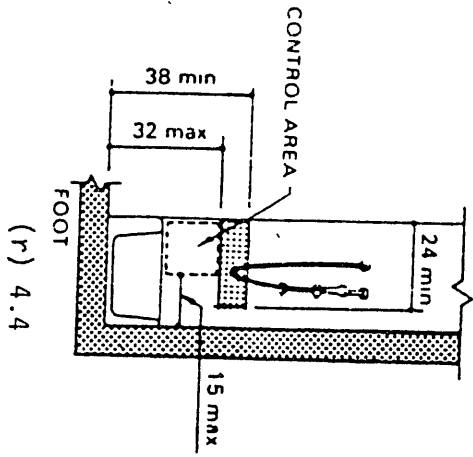
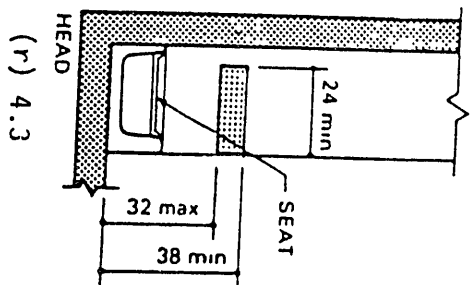
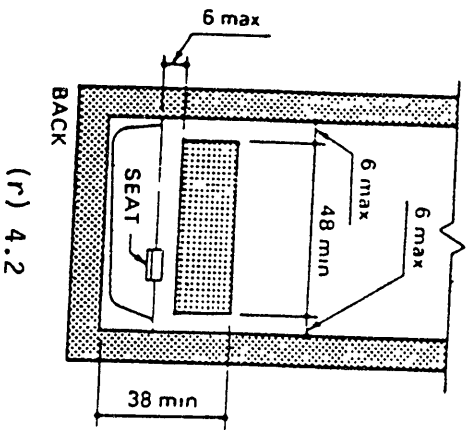
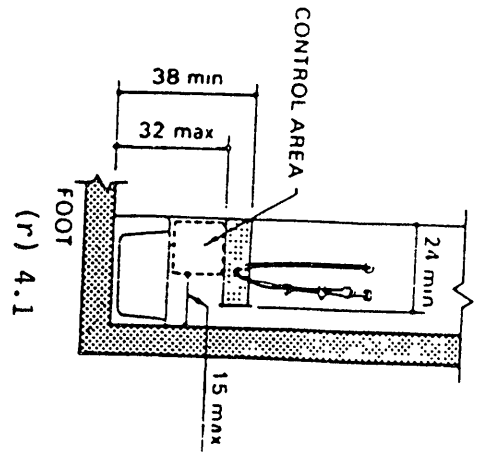


(r) 3.5



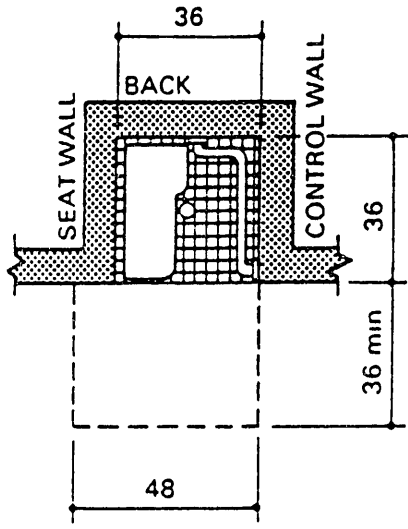
(r) 3.6

FIGURE (r) 3

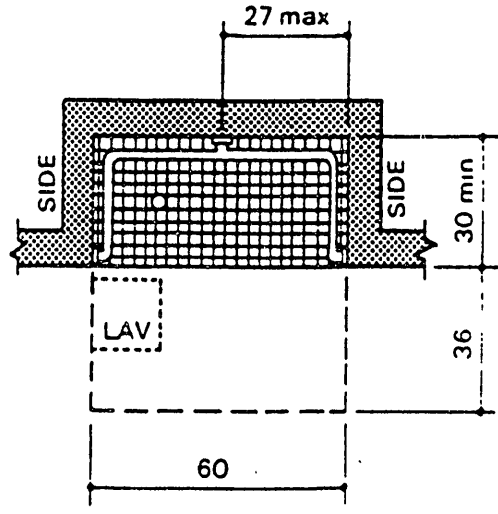


NOTE. The lightly shaded areas are reinforced to receive grab bars.

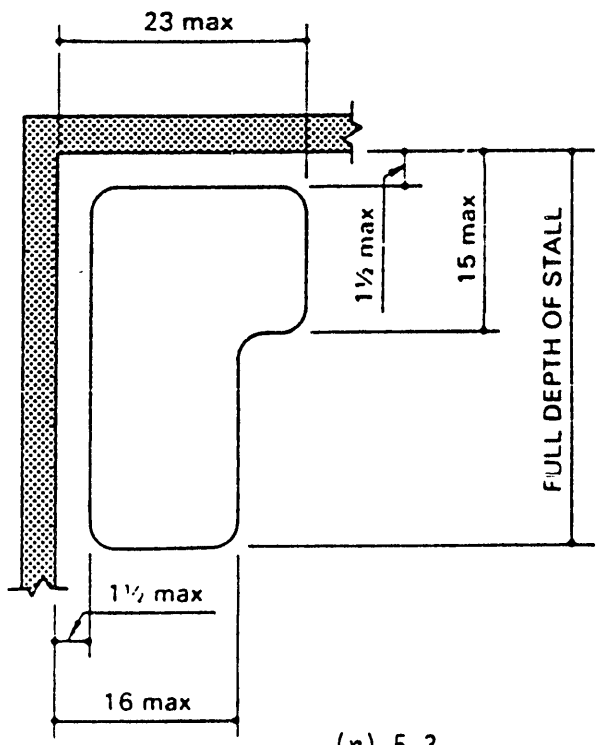
FIGURE (r) 4



(r) 5.1



(r) 5.2



(r) 5.3

FIGURE (r) 5

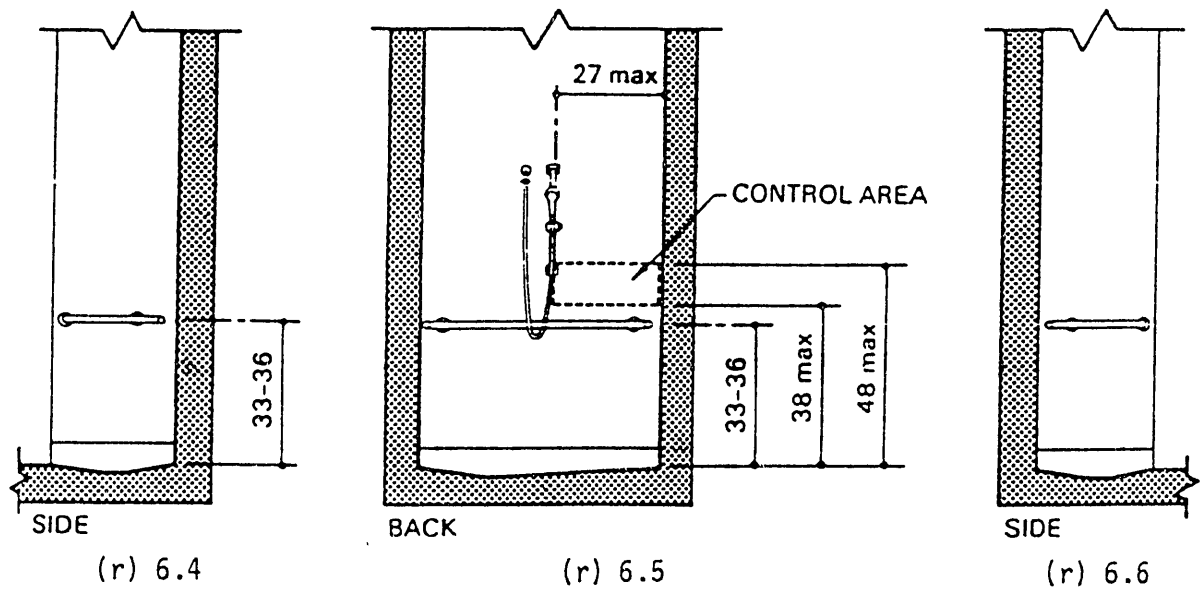
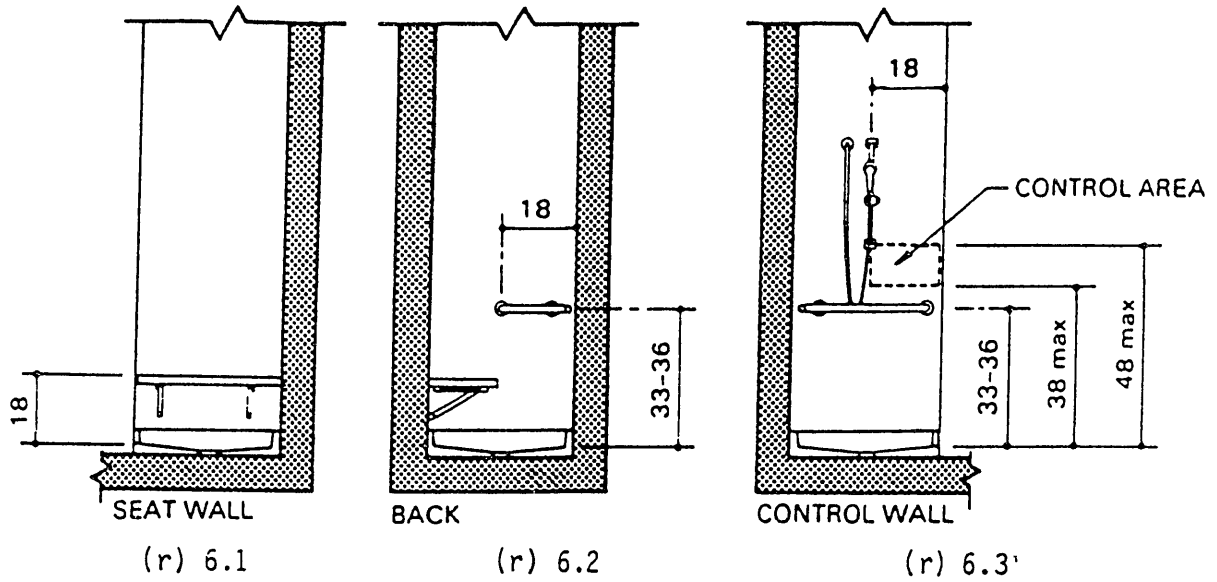
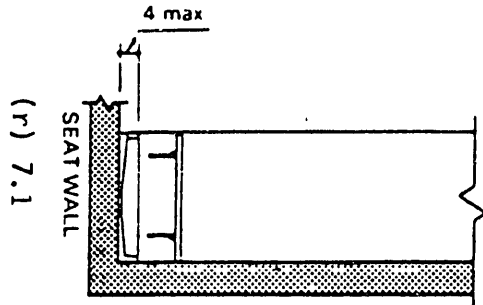
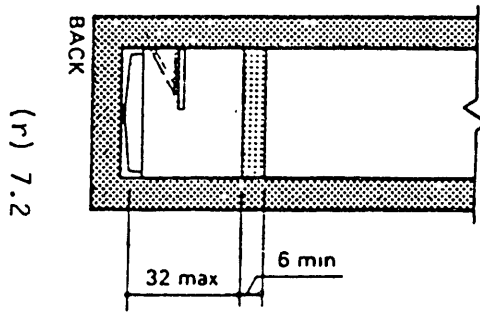


FIGURE (r) 6

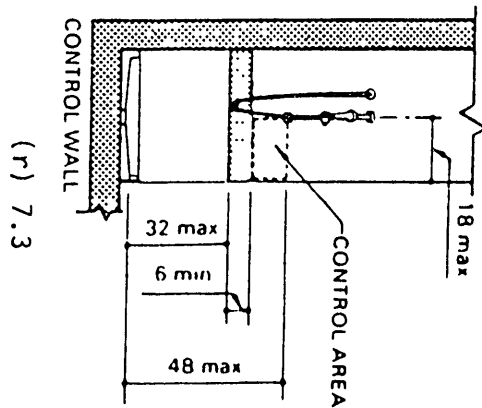
NOTE: Shower head and control area may be on back wall (as shown) or on either side wall.



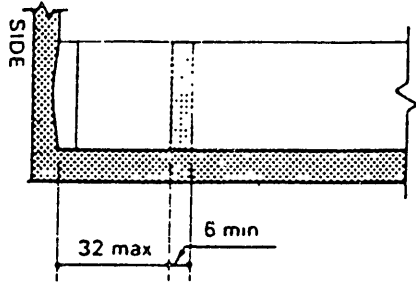
(r) 7.1



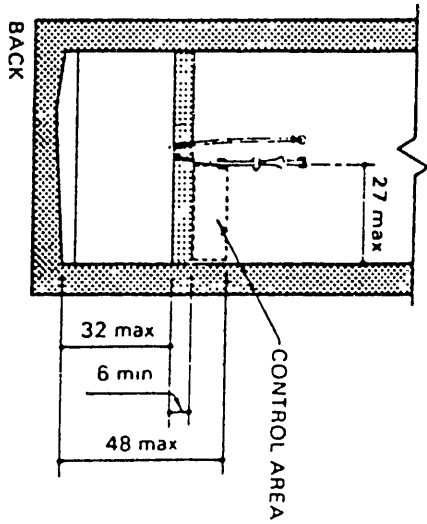
(r) 7.2



(r) 7.3

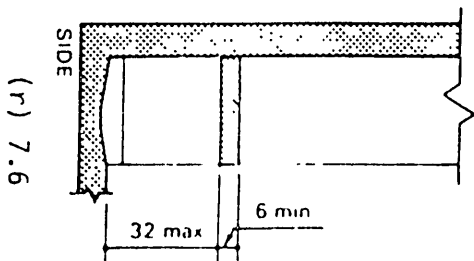


(r) 7.4



(r) 7.5

FIGURE (r) 7



(r) 7.6

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

(s) Controls and operating mechanisms.

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

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

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

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

(t) Alarms.

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

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

(2) Audible alarms. Audible emergency alarms shall produce as sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 decibels or exceeds any maximum sound

level with a duration of 30 seconds by five decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

(3) Visual alarms. Visual alarms shall be flashing lights arranged to flash in conjunction with the audible emergency alarms. The visual system may consist of flashing exit lights or other light fixtures that are located in such a manner that in emergency mode would serve to indicate evacuation routes. The flashing frequency of visual alarms shall be approximately one Hertz. Specialized systems using advanced technology may be substituted if equivalent protection is provided to disabled users of the building or facility. The specifications in this subsection do not preclude the use of zoned or coded alarm systems. In zoned systems, whenever an audible signal sounds in an area, the visual alarm(s) within the same area shall flash.

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

(u) Handrails and grab bars.

(1) General. All handrails and grab bars required to be accessible shall comply with this subsection. For the purpose of these standards, handrails and grab bars are considered to have different usages and are therefore treated separately in this subsection. Handrails are generally used for stabilization in elevators and when moving up and down stairs and ramps and as protective barriers against hazardous conditions. In addition to stabilization, grab bars

are used to support the weight of a person during a transfer to and from a wheelchair. It is, therefore, important that grab bars comply with more stringent and exact specifications than handrails.

(2) Grab bars.

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

(B) Structural strength. The structural strength of grab bars, fasteners, and mounting devices shall be capable of supporting a steady force of 250 pounds applied in any direction. Grab bars shall not rotate in their mountings.

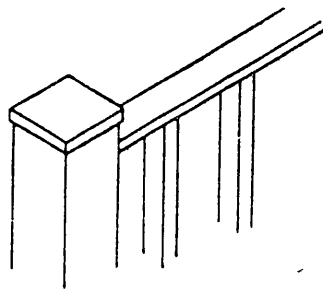
(C) Eliminating hazards. Handrails and adjacent walls or other surfaces shall be free of sharp or abrasive elements.

(3) Handrails.

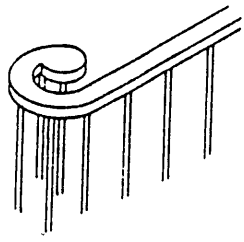
(A) Size and spacing of handrails. The diameter or width of the gripping surfaces of handrails should be 1-1/4 inches to 1-1/2 inches or shaped to provide an equivalent gripping surface. The diameter or width of handrails shall not exceed three inches. If handrails are mounted adjacent to a wall, the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

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

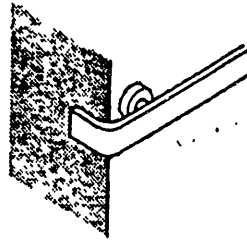
(C) Eliminating hazards. Handrails and adjacent walls or other surfaces shall be free of sharp or abrasive elements. Edges shall have a minimum radius of 1/8 inch.



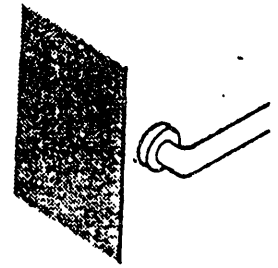
(u) 1.1



(u) 1.2

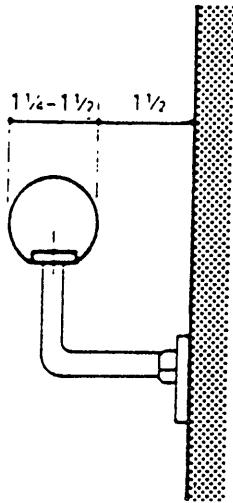


(u) 1.3

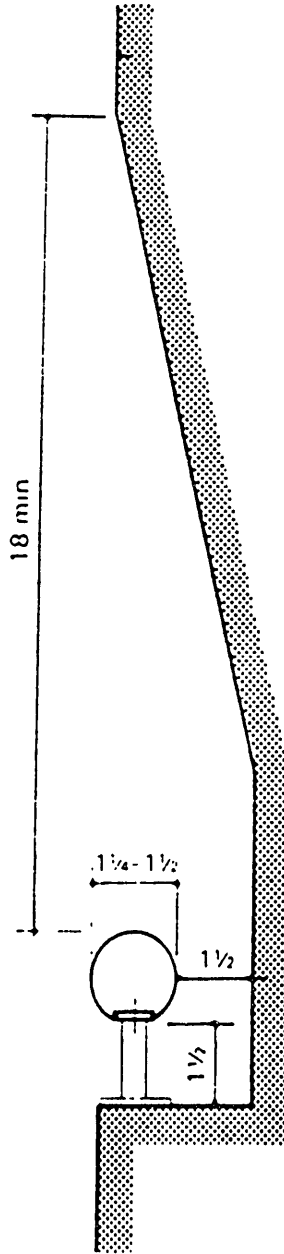


(u) 1.4

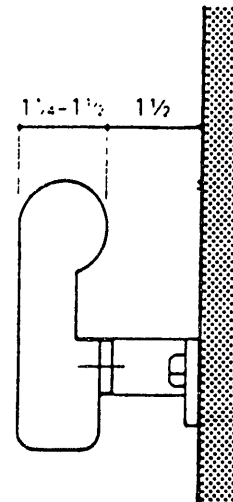
FIGURE (u) 1



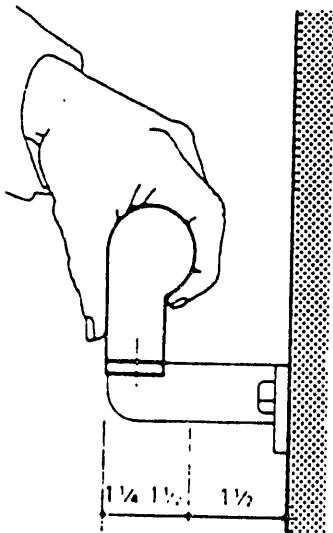
(u) 2.1



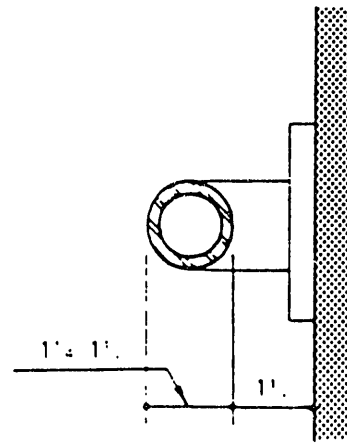
(u) 2.4



(u) 2.2



(u) 2.3



(u) 2.5

FIGURE (u) 2

(v) Signage and detectable warnings.

(1) Signage.

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

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

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

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

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

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

(F) Symbols of accessibility. If accessible facilities are identified, then the international symbol of accessibility shall be used. The symbol shall be displayed as shown in Figure (v)2.1 and (v)2.2.

(2) Detectable warnings.

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

(B) Detectable warnings on walking surfaces. Textures on walking sur-

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

(C) Tactile warnings on doors to hazardous areas. Doors that lead to areas that might prove dangerous to a blind person shall be made identifiable to the touch by a textured surface on the door handle, knob, pull, or other operating hardware. Hazardous areas may include boiler rooms, mechanical rooms, electrical and telephone equipment rooms, and loading platforms. The textured surface may be made by knurling or roughening or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

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

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

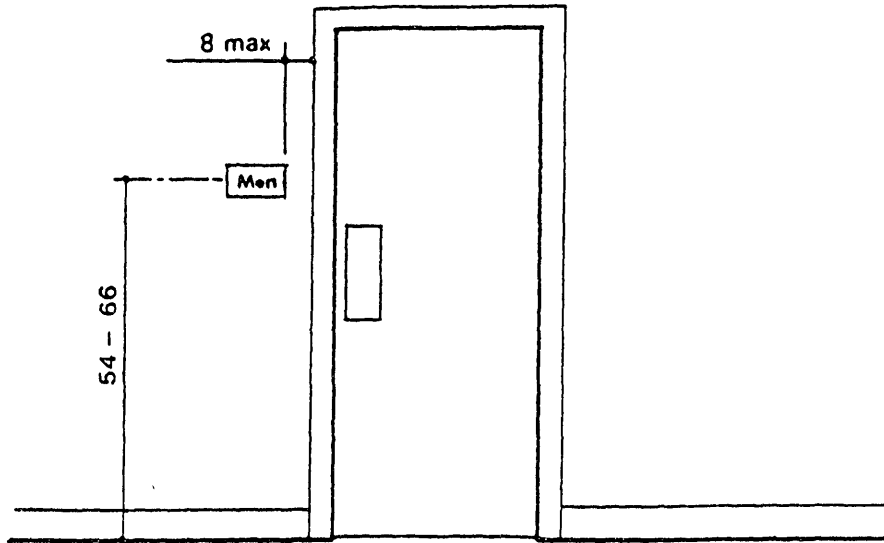
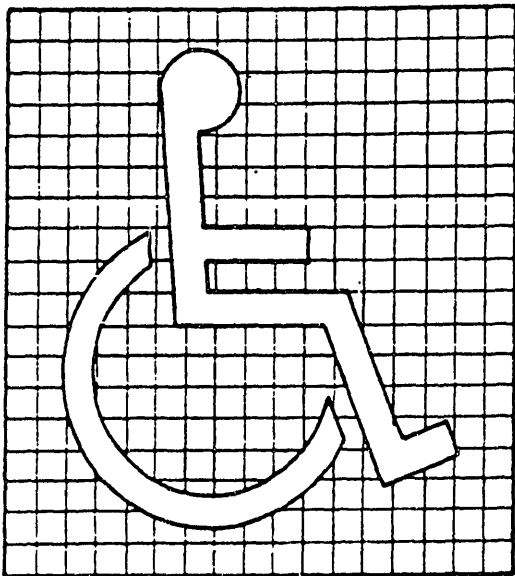


FIGURE (v) 1

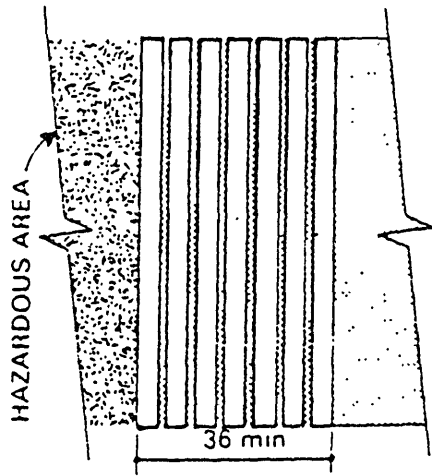


(v) 2.1

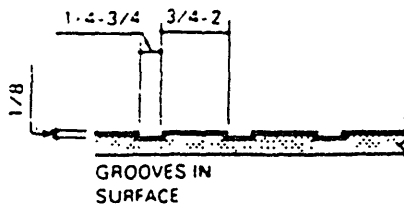
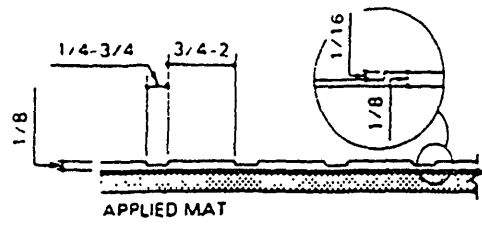
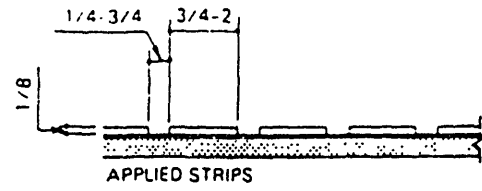


(v) 2.2

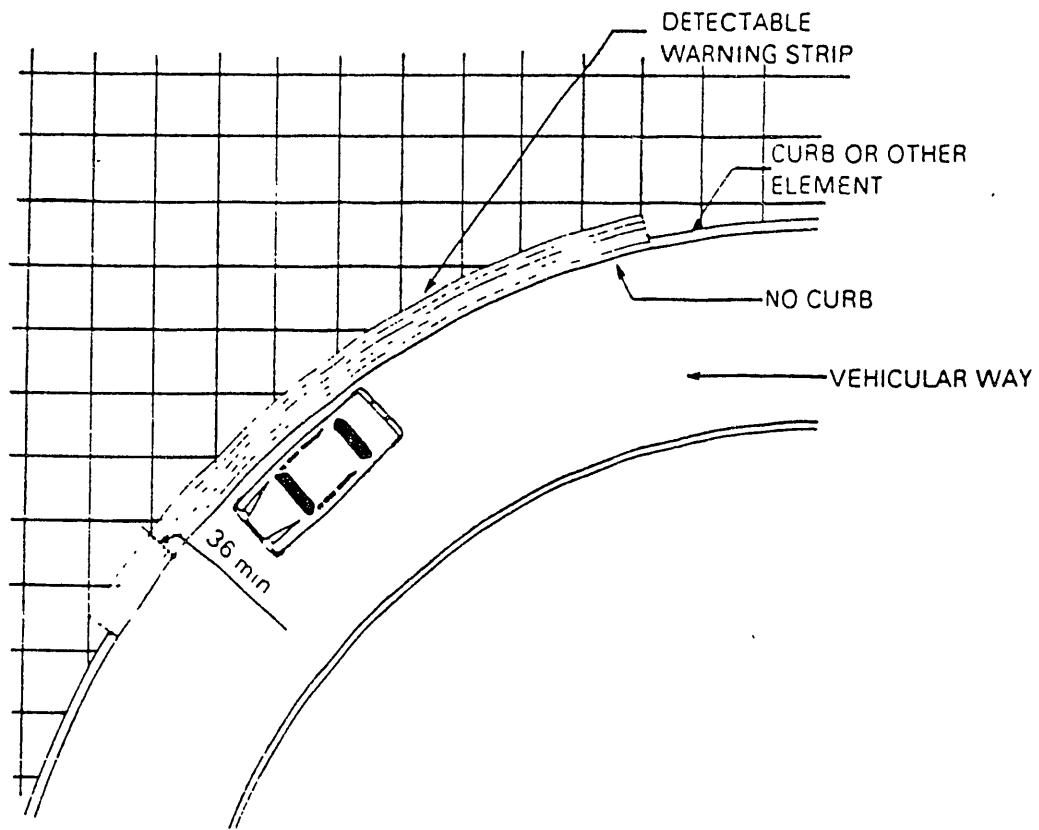
FIGURE (v) 2



(v) 3.1



(v) 3.2



(v) 3.3
FIGURE (v) 3

(w) Telephones.

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

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

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

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

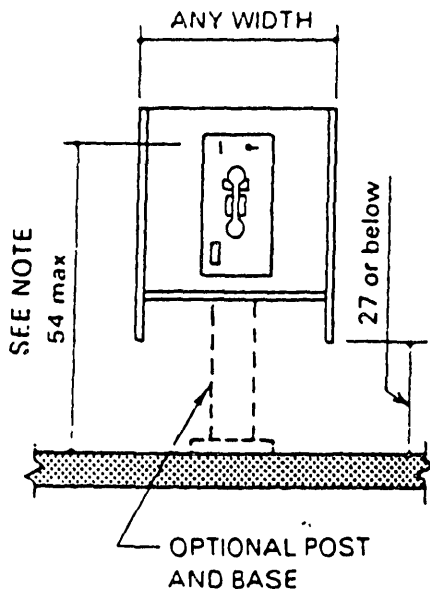
(5) Equipment for hearing-impaired people. Telephones should be equipped with a receiver that generates a magnetic field in the area of the receiver cap. Volume controls should be provided wherever possible. If a telecommunications

device for the deaf (TDD) or similar equipment is provided, the location of such equipment should be indicated by strategically placed signage.

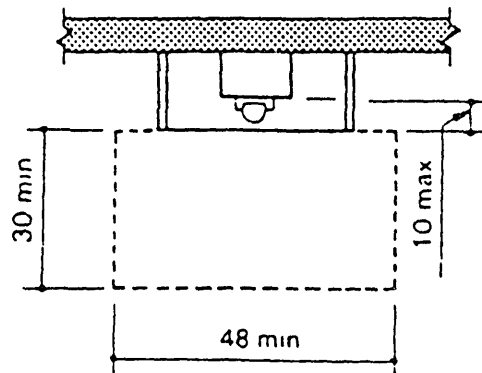
(6) Controls. Accessible telephones should have pushbutton controls where service for such equipment is available.

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

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



(w) 1.1



(w) 1.2

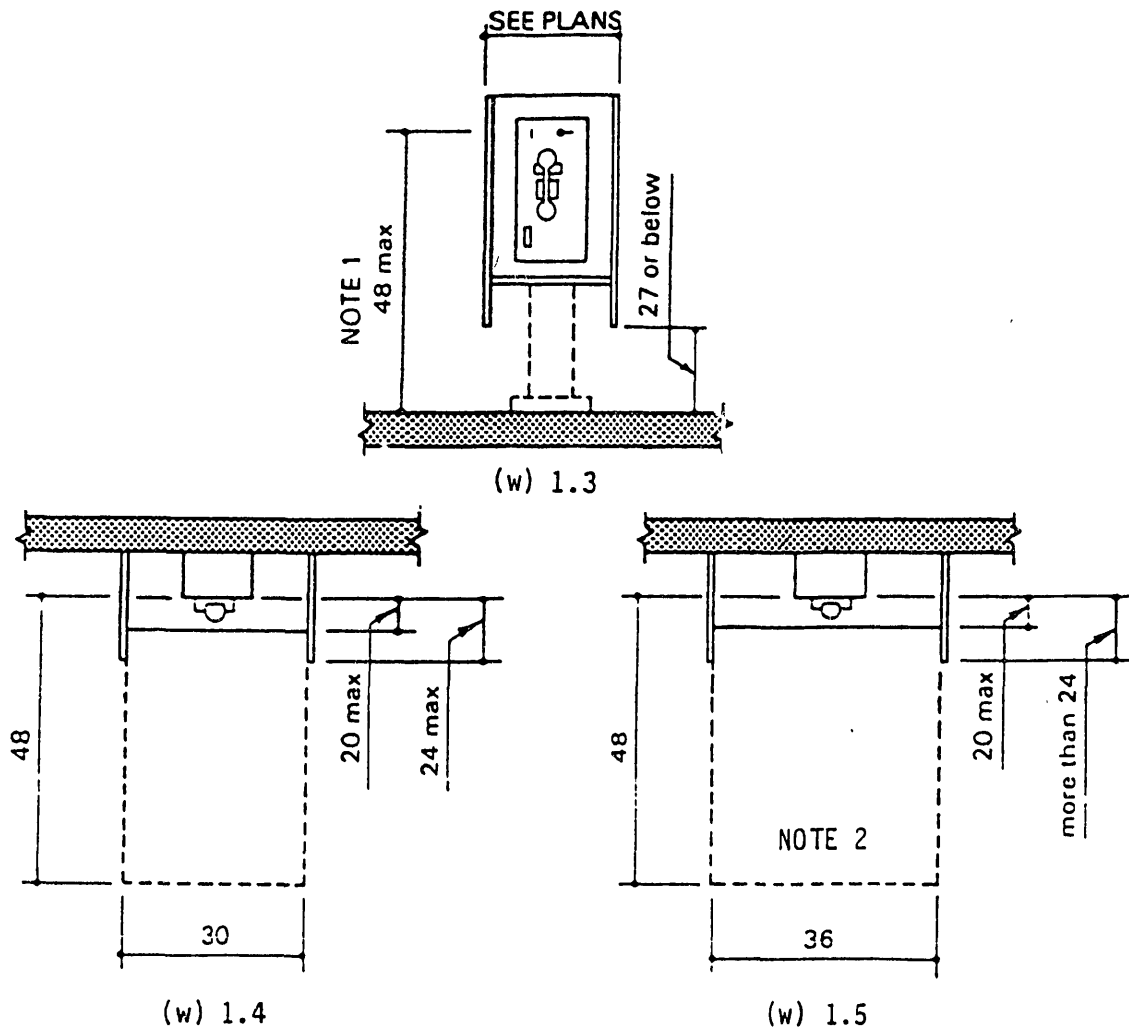


FIGURE (w) 1

NOTES:

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

(x) Tables, work surfaces, and seating.

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

(2) Seating. If seating spaces for persons in wheelchairs are provided at ta-

bles, counters, or work surfaces, clear floor space complying with subsection (e)(4) of this section shall be provided. Such clear floor space shall not overlap knee space by more than 19 inches. See Figures (x)1.3 and (x)1.4.

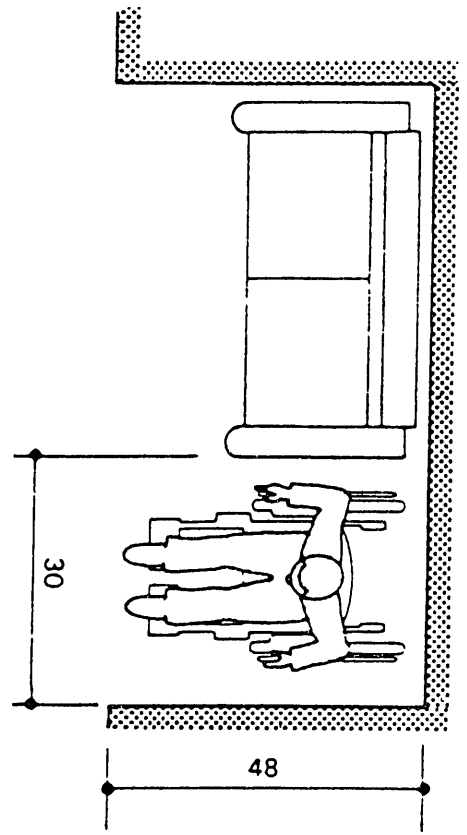
(3) Knee clearances. Accessible seating for wheelchair users at tables, counters, and work surfaces shall have knee

spaces at least 27 inches high, 30 inches wide, and 19 inches deep. See Figures (x)1.3 and (x)1.4.

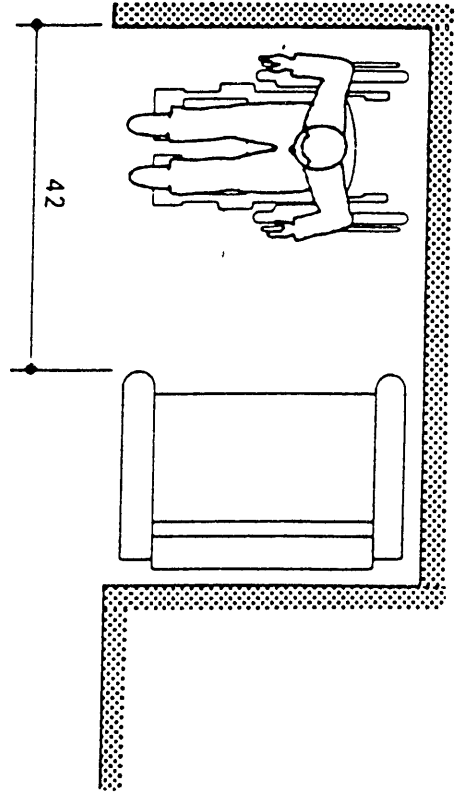
(4) Height of work surfaces. The tops of tables and work surfaces shall be from 28 inches to 34 inches from the floor or ground surface. See Figure (e)6.3.

ACCESSIBLE PATH
OF TRAVEL

(x) 1.1



(x) 1.2



(x) 1.3

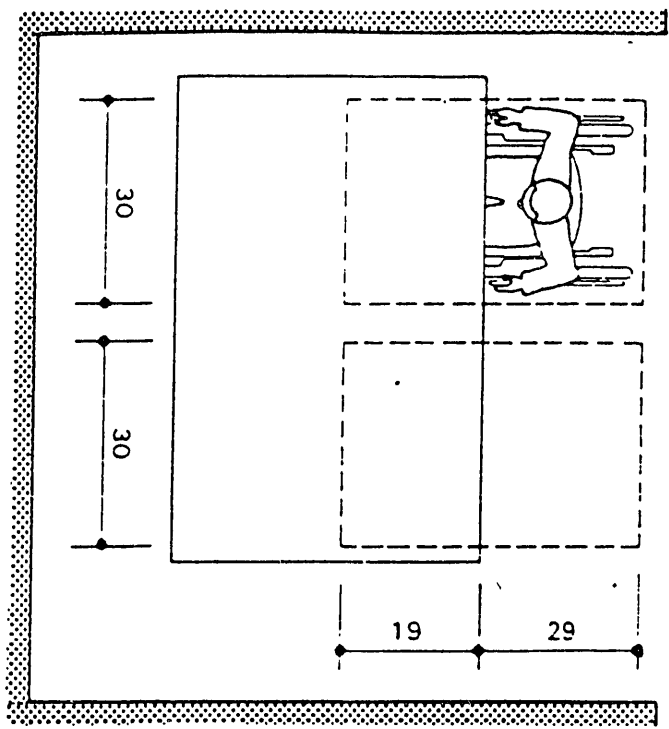
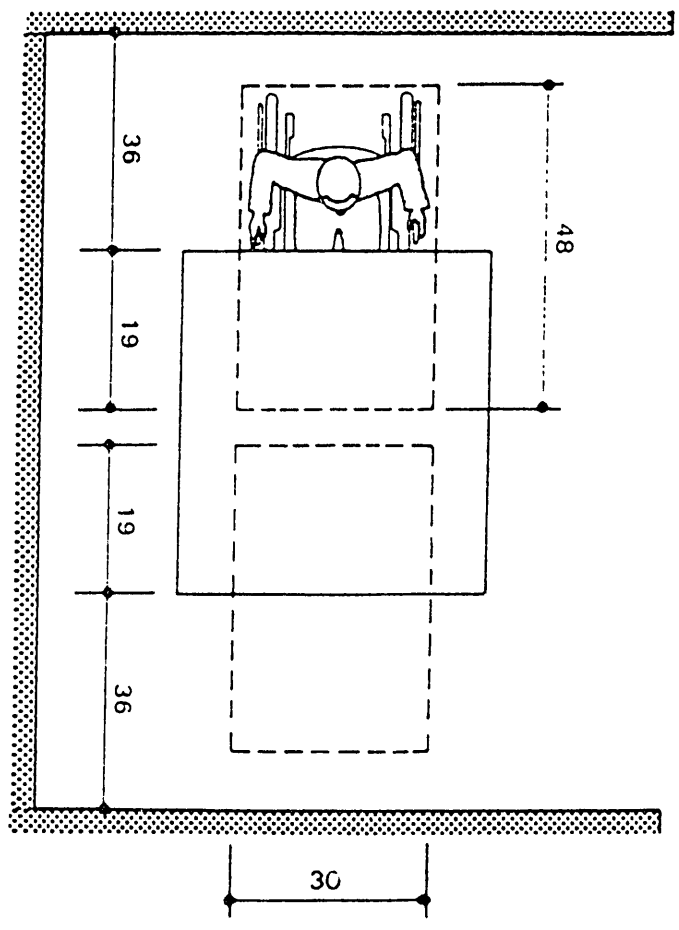


FIGURE (x) 1

(x) 1.4



(y) Assembly areas.

(1) General. Areas and places of assembly required to be accessible by subsection (d) of this section shall comply with this subsection.

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

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

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

cations are listed in this paragraph and are shown in Figures (y)2.1-(y)2.6.

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

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

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

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

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

(4) Surfaces. The ground or floor at wheelchair locations shall be level

(within 2.0% slope) and shall comply with subsection (h) of this section.

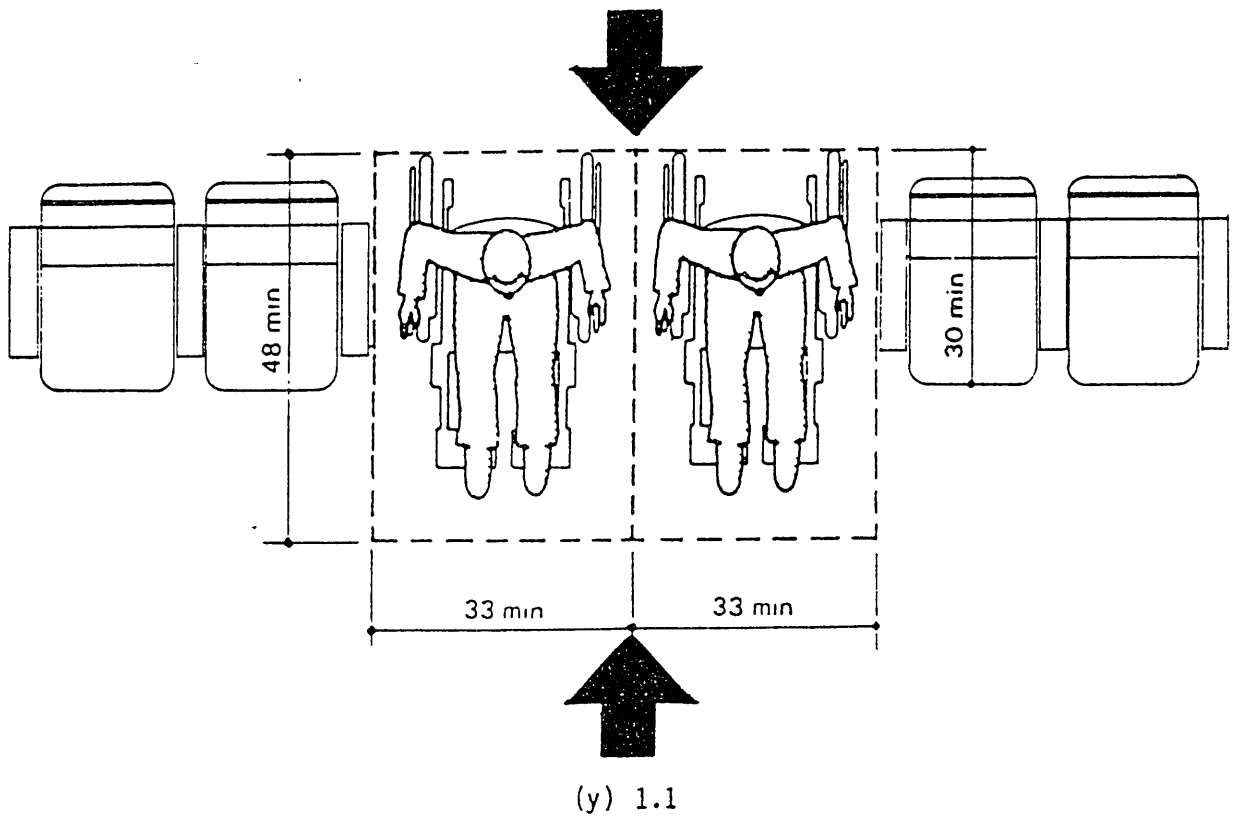
(5) Access to performing areas. An accessible route shall connect wheelchair seating locations with performing areas, including stages, arena floors, gymnasium floors, and other types of performing or playing areas. Accessibility shall also be provided to and within support areas such as dressing rooms,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

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

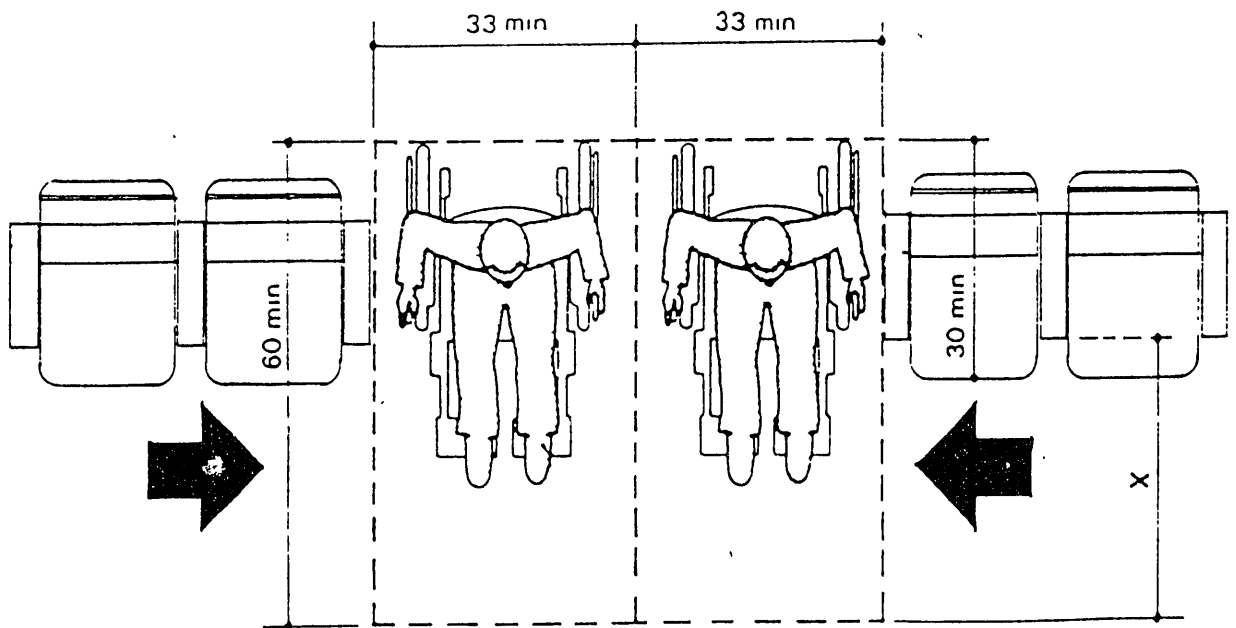
Exception. Dressing rooms, locker rooms, equipment rooms, or other performing area support facilities containing a total of less than 800 square feet of floor space or that serve functions that are available in other accessible locations within the same general area may be exempted.

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

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



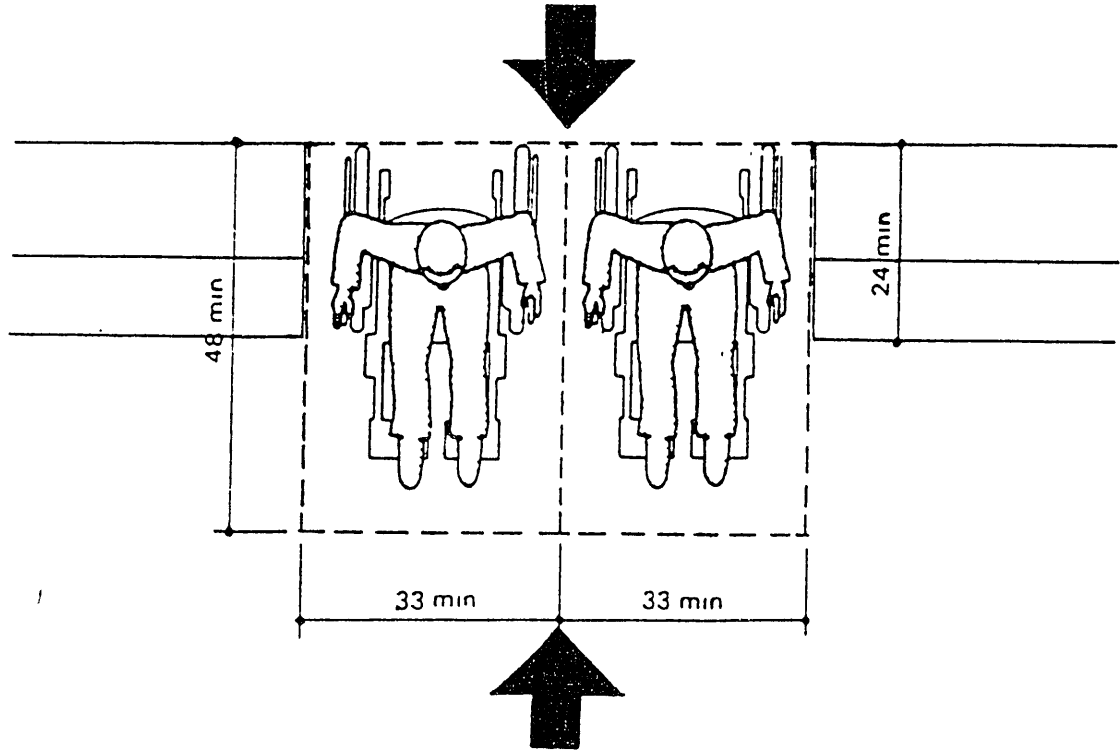
(y) 1.1



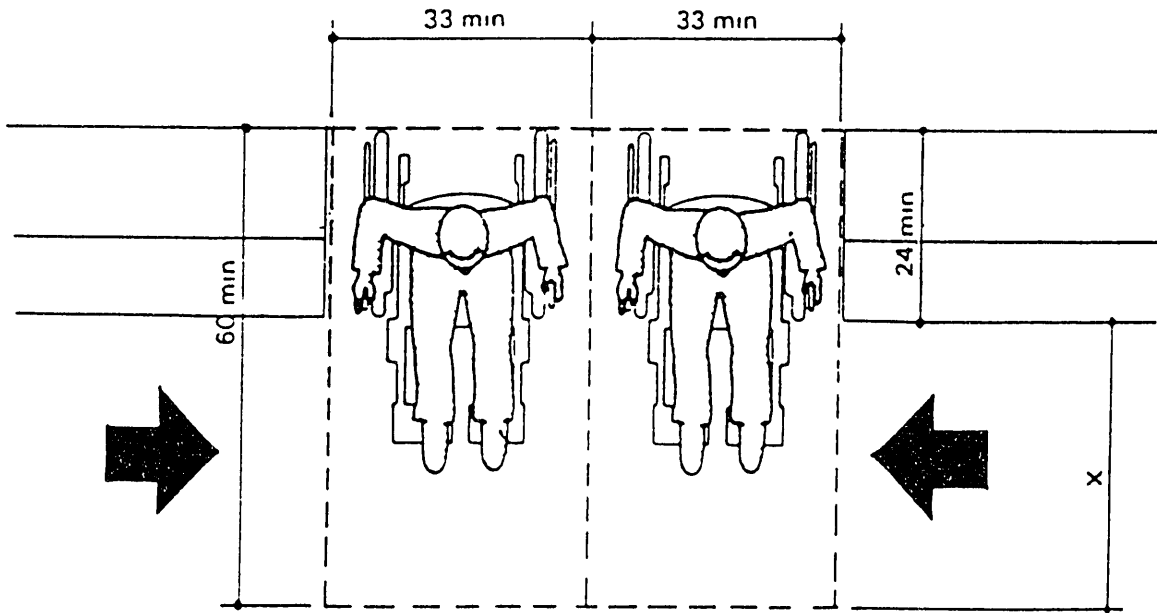
(y) 1.2

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

FIGURE (y) 1

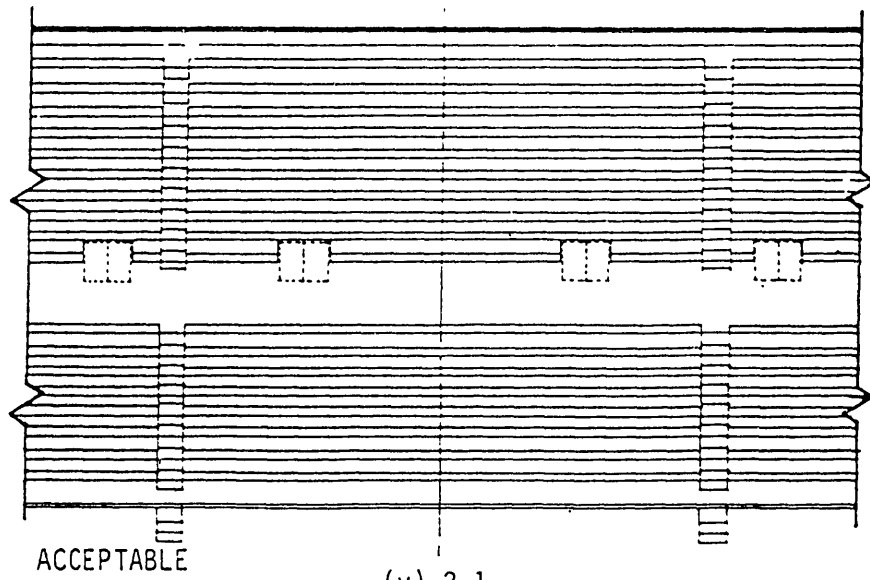


(y) 1.3

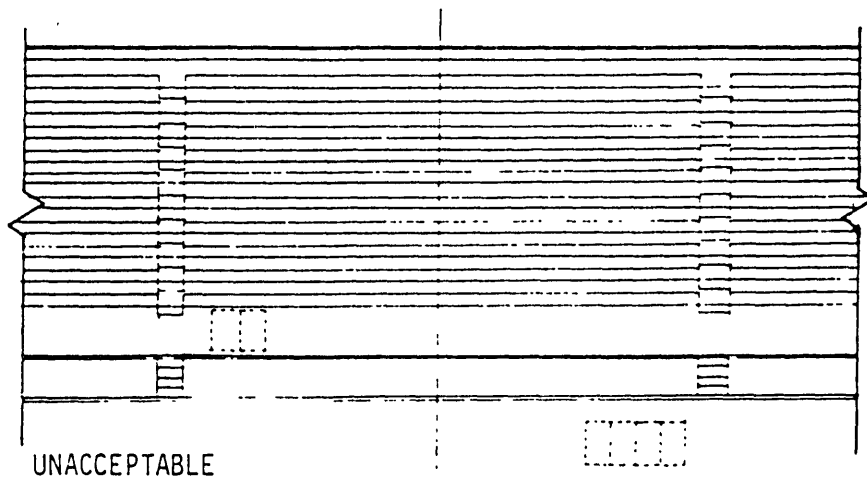


(y) 1.4

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

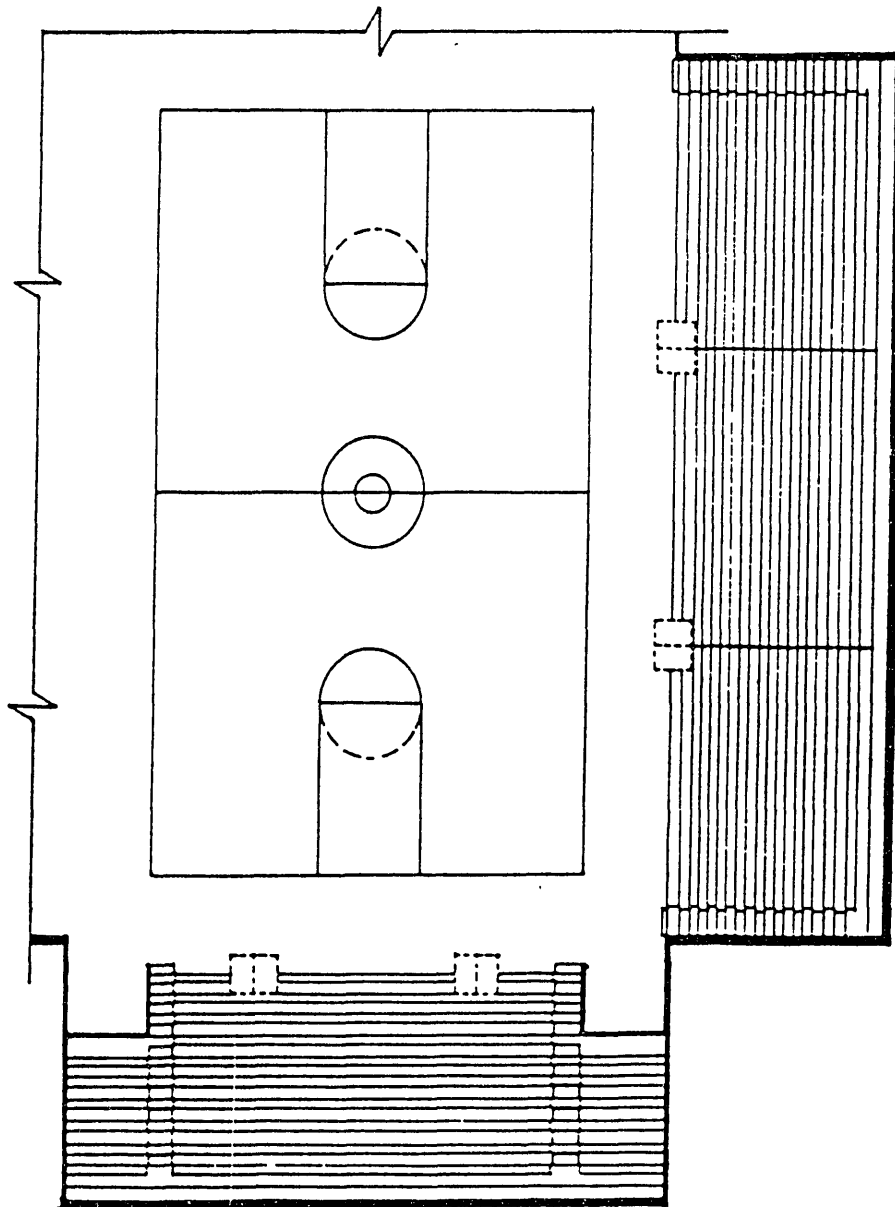


(y) 2.1

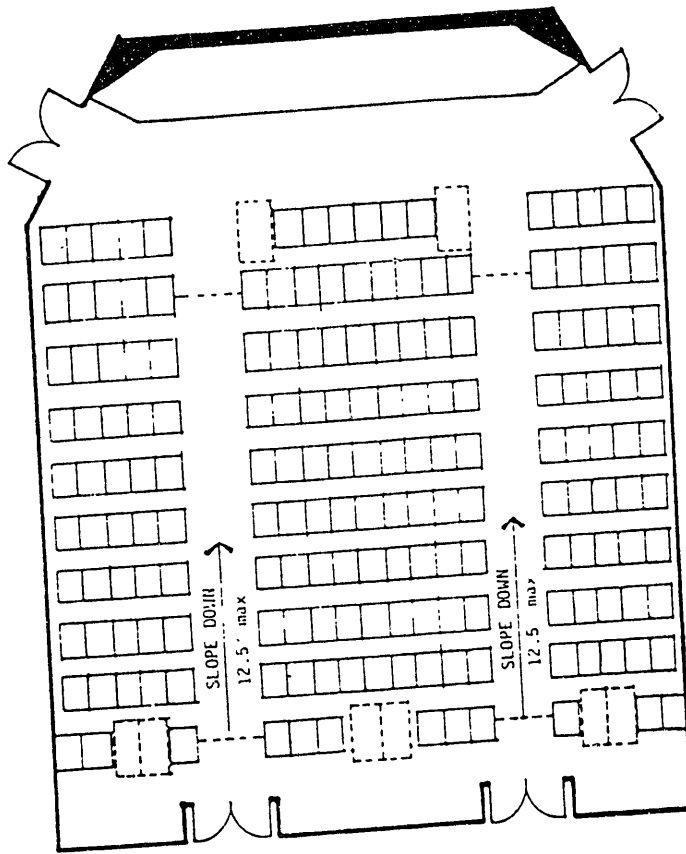


(y) 2.2

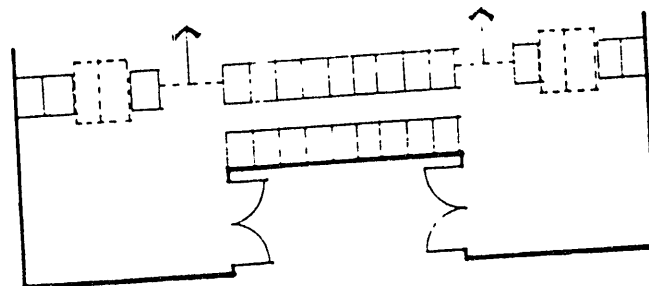
FIGURE (y) 2



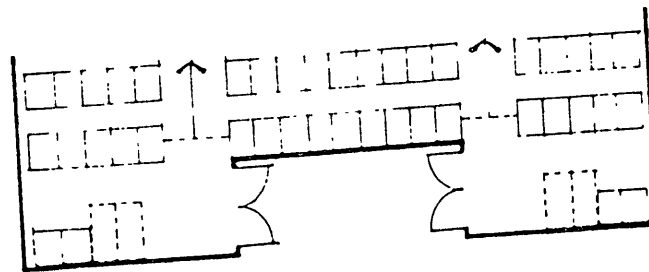
(y) 2.3



ACCEPTABLE (y) 2.4



ACCEPTABLE (y) 2.5



UNACCEPTABLE (y) 2.6

(z) Dwelling units.

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

(2) Adaptability. Some of the specifications contained in, or related to, paragraphs (4) and (5) of this subsection include the concept of adaptability. The items permitted to be adaptable are so identified and may be designed for either per-

manent accessibility or for inclusion when needed. Provisions must be made during construction or renovation so that the applicable element or fixture can be easily adapted to provide accessibility at a later time.

Exception. The concept of adaptability is not applicable to health care facilities as described in subsection (d)(8) of this section or to student dormitories. However, if it is determined, with commission concurrence, that the applicable percentage would

be in excess of the needs of a particular facility, part but not all of the units comprising the approximate percentage, may be designed so that adaptability and installation of accessible fixtures and equipment can easily be accomplished when needed. Such determinations shall be made on a case-by-case basis.

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

Table (z) 1

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

Elements and Spaces	Subsection	Application
4. Parking and passenger-loading zones	(i)	If provided at facility.
5. Elevators	(m)	Where required as part of an accessible route.
6. Doors	(n)	At entrance(s) and within all spaces required to be accessible.
7. Entrances	(o)	To accessible dwelling units and to all other spaces required to be accessible.
8. Storage	(r)	If provided for tenants.
9. Controls	(s)	All controls within dwelling units that are expected to be operable by the tenants. Examples include light switches, windows, heating, ventilating, and air-conditioning.
10. Emergency alarms	(t)	If provided within dwelling units.
11. Bathrooms	(z)(4)	May be designed so that grab bars, dispensers, mirrors, and seats may be installed per applicable specifications during construction or with provisions for subsequent addition.
12. Kitchens	(z)(5)	Should be designed for providing accessible features during construction or with provisions for adaptability.
13. Laundry facilities	(z)(6)	If provided in dwelling units or in common-use facilities serving the dwelling units.
14. Common-use spaces and facilities including patios, pools, terraces, day-rooms, garages, mail boxes, administration offices, lobbies, trash receptacles, and the like.	(e) thru (y)	If provided at facility and serving dwelling units.

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

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

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

(C) Water closets.

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

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

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

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

(D) Lavatories, mirrors, and medicine cabinets.

(i) The lavatory shall have the clear floor space as shown in Figure (z)2.1, and shall be mounted within the height ranges shown in Figure (z)2.2.

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

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

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

of either a cabinet or shelf complying with applicable standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(vii) A clear floor space of 30 inches by 48 inches shall allow forward approach to the sink. A maximum of 19

inches of the clear floor space may extend underneath the sink. The knee space shall have a minimum clear width of 30 inches.

(viii) There shall be no sharp or abrasive surfaces under sinks. Hot-water pipes and drain pipes under sinks should be insulated or otherwise covered.

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

(G) Ovens. It is recommended that ovens comply with subparagraphs (B) and (C) of this paragraph. Ovens should be self-cleaning or be located adjacent to an adjustable height counter with knee space below. See Figures (z)5.1-(z)5.3. For side-opening ovens, the door latch side should be next to the open counter space, and there should be a pull-out shelf under the oven

extending the full width of the oven and pulling out not less than 10 inches when fully extended. Ovens should have controls on the front panels; they may be located on either side of the door.

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

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

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

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

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

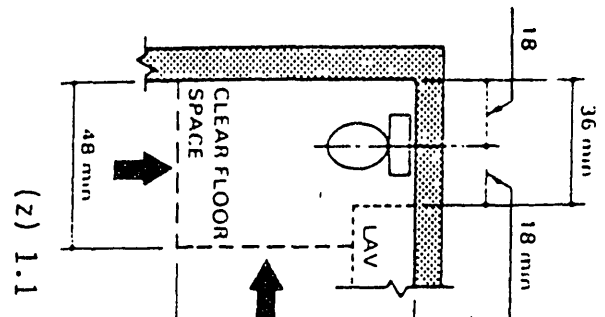
(i) Maximum height shall be 48 inches for at least one shelf of all cabinets and storage shelves mounted above work counters. See Figure (z)3.2.

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

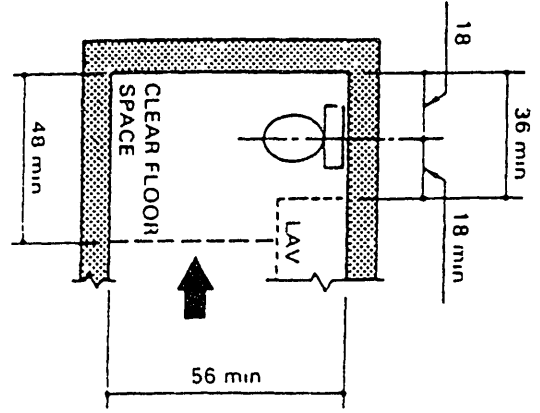
(6) Laundry facilities. If laundry equipment is provided within individual accessible dwelling units, or if separate laundry facilities serve the dwelling units, they shall meet the requirements of this paragraph.

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

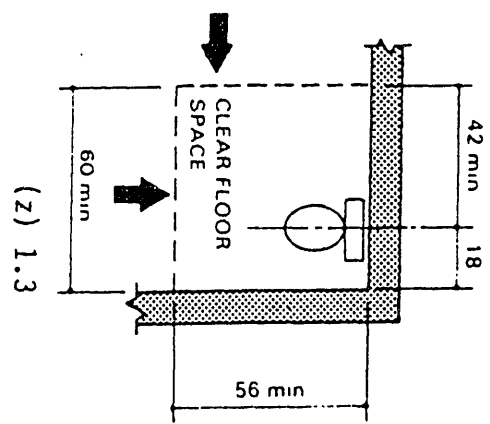
(B) Controls. Laundry equipment controls shall comply with subsection (s) of this section.



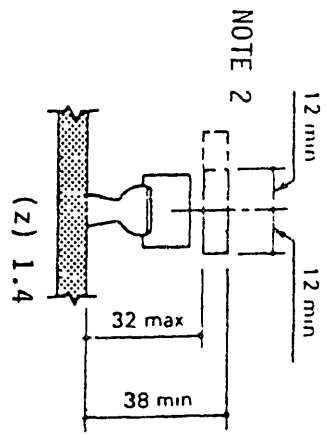
(z) 1.1



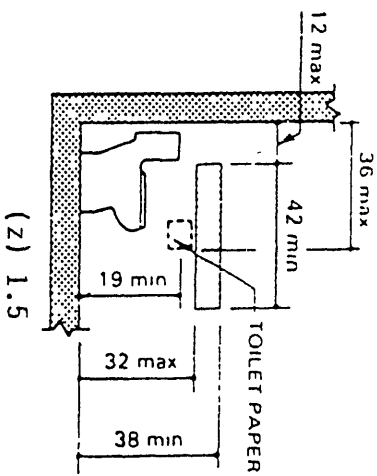
(z) 1.2



(z) 1.3



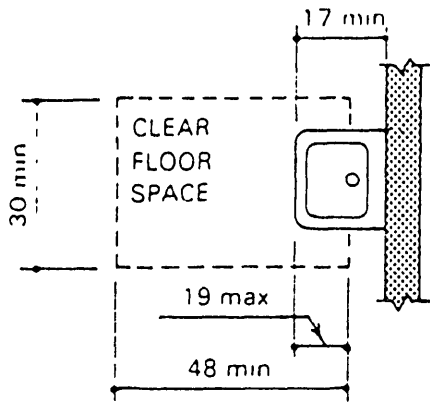
NOTE 2



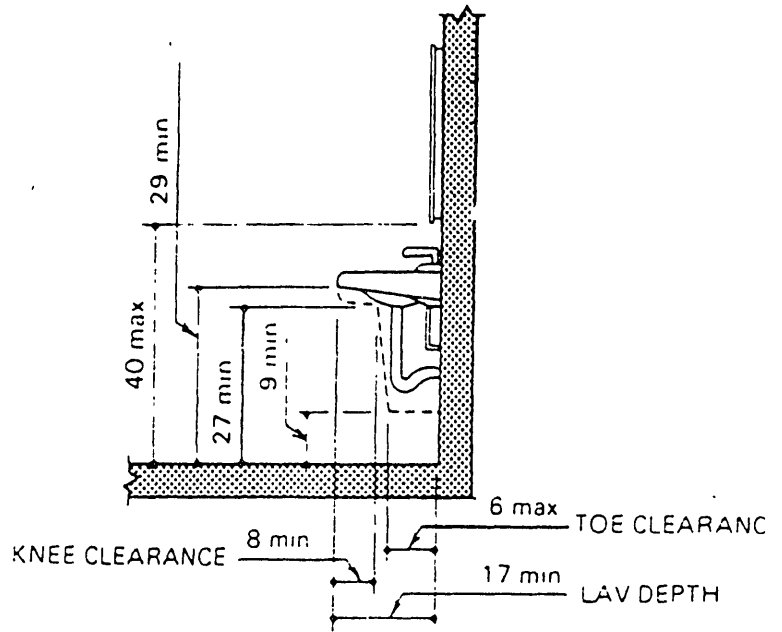
(z) 1.5

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

FIGURE (z) 1

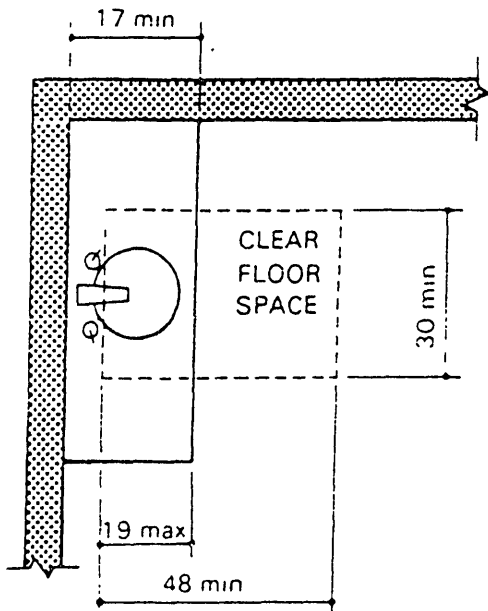


(z) 2.1

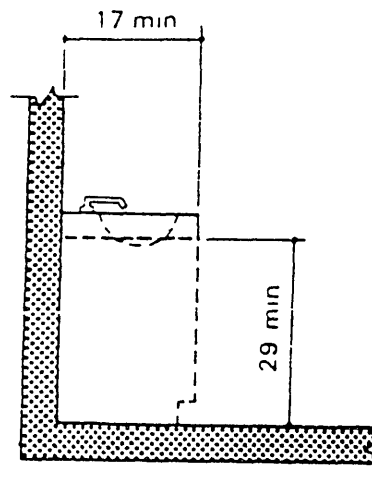


NOTE: Dashed line indicates dimensional clearance of optional underlavatory enclosure.

(z) 2.2

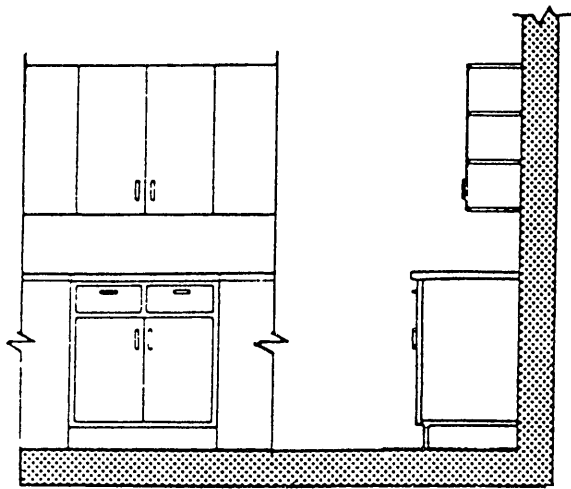


(z) 2.3

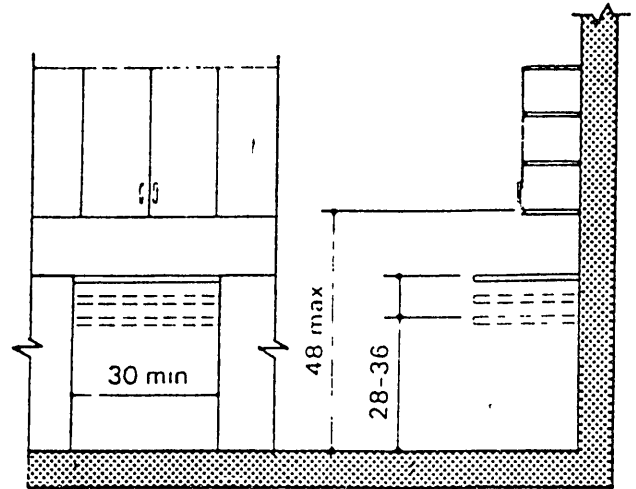


(z) 2.4

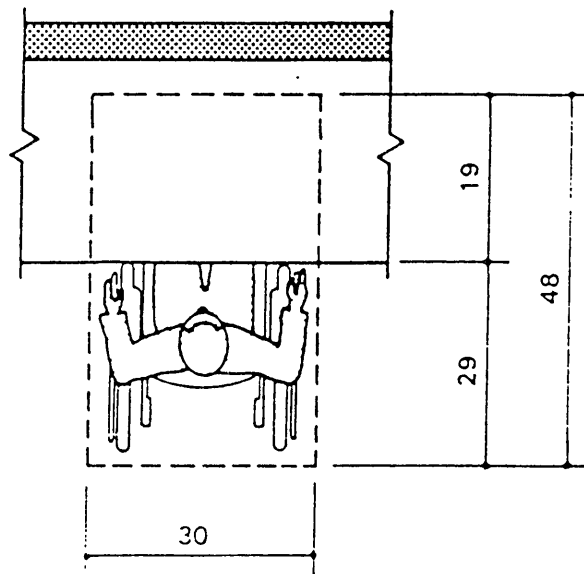
FIGURE (z) 2



(z) 3.1

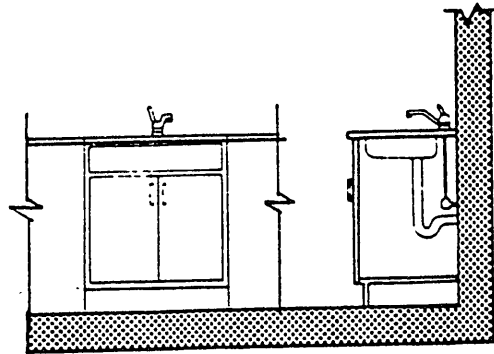


(z) 3.2

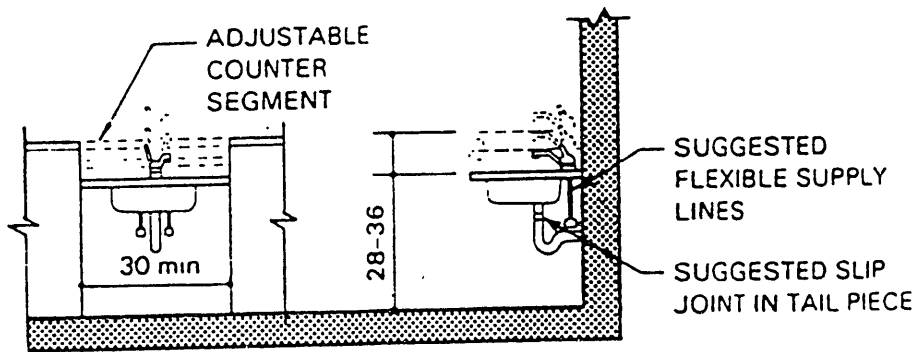


(z) 3.3

FIGURE (z) 3

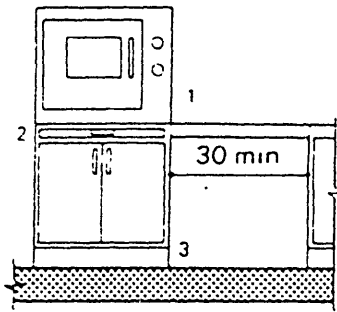


(z) 4.1

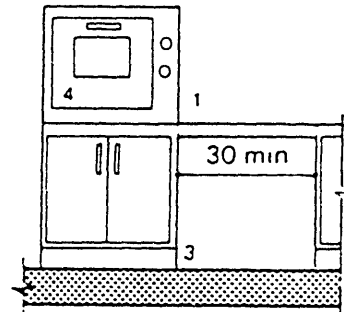


(z) 4.2

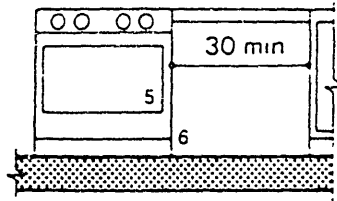
FIGURE (z) 4



(z) 5.1



(z) 5.2



(z) 5.3

FIGURE (z) 5

SYMBOL KEY

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

**TITLE 22. EXAMINING
BOARDS
Part XXV. Structure Pest
Control Board**

Chapter 593. Licenses

• 22 TAC §593.22, §593.23

The Structural Pest Control Board adopts the repeal of §593.22 and §593.23, concerning licenses, without changes to the proposed text as published in the October 1, 1991, issue of the *Texas Register* (16 TexReg 5383)

The repeals are necessary for the expansion of technician and technician-apprentice training and licensing requirements. The requirements contained in these regulations will be placed in other sections.

The requirements contained in the repealed sections will be placed in other sections.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 135b-6, which provides the Structural Pest Control Board with the authority to adopt rules concerning testing and licensing of persons engaged in the business of structural pest control.

§593.22. Continuing Education Requirements for Certified Applicators.

§593.23. Criteria and Evaluation of Continuing Education.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200080 Benney M. Mathis, Jr.
Executive Director
Structural Pest Control
Board

Effective date: January 24, 1992

Proposal publication date: October 1, 1991

For further information, please call: (512) 835-4066

**TITLE 28. INSURANCE
Part I. Texas Department
of Insurance**

**Chapter 5. Property and
Casualty Insurance**

**Subchapter A. Automobile In-
surance**

• 28 TAC §5.204

The State Board of Insurance of the Texas Department of Insurance adopts new §5.204, concerning a standard proof of liability insur-

ance form to be issued by each motor vehicle liability insurer to each policyholder, without changes to the proposed text as published in the October 25, 1991, issue of the *Texas Register* (16 TexReg 6033).

The adoption of the rule is necessary in order to comply with recent amendments to the Texas Motor Vehicle Safety Responsibility Act, which requires the Texas Department of Insurance to promulgate a standard proof of liability insurance form. This form will, in turn, enable each policyholder to comply with the new statutory requirements regarding submission of financial responsibility evidence.

The new section, designated 28 TAC §5.204, Motor Vehicle Safety Responsibility, adopts the standard proof of liability insurance form required to be issued by each motor vehicle liability insurer to each policyholder. It also prescribes the minimum information that must appear on the form and the format in which it must be presented.

No comments were received regarding adoption of the amendment.

The new section is adopted under the Texas Insurance Code, Article 1.04, which provides the Texas Department of Insurance with the authority to determine policy and rules in accordance with the laws of this state, and Texas Civil Statutes, Article 6675a-1, §2a(d)(2), and Article 6701h, §1F(f), which require the Texas Department of Insurance to promulgate a standard proof of liability form.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200083 Linda K. von Quintus-Dorn
Chief Clerk
Texas Department of
Insurance

Effective date: January 24, 1992

Proposal publication date: October 25, 1991

For further information, please call: (512) 463-6328

**TITLE 31. NATURAL RE-
SOURCEs AND CON-
SERVATION**

**Part IX. Texas Water
Commission**

Chapter 313. Edwards Aquifer

**Subchapter B. Application Re-
quirements and Processing
Fees for Approval of Plans
and Amendments**

• 31 TAC §313.27

The Texas Water Commission adopts an amendment to §313.27, concerning fee schedules for the filing of certain plans sub-

ject to review by the commission under its rules for the protection of the Edwards Aquifer, without changes to the proposed text as published in the October 25, 1991, issue of the *Texas Register* (16 TexReg 6039).

The adopted amendments to §313.27 increase fee amounts for the filing of certain plans required to be submitted under §313.21. Plans for which fees are imposed include water pollution abatement plans filed pursuant to §313.4, sewage collection system plans filed pursuant to §313.5 and static hydrocarbon or hazardous substance storage tank system construction or renovation plans filed pursuant to §313.10 and §313.11. The increase is based upon the need for additional funds to support the commission's Edwards Aquifer protection program. The fee schedule adjustment is necessary to enable this program to become financially self-supporting, and to improve the efficiency and expediency of the commission's review of submitted plans.

No comments were received regarding adoption of the amendments.

The amendment is adopted under the Texas Water Code, §26.0461, as enacted by Senate Bill 434, 70th Legislature, 1987, which provides the commission with the authority to impose fees for the filing of certain plans subject to review by the Texas Water Commission under its rules for the protection of the Edwards Aquifer, and under the Texas Water Code, §5.103 and §5.105, which authorize the Texas Water Commission to adopt any rules necessary to carry out its powers and duties as provided by the Code and other state law.

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

Issued in Austin, Texas, on December 30, 1991.

TRD-9116484 John Vay
Director, Legal Division
Texas Water Commission

Effective date: January 21, 1992

Proposal publication date: October 25, 1991

For further information, please call: (512) 463-8069

**TITLE 34. PUBLIC FI-
NANCE**

**Part III. Teacher
Retirement System of
Texas**

**Chapter 25. Membership Credit
Unreported Service**

• 34 TAC §§25.43, 25.45, 25.46

The Teacher Retirement System of Texas (TRS) adopts amendments to §§25.43, 25.45, and 25.46, concerning deposits re-

quired for unreported service. Section 25.43 is adopted with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84). Section 25.45 and §25.46 are adopted without changes and will not be republished.

The amended sections are adopted in order to change the reference from "delinquent" service to "unreported" service to more accurately reflect the nature of the service. One change was made in §25.43; the word "for" was deleted in the title of the section. The change was made to correct a typographical error.

The amended sections will eliminate the reference to "delinquent" service and use "unreported" service instead.

No comments were received regarding adoption of the amendments.

The amendments are adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business, and §825.403(h), which authorizes the TRS board of trustees to prescribe the terms for payment of unreported service.

§25.43. Deposits for Unreported Service. A fee will be charged on deposits for unreported service at the rate of 5.0% per annum of the deposits due from the end of the school year in which the deposits were due or the end of the 1974-1975 school year, whichever is later, until the date of payment.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200088

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Military Service

- 34 TAC §§25.61, 25.63, 25.65, 25.66

The Teacher Retirement System of Texas (TRS) adopts amendments to §§25.61, 25.63, 25.65, and 25.66, concerning military service credit. Section 25.65 was adopted with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84). Sections 25.61, 25.63, and 25.66 are adopted without changes and will not be republished.

The amendments are adopted in order to reflect recent changes in the statutory provi-

sions governing the purchase of military service credit and to add a new provision regarding the type of documentation acceptable for applying for military service credit. One change was made to §25.65; "credit" was changed to "credit:" on line 5. The change was made to correct a typographical error.

The amended sections will reduce the number of years of creditable service in TRS required to purchase military service credit, clarify the type of service credit required for a retiree to be eligible for TRS-care insurance, expand the type of military service eligible for credit, and permit a legible copy of a military service record to be used to apply for service credit.

No comments were received regarding adoption of the amendments.

The amendments are adopted under the Texas Government Code, §§825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business; §823.301(a), which prescribes the military service eligible for TRS service credit; and §823.302(b), which prescribes the eligibility for establishing military service credit and the nature of service required for eligibility for TRS-care.

§25.65. Effective Dates of Laws Extending Military Duty Credit. The board of trustees recognizes the following dates as important in making certain military service eligible for credit:

(1)-(4) (No change.)

(5) November 12, 1991-volunteer service on active duty made eligible.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200089

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Veteran's Service Credit

- 34 TAC §§25.71-25.76

The Teacher Retirement System of Texas (TRS) adopts new §§25.71-25.76, concerning service credit for military service under the Veteran's Reemployment Rights Act (VRRRA), 38 United States Code, §2021 et seq. Section 25.74 and §25.75 with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16

TexReg 84). Sections 25.71-25.73 and 25.76 are adopted without changes and will not be republished.

The new sections are adopted in order to administer new statutory provisions permitting returning veterans to establish TRS service credit for military duty performed as a result of being called to active duty from TRS-covered employment. Changes were made in §25.74; the reference to "VRRRA" was changed to "the VRRRA." The change was stylistic only. The same type of changes were made in §25.75. Also, in §25.75, the phrase "for eligible credit" was changed to "for the eligible credit"; the word "fro" was changed to "from." These changes were made to correct typographical errors.

The new sections will describe the eligibility, cost, and application procedure for establishing TRS service credit pursuant to a statutory amendment permitting the establishment of such service credit.

No comments were received regarding adoption of the new sections.

The new sections are adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business; §823.301, which authorizes the TRS board of trustees to adopt rules expanding the military service creditable in TRS in order to comply with the requirements of federal law; and §823.304, which authorizes an eligible person to establish reemployed veteran's credit.

§25.74. Cost.

(a) To obtain service credit for active military duty under the Veteran's Reemployment Rights Act (VRRRA) and §25.71 of this title (relating to Service Credit for Eligible Active Duty Under the Veteran's Reemployment Rights Act), the member must deposit with the retirement system for each school year of service claimed an amount equal to the sum of the following:

(1) member contributions based on the following:

(i) the percentage of the applicable full annual compensation rate equal to that in effect for deductions from member salaries for the school year in which the military duty was rendered; and

(ii) the full annual compensation rate for each school year of membership service in which the member was on active military duty eligible under the VRRRA and §25.71. Membership service does not include service as a substitute. For purposes of determining the full annual compensation rate under this section, the Teacher Retirement System (TRS) will use the amount of wages and salary the member would have received had he continued to be employed in his former TRS covered position from which he left for active military

duty. The member must submit a certification by the employer whose employ he left to enter into active military duty of the wages and salary he would have received had he remained in the TRS covered position;

(2) a fee of 5.0% compounded annually of the contributions from the date the member was first eligible to establish service credit to the date of deposit.

(b) To obtain credit for member compensation for active military duty under the VRRRA and §25.71, the member must deposit with the retirement system for each school year of salary credit claimed an amount equal to the sum of the following:

(1) member contributions based on the following:

(i) the percentage of the applicable full annual compensation rate equal to that in effect for deductions from member salaries for the school year in which the military duty was rendered; and

(ii) the full annual compensation rate for each school year of membership service in which the member was on active military duty eligible under the VRRRA and §25.71. Membership service does not include service as a substitute. For purposes of determining the full annual compensation rate under this section, TRS will use the amount of wages and salary the member would have received had he continued to be employed in his former TRS covered position from which he left for active military duty. The member must submit a certification by the employer whose employ he left to enter into active military duty of the wages and salary he would have received had he remained in the TRS covered position;

(2) a fee of 5.0% compounded annually of the contributions from the date the member was first eligible to establish credit for member compensation to the date of deposit.

(c) Credit for member compensation may be established for any school year of active military duty eligible under the VRRRA and §25.71, even if service credit has already been granted for the school year for service in the public schools of Texas.

(d) Establishment of compensation credit does not entitle a member to service credit for a school year unless no service credit has been granted for the school year through sufficient service in the public schools of Texas.

(e) A member is first eligible to establish credit under §25.71 on the date of application for reemployment in a TRS covered position or on November 12, 1991, whichever is later.

§25.75. Application for Eligible Active Military Duty Under the Veteran's Reemployment Rights Act. Members desiring to make deposits for service credit for eligible military duty under the Veteran's Reemployment Rights Act should request in writing to be billed for the cost of the credit. Requests should be addressed to Teacher Retirement System of Texas, 1000 Red River Street, Austin, Texas 78701-2698. Included with the request should be a certified or legible unaltered copy or copies of the member's service record showing the dates and nature of the member's military duty. Also included with the request should be a certification of the date of the member's application for reemployment with a Teacher Retirement System of Texas (TRS)-covered employer or other proof of the date of employment with a TRS-covered employer. The system may also require the member to make available to it such other evidence as may be required to establish the member's eligibility under the VRRRA and §25.71 of this title (relating to Service Credit for Eligible Active Duty Under the Veteran's Reemployment Rights Act) for retirement credit and the amount of the deposits due. When the system determines the duty is eligible for credit, it shall bill the member for the total amounts of deposits and fees due for the credit at the last address of the member of which the system has record. The member must sign the statements contained in the bill certifying the accuracy of the information provided in the bill and return the bill to the system with the total amount due for the eligible credit. A member who requests a bill and submits all necessary evidence for crediting his military duty eligible under the VRRRA and §25.71 before the end of a school year shall have 30 days from the date the bill is transmitted by the system in which to submit the amount due without owing any additional fees otherwise becoming due because of the intervening termination of the school year. Deposits for military duty eligible for credit under the VRRRA and §25.71 will not be accepted after the date of death of a member.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200090

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Chapter 29. Benefits

Service Retirement

• 34 TAC §§29.7, 29.14, 29.16

The Teacher Retirement System of Texas (TRS) adopts amendments to §29.7 and §29.14 and new §29.16, concerning minimum service benefit requirements, eligibility for retirement at the end of May, and payment of unpaid benefits. Section 29.7 is adopted with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84). Section 29.14 and new §29.16 are adopted without changes and will not be republished.

The new section is adopted in order to implement a statutory change permitting a beneficiary to receive payments payable to, but not received by, an annuitant before the annuitant's death without the need for a probate or similar proceeding. The amended sections are adopted in order to reflect the new amount of the statutory minimum service retirement benefit and to clarify the wording on eligibility for retirement. One change was made in §29.7; the word "Standards" was changed to the word "Standard." The change was made to correct a typographical error.

The sections will establish a minimum service retirement benefit of \$150 per month for certain service retirees, clarify the wording regarding the retirement date for certain retirees, and establish procedures for TRS to use to pay an annuitant's designated beneficiary amounts payable to, but not received by, an annuitant before the annuitant's death.

No comments were received regarding adoption of the amendments and new section.

The amendments and new section are adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business; §824.203, which establishes the minimum service retirement benefit; §824.002, which establishes the effective date of retirement for a retiree; and §824.505, which authorizes TRS to adopt rules necessary to administer payment to a beneficiary.

§29.7. Minimum Service Retirement Benefits. Minimum service retirement benefits are payable if benefits as calculated by the standard annuity formula in §29.3 of this title (relating to Standard Annuity) are below the following amounts: \$6.50 per month multiplied times the member's creditable years of service but, if the member is 65 years of age or older, no less than \$150 per month. Example: 27 years of creditable service times \$6.50 equals \$175.50 per month.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200091

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Disability Retirement

• 34 TAC §29.21

The Teacher Retirement System of Texas (TRS) adopts an amendment to §29.21, concerning the effective date for disability retirement, without changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84).

The amended section is adopted in order to implement new statutory provisions regarding the effective date of retirement for disability retirees and to clarify which form is required to apply for disability retirement.

The amended section will improve the wording regarding submission of the application form and describe the effective date of retirement for a member whose employment ends June 15, in accordance with a statutory amendment permitting the effective date to be May 31.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business, and §824.002, which establishes the effective date of retirement for retirees.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200092

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Chapter 31. Employment after Retirement

• 34 TAC §§31.2, 31.3, 31.7, 31.9, 31.12, 31.13

The Teacher Retirement System of Texas (TRS) adopts amendment to §§31.2, 31.3, 31.7, 31.9, and 31.12 and new §31.13. Sections 31.2, 31.3, 31.7, 31.9, and 31.13 are

adopted without changes and will not be published. Section 31.12 was adopted with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84). Concerning forfeiture of annuities, permissible substitute employment, regular employment having no effect on annuity, definitions, employment on as much as a full-time basis, and employment of a disability retiree on a one time three-month trial basis.

The amendments and new section are adopted in order to reflect recent statutory changes affecting employment after retirement of both service and disability retirees. In §31.12(c), the provisions regarding the submission of the election form were changed to require the form to be submitted no later than 30 days after notice that annuity payments must be forfeited, instead of by the end of the first month of full time employment. The change permits a final opportunity after notice from TRS to submit the form to avoid a loss of benefits.

The amendments and new section will describe employment permitted after retirement without loss of annuities and will implement statutory amendments changing the permissible type or length of such employment.

No comments were received regarding adoption of the amendments and new section.

The amendments and new section are adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business, and §824.602, which permits retirees to be employed in certain capacities after retirement without loss of benefits.

§31.12. Employment up to Six Months on as Much as Full Time.

(a) Any person receiving a service retirement annuity may, without affecting payment of the annuity, be employed on as much as full time for no more than six months in a school year if the work meets the requirements in subsection (b) of this section and the person complies with the requirements of subsection (c) of this section.

(b) The work must occur:

(1) in no more than six months in a school year; and

(2) in a school year that begins after the retiree's effective date of retirement or no earlier than October 1 if the effective date of retirement is August 31.

(c) A person must elect in writing on a form prescribed by the Teacher Retirement System of Texas (TRS) to take advantage of the exception described by this section. A person who, during a school year, has already used the exception described in §31.3 of this title (relating to Permissible Substitute Employment) for substitute work or in §31.7 of this title

(relating to Regular Employment Having No effect on Annuity) for work at no more than half time is eligible to elect this exception during the same school year; however, the permissible substitute employment or the employment for work at no more than half time during the same school year must be included in the six months of employment allowed under this section. A person who has been employed in Texas public education during a school year and has forfeited service retirement benefits because the person did not qualify for one of the exceptions described in §31.3 of this title or §31.7 of this title is eligible to elect this exception during the same school year. The election must be made no later than 30 days after the person receives notice from TRS that the person's annuity payments must be forfeited in the months for which TRS received notice from the employer that the person was employed on more than a half time basis without having completed the election form. To avoid notice of forfeiture and interruption of annuity payments, the person should submit the election to TRS no later than the last day of the first month of employment on as much as full time that is subject to the exception described in this section. The person making the election must designate on the form the six months during which the exception is to apply. For the election to be effective, the employer of the person must certify on the election form that the employment will be reported to TRS. A separate election form must be filed for each school year that the person wishes this exception to apply.

(d) A person will forfeit annuity payment for any month in the school year outside the six-month period designated on the person's election form during which the person works in any position in a Texas public educational institution. This applies even if the work would otherwise qualify for an exception under §31.3 of this title for substitute work or §31.7 of this title for no more than half time employment. However, substituting or work at no more than half-time during the designated six months will be treated as any other employment permitted during that period.

(e) The election of the exception described in this section may not be modified or revoked after the person receives an annuity payment under it. A person may not designate a period of less than six months for the exception to apply unless the remaining time in the school year during which it can apply requires it.

(f) Employers must submit to TRS the election forms signed by their employees if and when certified by the employer as required by subsection (c) of this section. Employers will report separately to TRS all work in a school year by persons with an election of this exception in effect. Substi-

tuting or work at no more than half time by a person with the election in effect will not be reported under those categories, but as work under this exception.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200093

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Chapter 39. Proof of Age

• 34 TAC §39.1

The Teacher Retirement System of Texas (TRS) adopts an amendment to §39.1, concerning acceptable methods for establishing date of birth, with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84).

The amended section is adopted in order to establish the kind of additional documentation acceptable to TRS to prove date of birth for TRS purposes. One change was made in paragraph (1), the phrase "social security" was changed to the phrase "Social Security Administration." The change was made to correct a typographical error.

The amended section will expand the kind of documentation acceptable to TRS to establish date of birth.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Government Code, §825.102, which authorizes the TRS board of trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business.

§39.1. Establishment of Date of Birth. Date of birth may be established by any one of the following:

(1)-(5) (No change.)

(6) a report from the Bureau of Census, Pittsburgh, Kansas, stating the age of the individual at a census year when the individual was less than 20 years of age;

(7) a signed letter from the Social Security Administration indicating a date of birth which has been accepted by Social Security Administration;

(8) an affidavit made by a TRS employee from naturalization or citizenship papers;

(9) for a member, an original birth certificate or a legible unaltered copy thereof when there is no given name listed for the infant as long as it is consistent with other birth information in the TRS file;

(10) an alien registration card;

(11) a hospital birth record signed by the administrator or custodian of records of the hospital;

(12) in the event none of these is obtainable, such other evidence of age as may be approved by the executive secretary;

(13) if there is any question concerning a copy of the documents listed in this section, a certified copy may be required.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200094

Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

Chapter 41. Insurance

• 34 TAC §41.10

The Teacher Retirement System of Texas (TRS) adopts new §41.10, concerning eligibility for coverage under the Texas Public School Retired Employees Group Insurance Program (TRS-Care) with changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84).

The new section is adopted in order to describe the eligibility requirements for participation in TRS-care. The number of the section was changed from "§41. 8" to "§41.10" because there already is a §41.8.

The new section will concisely describe in one place the eligibility requirements for TRS-care participation.

No comments were received regarding adoption of the new section.

The new section is adopted under the Texas Insurance Code, Article 3.50-4, §5, which authorizes the board of trustees of TRS to adopt rules relating to the TRS-Care Program.

§41.10. Eligibility for Coverage Under the Texas Public School Retired Employees Group Insurance Program.

(a) The following persons are eligible to be enrolled in the Texas Public

School Retired Employees Group Insurance Program (TRS-Care):

(1) service retirees of the Teacher Retirement System who are not eligible to be enrolled as an employee or retiree by a plan provided under the Texas Employees Uniform Group Insurance Benefits Act (Texas Insurance Code, Article 3.50-2), or under the Texas State College and University Uniform Insurance Benefits Act (Texas Insurance Code, Article 3.50-3);

(2) disability retirees of the Teacher Retirement System who are not eligible to be enrolled as an employee or retiree by a plan provided under the Texas Employees Uniform Group Insurance Benefits Act (Texas Insurance Code, Article 3.50-2), or under the Texas State College and University Uniform Insurance Benefits Act (Texas Insurance Code, Article 3.50-3);

(3) surviving spouses of deceased service or disability retirees of the Teacher Retirement System; and

(4) surviving dependent children of a deceased service or disability retiree or of a deceased active TRS member.

(b) To be eligible for coverage under TRS-care under this section, a service retiree of the Teacher Retirement System must have 10 years of service credit for actual service in the public schools of Texas.

(c) A disability retiree with less than 10 years of service credit will not be eligible for coverage under TRS-Care when disability retirement benefits terminate.

(d) A surviving spouse of a deceased TRS service or disability retiree is eligible to enroll in TRS-care if the deceased TRS service or disability retiree was eligible to enroll or would have been eligible to enroll in TRS-care at the time of the retiree's death.

(e) A surviving spouse of a deceased active TRS member is eligible to enroll in TRS-care if the deceased active member:

(1) died on or after September 1, 1986;

(2) had 10 or more years of actual service credit in TRS; and

(3) made contributions to TRS-care at the member's last place of employment in public education in Texas.

(f) Surviving dependent children of deceased TRS retirees or deceased active TRS members are eligible to enroll in TRS-care if the deceased retiree met the conditions of subsection (d) of this section or the deceased active member met the conditions of subsection (e) of this section. Surviving

dependent children must also meet the following conditions:

(1) the child(ren) must be a natural or adopted child(ren) of the deceased retiree or member or must be a foster, step-child(ren), or other child(ren) who lived in a parent-child relationship with the retiree or member; and

(2) the child(ren) must be unmarried and under 25 or must be age 25 or older but still unmarried and mentally retarded or physically disabled to such an extent as to have been dependent upon the deceased retiree or member for support at the time of the retiree's or member's death.

(g) If a service or disability retiree has a legal spouse or if a retiree or surviving spouse has an eligible child or children when the retiree or surviving spouse becomes eligible but does not elect to cover that spouse or that child or children within 31 days, TRS-care coverage may not be obtained for the spouse or child(ren) until a subsequent enrollment period.

(h) If a service or disability retiree has no spouse or if a retiree or surviving spouse has no eligible child or children when he or she first becomes eligible, but acquires a spouse or child or children at a later date, the retiree can obtain spouse or child or children coverage if he or she makes application within 31 days of the date the spouse or first eligible child is acquired.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200095 Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date January 24, 1992

Proposal publication date November 12, 1991

For further information, please call (512) 370-0524

Chapter 43. Adjudicative Hearings

- 34 TAC §§43.1, 43.5, 43.10, 43.45, 43.46

The Teacher Retirement System of Texas (TRS) adopts amendments to §§43.1, 43.5, 43.10, 43.45, and 43.46, concerning adjudicative hearings, without changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84).

The amended section is adopted in order to more clearly and more fully explain the procedures relating to TRS adjudicative hearings.

Time limits consistent with the need to resolve issues promptly are also established.

The amended sections will provide instructions for appealing a supervisor's decision to a division head; reduce the amount of time available for appealing a division head's decision to the executive secretary; eliminate the authority of a hearing officer to grant relief sought by a petitioner; provide for the filing of exceptions to a proposal for decision; alter the deadline for filing a motion for rehearing; and provide for the overruling of a motion for rehearing by operation of law.

No comments were received regarding adoption of the amendments.

The amended sections are adopted under the Texas Government Code, §825.102, which authorizes the TRS Board of Trustees to adopt rules for membership eligibility, the administration of the funds of the retirement system, and the transaction of its business.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200096 Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date January 24, 1992

Proposal publication date November 12, 1991

For further information, please call (512) 370-0524

Chapter 47. Qualified Domestic Relations Orders

- 34 TAC §47.2, §47.6

The Teacher Retirement System of Texas (TRS) adopts amendments to §47.2 and §47.6, concerning qualified domestic relations orders, without changes to the proposed text as published in the November 12, 1991, issue of the *Texas Register* (16 TexReg 84).

The amended sections are adopted in order to establish a deadline for a motion for reconsideration of a qualified domestic relations order determination that is consistent with the deadline for a motion for rehearing; also, the sections, as amended, will recognize that domestic relations orders may be issued by courts other than district courts.

The amendments will remove the reference to a "district" court clerk's certification of an order and will extend the time for filing a motion for reconsideration of a determination from 15 to 20 days.

No comments were received regarding adoption of the amendments.

The amended sections are adopted under the Texas Government Code, §825.102, which authorizes the TRS Board of Trustees to adopt rules for membership eligibility, the administration of the funds of the system, and the transaction of its business, and §804.003,

which authorizes the TRS Board of Trustees to promulgate rules necessary to implement the provisions of the law on qualified domestic relations orders.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200097 Wayne Blevins
Executive Secretary
Teacher Retirement
System of Texas

Effective date: January 24, 1992

Proposal publication date: November 12, 1991

For further information, please call: (512) 370-0524

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 27. Intermediate Care Facilities for the Mentally Retarded (ICF-MR)

Subchapter D. Reimbursement Methodology

- 40 TAC §27.409

The Texas Department of Human Services (DHS) adopts an amendment to §27.409, reimbursement methodology, without changes to the proposed text as published in the November 29, 1991, issue of the *Texas Register* (16 TexReg 6916).

The justification for the amendment is to add as an unallowable cost any expenses, and corresponding revenues, that are reimbursed directly through Medicaid voucher payment systems which are outside of the per diem rate payment system.

The amendment will function by providing for a better understanding of the unallowable costs of the Medicaid reimbursement methodology for intermediate care facilities for the mentally retarded.

No comments were received regarding adoption of the amendment

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

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

Issued in Austin, Texas, on December 31, 1991.

TRD-9116485

Nancy Murphy
Agency liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: February 1, 1992

Proposal publication date: November 29, 1991

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



Chapter 48. Community Care for Aged and Disabled

Program for All-Inclusive Care for the Elderly (PACE)

• 40 TAC §48.2807

The Texas Department of Human Services (DHS) adopts an amendment to §48.2807, concerning provider claims payment, without changes to the proposed text as published in the November 26, 1991, issue of the *Texas Register* (16 TexReg 6850).

Justification for the amendment is that the Program for All-Inclusive Care for the Elderly (PACE) provider will earn a fair and equitable reimbursement when clients enter a nursing facility.

The amendment will function by allowing the PACE provider to collect from the client the client's applied income when the client enters a nursing facility, unless the purpose of the stay is respite care. The amendment will make the PACE site in Texas consistent with other PACE sites.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

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

Issued in Austin, Texas, on January 3, 1992.

TRD-9200098

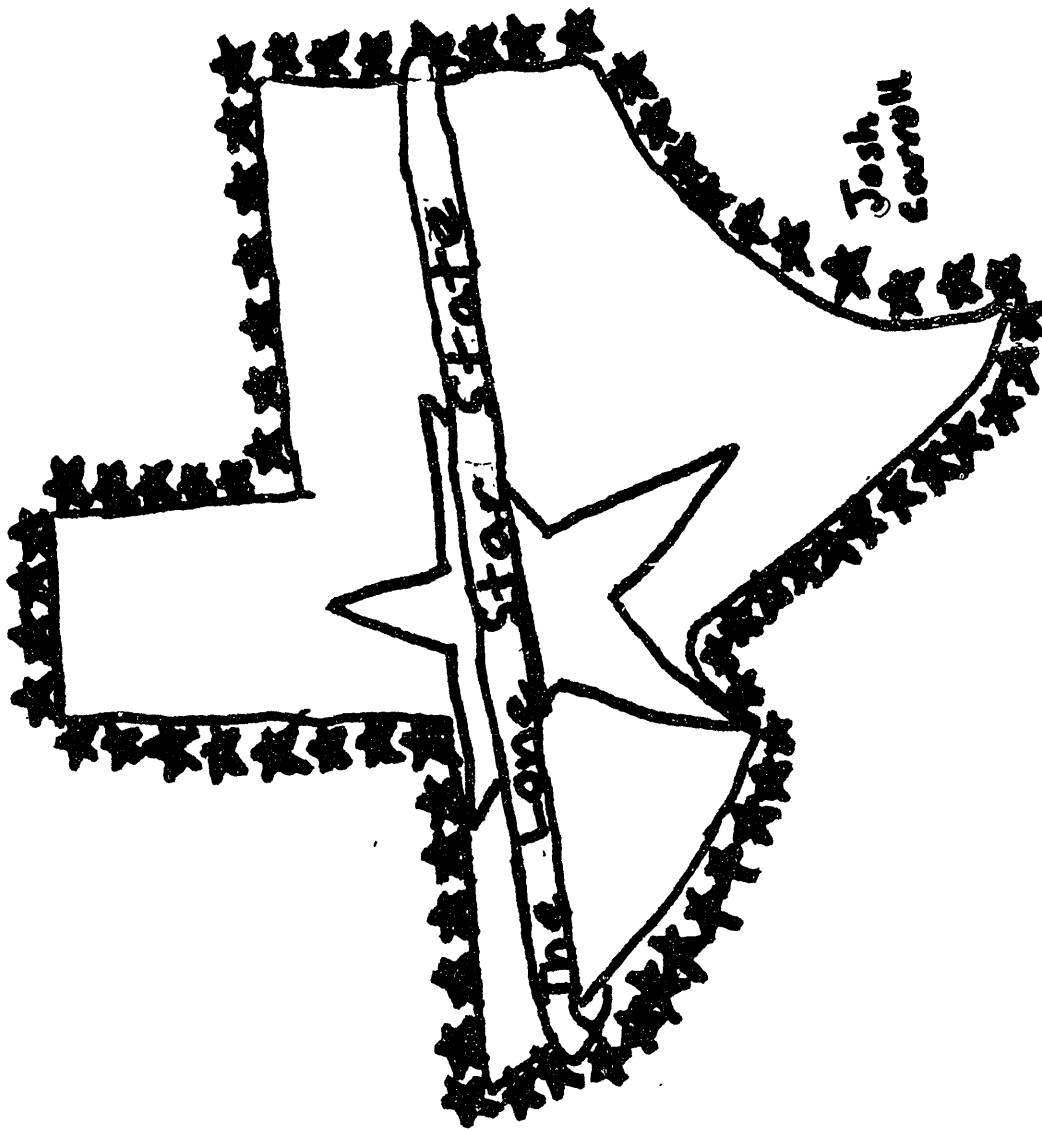
Nancy Murphy
Agency liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: February 1, 1992

Proposal publication date: November 26, 1991

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





Name: Josh Carroll

Grade: 5

School: Montgomery Elementary, Carrollton-Farmers Branch ISD

Open Meetings

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

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

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

Texas Department on Aging

Thursday, January 16, 1992, 9:30 a.m. The Texas Board on Aging of the Texas Department on Aging will meet at the Texas Department on Aging, 1949 South IH-35, Third Floor Conference Room, Austin. According to the complete revised agenda, the board will review and discuss extension of Citizens Advisory Councils Chairperson's term of office.

Contact: Mary Sapp, P.O. Box 12786, Austin, Texas 78711, (512) 444-2727.

Filed: January 3, 1992, 4:10 p.m.

TRD-9200099

Texas Department of Agriculture

Monday, January 13, 1992, 10 a.m. (re-scheduled from December 2, 1991). The Agricultural Resources Protection Authority Board of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, 1700 North Congress Avenue, Stephen F. Austin Building, Room 924-A, Austin. According to the complete agenda, the board will discuss approval of minutes; discuss and act on proposed general rules, special proceedings rules and appellate rules as published in the *Texas Register* on November 1, 1991; discuss other business; and establish date for next meeting.

Contact: Alvin Ashom, P.O. Box 12847, Austin, Texas 78711, (512) 463-7698.

Filed: January 3, 1992, 3:34 p.m.

TRD-9200085

Tuesday, January 14, 1992, 2 p.m. The Texas Agricultural Finance Authority of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, 1700 North Congress Avenue, Stephen F. Austin Building, Room 924-A, Austin. According to the complete agenda, the authority will call the meeting to order; discuss

and act on minutes of the previous meeting; applications being appealed; loans recommended by Credit Review Committee; status of loan portfolio of the Authority; and discussion of other business.

Contact: Robert Kennedy, P.O. Box 12847, Austin, Texas 78711, (512) 463-7686.

Filed: January 6, 1992, 4 p.m.

TRD-9200152

Friday, January 17, 1992, 10 a.m. The Texas Department of Agriculture will meet at the Texas Department of Agriculture, 1700 North Congress Avenue, Stephen F. Austin Building, Room 924-A, Austin. According to the complete agenda, the department will hold a public hearing to receive public comments regarding TDA Organic Food Standards and Certification as published in the December 24, 1991 issue of the *Texas Register*, (16 TexReg 7609).

Contact: Keith Jones, P.O. Box 12847, Austin, Texas 78711, (512) 463-9883.

Filed: January 6, 1992, 4 p.m.

TRD-9200151

Tuesday, January 28, 1992, 10 a.m. The Texas Department of Agriculture will meet at the Texas Department of Agriculture, Expressway 83, Two Blocks West of Morningside Road, San Juan. According to the complete agenda the department will hold an administrative hearing to review: alleged violation of Texas Agriculture Code Annotated Section 103.001 et. seq. (Vernon) by Kenneth Sutton doing business as Sutton Sales of McAllen as petitioned by Eron Wernecke.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: January 2, 1992, 10:48 a.m.

TRD-9200013

Tuesday, January 28, 1992, 11 a.m. The Texas Department of Agriculture will meet at the Texas Department of Agriculture, Expressway 83, Two Blocks West of

Morningside Road, San Juan. According to the complete agenda the department will hold an administrative hearing to review: alleged violation of Texas Agriculture Code Annotated Section 103.001 et. seq. (Vernon) by Kenneth Sutton doing business as Sutton Sales of McAllen as petitioned by Cabrera Brothers.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: January 2, 1992, 10:48 a.m.

TRD-9200014

Tuesday January 28, 1992, 1 p.m. The Texas Department of Agriculture will meet at the Texas Department of Agriculture, Expressway 83, Two Blocks West of Morningside Road, San Juan. According to the complete agenda the department will hold an administrative hearing to review: alleged violation of Texas Agriculture Code Annotated Section 103.001, et. seq. (Vernon) by Charles A. Rogers and Sons, Inc. as petitioned by South Texas Peach Growers Co-op.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: January 2, 1992, 10:48 a.m.

TRD-9200015

Texas Air Control Board

Friday, January 17, 1992, 8:30 a.m. The Budget and Finance Committee of the Texas Air Control Board will meet at 12124 Park 35 Circle, Room 143E, Austin. According to the complete agenda, the committee will review and discuss Performance Bonus Program; building status report; and equipment item purchases over \$10,000,000.

Contact: Lane Hartsock, 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1451.

Filed: January 7, 1992, 9:53 a.m.

TRD-9200184

Friday, January 17, 1992, 9 a.m. The Fee Review Committee of the Texas Air Control Board will meet at 12124 Park 35 Circle, Room 143E, Austin. According to the complete agenda, the committee will discuss report on asbestos fee workshop; and fee update.

Contact: Lane Hartsock, 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1451.

Filed: January 7, 1992, 9:53 a.m.

TRD-9200185

Friday, January 17, 1992, 9:30 a.m. The Regulation Development Committee of the Texas Air Control Board will meet at 12124 Park 35 Circle, Room 143E, Austin. According to the complete agenda, the committee will review and consider to adopt proposed revisions to the General Rules regarding definitions which would provide consistency with recently adopted changes to Regulation I incinerator rules; discussion and consideration for public hearings on proposed revisions to Regulation V regarding "Leveling and Playing Field" and the addition of perimeter counties as required by the Environmental Protection Agency; discussion and consideration for public hearings on proposed revisions to Regulation Vi, the General Rules, and the Standard Exemption List in response to the Federal Clean Air Act and staff initiated changes; and discussion on proposed revisions to Regulation II in response to a formal petition for rulemaking from the Sierra Club regarding scrubbing of sulfur dioxide emission from steam.

Contact: Lane Hartsock, 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1451.

Filed: January 7, 1992, 9:54 a.m.

TRD-9200186

Friday, January 17, 1992, 10:30 a.m. The Monitoring and Research Committee of the Texas Air Control Board will meet at 12124 Park 35 Circle, Room 143E, Austin. According to the agenda summary, the committee will discuss a report on air toxics monitoring; report on FY-92 research budget; report on planned contract with the University of Texas School of Public Health in Houston to continue development and application of techniques to sample and analyze for acid aerosols (approximately \$6,000); review of proposal for two interagency contracts for research assistance on dairy odor problems and recommendation to the board concerning approval to negotiate and execute the contracts; and consideration of approval for proposed interagency contract research at the University of Texas at Arlington to improve the usefulness of Fourier transform infrared spectroscopy (FTIR) as a field measurement

method for specific toxic and ozone-related air pollutants (\$6,000).

Contact: Lane Hartsock, 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1451.

Filed: January 7, 1992, 9:48 a.m.

TRD-9200183

Friday, January 17, 1992, 1 p.m. The Texas Air Control Board will meet at 12118 IH-35, Park 35 Technology Center Building, (Second Blue Building South of TACB Office), Austin. According to the agenda summary, the board will call the meeting to order; discuss approval of minutes of the December 13, 1991 meeting; hear public testimony; service awards; consideration and action on proposed contracts; consideration and action on proposed rule; enforcement report, consideration and action on agreed enforcement orders; deliberation and possible action on role of compliance history in permitting; review and discuss reports; discuss new business; election of vice-chairman; and adjourn.

Contact: Lane Hartsock, 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1451.

Filed: January 7, 1992, 9:47 a.m.

TRD-9200182

Texas Council on Alzheimer's Disease and Related Disorders

Thursday, January 30, 1992, 9:45 a.m. The Texas Council on Alzheimer's Disease and Related Disorders will meet at the Texas Department of Health, 1100 West 49th Street, Room T-607, Austin. According to the complete agenda, the council will hear opening remarks; introduce council members; consider and possibly act on chairman's report; hear legislative report; Texas Department of Health report; report on the Governor's health policy task force; Texas respite resource network report; report on study of special care units for nursing facility residents with cognition impairment; recognize retiring council members; and hear input from council members.

Contact: Morris H. Craig, 1100 West 49th Street, Austin, Texas 78756, (512) 458-2053.

Filed: January 6, 1992, 4:18 p.m.

TRD-9200161

Texas Antiquities Committee

Thursday, January 16, 1992, 3 p.m. The Texas Antiquities Committee will meet at Covert-Carrington House Library, 1511

Colorada, Austin. According to the complete agenda the committee will discuss the options of consolidation of the Texas Antiquities Committee and the Texas Historical Commission.

Contact: Kathleen McLaughlin-Neyland, P.O. Box 12276, Austin, Texas 78711, (512) 463-6098.

Filed: January 3, 1992, 10:29 a.m.

TRD-9200045

Friday, January 17, 1992, 9:30 a.m. The Texas Antiquities Committee will meet at the Stephen F. Austin Building, Room 118, 1700 North Congress Avenue, Austin. According to the agenda summary, the committee will discuss approval of minutes of previous meetings of September 20, 1991 and November 15, 1991; staff will present a review of the Texas Antiquities Committee for new members; hold election of officers; nominate State Archeological Landmarks in various counties; vote on designation of State Archeological Landmarks in Galveston, Gillespie, Tarrant, and Williamson Counties; discuss the Science Place in Dallas; discuss consolidation options of the Texas Antiquities Committee and Texas Historical Commission; vote on resolutions for outgoing Board members; and hear a staff report.

Contact: Kathleen McLaughlin-Neyland, P.O. Box 12276, Austin, Texas 78711, (512) 463-6098.

Filed: January 3, 1992, 10:29 a.m.

TRD-9200044

Texas Bond Review Board

Tuesday, January 14, 1992, 9 a.m. The Staff Planning Committee of the Texas Bond Review Board will meet at the Reagan Building, 105 West 15th Street, Room 102, Austin. According to the agenda summary, the staff will call the meeting to order; discuss approval of minutes; consider proposed issues; discuss other business; and adjourn.

Contact: Tom K. Pollard, 506 Sam Houston Building, 201 East 14th Street, Austin, Texas 78701, (512) 463-1741.

Filed: January 6, 1992, 3:39 p.m.

TRD-9200146

Thursday, January 16, 1992, 10 a.m. The Texas Bond Review Board will meet at the Reagan Building, 105 West 15th Street, Room 101, Austin. According to the complete agenda, the board will call the meeting to order; review and discuss primary lottery to establish the order or priority of each application for reservation; secondary lot-

tery to determine the reservation dates for those applications which will receive an initial reservation; and adjourn.

Contact: Tom K. Pollard, 506 Sam Houston Building, 201 East 14th Street, Austin, Texas 78701, (512) 463-1741.

Filed: January 6, 1992, 3:40 p.m.

TRD-9200147

Texas Cancer Council

Tuesday and Wednesday, January 7-8, 1992, 7:30 p.m. and 9 a.m. respectively. The Board of Directors of the Texas Cancer Council met in an emergency meeting at the Doubletree Hotel, 6505 North IH 35, Austin. According to the complete agenda no official action was taken by the board, it was just a discussion session. The emergency meeting was necessary because the due to meeting room location was not confirmed until December 30, 1991.

Contact: Emily Untermeyer, P.O. Box 12097, Austin, Texas 78711, (512) 463-3190.

Filed: January 2, 1992, 4:54 p.m.

TRD-9200039

Texas Catastrophe Property Insurance Association

Wednesday, January 8, 1992, 9 a.m. The Board of Directors of the Texas Catastrophe Property Insurance Association met in an emergency meeting at the TCPIA Conference Room, 2801 South Interregional, Austin. According to the complete agenda the board discussed the agent's commission. The emergency meeting was necessary to establish agent's commission to be used on premiums effective January 1, 1992.

Contact: Frank R. Rogers, 2801 South Interregional, Austin, Texas 78741, (512) 444-9612.

Filed: January 2, 1992, 11:55 a.m.

TRD-9200019

The Texas Department of Criminal Justice Board of Pardons and Paroles

Monday-Friday, January 13-17, 1992, 10 a.m. respectively The Texas Department of Criminal Justice Board of Pardons and Paroles will meet at 2503 Lake Road, Suite #9, Huntsville. According to the agenda summary, a panel (composed of three board members) will receive, review, and consider information and reports concerning prisoners/inmates and administrative releases

subject to the board's jurisdiction and initiate and carry through with appropriate action.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2744.

Filed: January 3, 1992, 11:45 p.m.

TRD-9200065

Texas State Board of Dental Examiners

Friday-Saturday, January 17-18, 1992, 8 a.m. The Texas State Board of Dental Examiners will meet at the Loews Anatole Hotel, 2201 Stemmons Freeway, Dallas. According to the complete agenda, the board will call the meeting to order; take roll call; discuss approval of past minutes; approval of settlement orders; modification of board orders; sedation/anesthesia permits approved; appearances before the board (Donna Chavez, Dr. Mark Merriweather, Dr. David Becka, Dr. James Hill, Dr. James Hebert); reports-(Dental Hygiene Advisory Committee-interviews; Dental Hygiene Advisory Committee appointments; anesthesia consultants committee appointments); executive director's report; committee reports-(administration/budget, examination/licensings); adoption of rules; meet in executive session to discuss pending litigation; and adjourn.

Contact: C. Thomas Camp, 327 Congress Avenue, Suite 500, Austin, Texas 78701, (512) 477-2985.

Filed: January 7, 1992, 7:51 a.m.

TRD-9200176

Texas Education Agency

Tuesday, January 14, 1992, 10 a.m. The State Board of Education Task Force on Professional Preparation and Development of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the complete agenda, the board will discuss charge of the task force; review and discussion of preliminary statement of policy issues; review organization into committees according to the charge for formative work; identification of committee membership, examination of needed resources and experts, and consideration of avenue for public/professional input; and review/modify timeline as needed.

Contact: Richard Swain, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9328.

Filed: January 3, 1992, 1:52 p.m.

TRD-9200072

Advisory Commission on State Emergency Communications

Wednesday-Thursday, January 15-16, 1992, 8 a.m. The Workshop on the Americans with Disabilities Act of the Advisory Commission on State Emergency Communications will meet at the Wyndam Park South, IH-35 at Ben White, Austin. According to the agenda summary, on Wednesday, the commission will welcome members and guests; make introductions; give an overview of the Americans with Disabilities Act (ADA); Title II public services; Title III, public accommodations and services; Andy Alexander, Governor's Committee on People with Disabilities; break; lunch; overview of tele-conference; interactive teleconference, Department of Justice, questions and answers session; Title I, Employment; and Title V, miscellaneous provisions. On Thursday, the commission will review and discuss self-evaluation process; Andy Alexander, Governor's Committee on People with Disabilities; Title IV, Telecommunications; Ed Bossom, Consumer Relations Administrator, Public Utilities Commission; tour Relay Texas facilities; lunch and adjourn.

Contact: Glenn Roach, 1101 Capital of Texas Highway South, B-100, Austin, Texas 78746, (512) 327-1911.

Filed: January 6, 1992, 4:26 p.m.

TRD-9200164

Texas Employment Commission

Tuesday, January 14, 1992, 1:30 p.m. The Texas Employment Commission will meet at the TEC Building, 101 East 15th Street, Room 644, Austin. According to the agenda summary, the commission will consider prior meeting notes; discuss internal procedures of commission appeals; consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on Commission Docket 2; and set date of next meeting.

Contact: Courtenay Browning, 101 East 15th Street, Austin, Texas 78778, (512) 463-2226.

Filed: January 6, 1992, 4:12 p.m.

TRD-9200154

Friday, January 17, 1992, 9 a.m. The Advisory Council of the Texas Employment Commission will meet at the TEC Building,

101 East 15th Street, Room 644, Austin. According to the agenda summary, the council will consider prior meeting notes; hear public comment; discuss Greater Texas Project status report; draft report on tax equity study; staff reports on Emergency Unemployment Compensation Act of 1991, labor law enforcement status report, trends in Texas labor market, Trust Fund state unemployment insurance status report, employment service performance report; and date of and agenda items for next council meeting.

Contact: C. Ed Davis, 101 East 15th Street, Austin, Texas 78778, (512) 463-2291.

Filed: January 6, 1992, 4:12 p.m.

TRD-9200155

Texas Ethics Commission

Monday, January 13, 1992, 9:30 a.m. The Board of the Texas Ethics Commission will meet at the Reagan Building, Room 109, Austin. According to the complete agenda, the board will call the meeting to order; take roll call; discuss adopting minutes from last meeting; consider and possibly act on procedures to govern the Texas Ethics Commission Board meetings and internal management and organization; discussion of executive director; consider and possibly act on interagency contracts with: Comptroller's office for printing brochures and forms; Secretary of State's Office for administering payroll; Secretary of State's Office for servicing computers; consider and possible action on: lobby activity report form; Title 15 forms and rules; Rules for Per Diem; and personal financial statements (Article 6252-9b) rules and forms.

Contact: Carl S. Richie, 1101 Camino LaCosta, Austin, Texas 78752, (512) 406-0100.

Filed: January 3, 1992, 4:58 p.m.

TRD-9200110

Texas Growth Fund

Tuesday, January 14, 1992, 9:30 a.m. The Board of Directors of the Texas Growth Fund will meet at the Teacher Retirement System Building, Fifth Floor, 1000 Red River Street, Austin. According to the complete agenda, the board will review and approve the minutes of the special meeting of the Board of Trustees held on December 18, 1991; receive a report on status of grantor funds' actions in regard to approval of trust agreement and investment contract; receive a report from the insurance committee on the process for acquisition of directors' and officers' liability insurance; hear such other matters as may come before the

board; and receive a report on the status of the search for an executive director. The board may convene in closed meeting for the purpose of receiving a report from a representative of Russell Reynolds Associates, Inc., concerning the employment and duties of the executive director of the fund, as permitted by Article 6252-7, Vernon's Texas Civil Statutes Annotated.

Contact: Jerry E. Turner, 816 Congress Avenue, First City Centre, Austin, Texas 78701, (512) 495-8430.

Filed: January 3, 1992, 2:16 p.m.

TRD-9200079

Texas Department of Health

Thursday, January 16, 1992, 10 a.m. The Advisory Committee on Nursing Facility Affairs of the Texas Department of Health will meet at the Texas Department of Health, 1100 West 49th Street, Room T-607, Austin. According to the complete agenda, the committee will discuss approval of the minutes of previous meeting; hear report from the Chief, Bureau of Long Term Care, on status of Governor's Office oversight, status of Texas Department of Human Services (TDHS) sanctions committee, and other items of interest; consider and possibly act on: nurse aide registry final rule change; proposed rules on grading system for nursing facilities; disclosure of information from death certificates; status of revisions to licensing standards for licensed-only nursing homes; comments on proposed revisions to combined state licensing and Medicaid requirements and TDHS adoption of final rules; information on general comments received on proposed rules; and proposed amendments to licensing standards for licensed-only nursing homes to conform with the new federal Americans with Disabilities Act and Texas Department of Licensing and Regulation requirements on architectural barriers.

Contact: Janice Caldwell, 1100 West 49th Street, Austin, Texas 78756, (512) 458-3014.

Filed: January 6, 1992, 4:18 p.m.

TRD-9200162

Texas Statewide Health Coordinating Council

Wednesday, January 15, 1992, 2 p.m. The Ad Hoc Committee on Health Concerns of the Elderly of the Texas Statewide Health Coordinating Council will meet at the Doubletree Hotel, 6505 North IH-35, Austin. According to the complete agenda, the committee will introduce new members; consider and possibly act on: comments by guest

speaker (Ms. Annette LoVoi, Ombudsman, Office of the Governor); discuss development of list of concerns; and assignment of concern position development to members.

Contact: Don Kretsinger, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: January 6, 1992, 4:17 p.m.

TRD-9200156

Thursday, January 16, 1992, 10:30 a.m. The Plan Development Committee of the Texas Statewide Health Coordinating Council will meet at the Doubletree Hotel, 6505 North IH-35, Austin. According to the complete agenda, the committee will consider and possibly act on previous meeting activities and status of regional focus group meetings.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:17 p.m.

TRD-9200157

Thursday, January 16, 1992, 9:30 a.m. The Ad Hoc Bylaws Committee of the Texas Statewide Health Coordinating Council will meet at the Doubletree Hotel, 6505 North IH-35, Austin. According to the complete agenda, the committee will consider and possibly act on current bylaws and revision procedures.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:17 p.m.

TRD-9200158

Thursday, January 16, 1992, 1 p.m. The Legislative Committee of the Texas Statewide Health Coordinating Council will meet at the Doubletree Hotel, 6505 North IH-35, Austin. According to the complete agenda, the committee will discuss and possibly act on committee purpose and timeline.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:18 p.m.

TRD-9200159

Thursday, January 16, 1992, 2 p.m. The Texas Statewide Health Coordinating Council will meet at the Doubletree Hotel, 6505 North IH-35, Austin. According to the complete agenda, the council will approve minutes of the November 14, 1991 meeting; consider and possibly act on: report of Chief, Bureau of State Health Data and Policy Analysis, Texas Department of Health; hear comments by guest speaker (Pat Cole, Ph.D., Office of the Governor); ad hoc bylaws committee reports; ad hoc committee on health concerns of the elderly

report; legislative committee report; and plan development committee report.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:18 p.m.

TRD-9200160

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Texas Department of Human Services

Thursday, January 16, 1992, 10 a.m. The CPS Advisory Committee of the Texas Department of Human Services will meet at 701 West 51st Street, Fourth Floor, West Tower, Conference Room 4W, Austin. According to the complete agenda, the committee will call the meeting to order; discuss approval of minutes; discuss amending by-laws to add second vice-chair; hear director's remarks on feedback on previous action and strategic planning process; paragon update; SMART overview and update; program direction on transition planning; and adjourn.

Contact: Melodye Eveland, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3412.

Filed: January 3, 1992, 1:06 p.m.

TRD-9200068

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Texas Department of Insurance

Friday, January 10, 1992, 9:30 a.m. The Texas Health Maintenance Organization Solvency Committee of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the agenda summary, the committee will hold an election of officers; consider and discuss approval of October 11, 1991 minutes; discuss receiver's report; meet in executive session to review statutorily confidential information on financial condition of HMO's; and consider and discuss approval of plan of operation.

Contact: Melba Hendrix, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 463-6469.

Filed: January 2, 1992, 3:12 p.m.

TRD-9200033

Tuesday, January 14, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Johnny Wayne Y'Barbo who holds a Group I, Legal Reserve Life

Insurance Agent's license. Docket Number 11302.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:31 p.m.

TRD-9200166

Tuesday, January 14, 1992, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Benton Abstract and Title Company, El Dorado, who holds a Title Insurance Agent's license. Docket Number 11358.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:32 p.m.

TRD-9200167

Tuesday, January 14, 1992, 10 a.m. The Texas Title Insurance Guaranty Association of the Texas Department of Insurance will meet at the William P. Hobby Building, 333 Guadalupe Street, 12th Floor, Austin. According to the agenda summary, the board will consider and discuss approval of minutes from previous meeting; introduce new board members; consider and possibly approve plan of operation for the association; consider and possibly approve bridge agreement for receiver to provide services to association; consider and possibly eliminate the title policy fee; discuss board vacancies; liquidation report including financial and receivership reports; title manager's report; meet in executive session to consider conservator's report and set date for next meeting.

Contact: Gene Brodhead, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 322-0223.

Filed: January 6, 1992, 3:59 p.m.

TRD-9200150

Wednesday, January 15, 1992, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of William Howard Shugart, Garland, for a Group I, Legal Reserve Life Insurance Agent's license. Docket Number 11386.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:32 p.m.

TRD-9200168

Thursday, January 16, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of Pinecrest Retirement Community, Inc., Lufkin, for a Certificate of Authority under the Texas Continuing Care Facility Disclosure and Rehabilitation Act. Docket Number 11391.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:32 p.m.

TRD-9200169

Friday, January 17, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of First Insurance Group, Inc. for a Third Party Administrator's license. Docket Number 11392.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 6, 1992, 4:32 p.m.

TRD-9200170

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Commission on Jail Standards

Wednesday, January 22, 1992, 9 a.m. The Commission on Jail Standards will meet in the Employees Retirement Building, Room 100, 18th and Brazos Streets, Austin. According to the agenda summary, the commission will call meeting to order; take roll call of members; conduct reading and approval of minutes of last meeting of December 13, 1991. Old business: Bexar County, Harris County, Jefferson County, McLennan County, Potter County, change to standards, changes to standards, report on emergency housing, conditional certification, completed jail projects, jail population report and active remedial orders. New Business: incident at Dallas County Jail. Applications for variances: McLennan County, San Patricio County. Hear directors report; discuss other business; meet in executive session and adjourn.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: January 3, 1992, 11:03 a.m.

TRD-9200051

Legislative Budget Board

Monday, January 6, 1992, 10 a.m. (rescheduled from January 3, 1992, 11 a.m.)

The Legislative Budget Board met in an emergency meeting in the Senate Chamber, State Capitol, Austin. According to the agenda summary, the board received briefings on school finance litigation, budget reform, functional goals required by House Bill 2009, disproportionate share program, agency productivity plans, and agency plans for compensation of exempt positions. Considered action on agency plans for exempt positions. The emergency meeting was necessary due to lack of a quorum able to attend, meeting rescheduled from January 3, 1992 to January 6, 1992.

Contact: Jim Oliver, Room 142, Insurance Building, Austin, Texas 78701, (512) 463-1166.

Filed: January 3, 1992, 10:33 a.m.

TRD-9200046

Texas Department of Licensing and Regulation

Tuesday, January 14, 1992, 9 a.m. The Inspections and Investigations, Air Conditioning of the Texas Department of Licensing and Regulation will meet at 920 Colorado, E. O. Thompson Building, Room 1012, Austin. According to the complete agenda the department will hold an administrative hearing to consider the possible assessment of an administrative penalty and denial, suspension or revocation of the license for Dewey Nunley, Joseph B. Meier, and Champion Mechanical, Inc. for violation of Statutes, Articles 8861 and 9100.

Contact: Paula Hamje, 920 Colorado, Austin, Texas 78701, (512) 475-2899.

Filed: January 2, 1992, 4:19 p.m.

TRD-9200037

Texas Department of Mental Health and Mental Retardation

Friday, January 10, 1992, 2 p.m. The Board of Human Resources Committee of the Texas Department of Mental Health and Mental Retardation will meet at the Dallas County Mental Health and Mental Retardation Center, 1341 West Mockingbird Lane, Suite 1000E, 10th Floor, East Tower, Dallas. According to the complete agenda the board will hear citizen's comments; and consider appointment of the deputy commissioner for mental health services.

Contact: Dennis R. Jones, 909 West 45th

Street, Austin, Texas 78756, (512) 465-4506.

Filed: January 2, 1992, 11:40 a.m.

TRD-9200017

Friday, January 10, 1992, 2:30 p.m. The Board of Mental Health and Mental Retardation of the Texas Department of Mental Health and Mental Retardation will meet at the Dallas County Mental Health and Mental Retardation Center, 1341 West Mockingbird Lane, Suite 1000E, 10th Floor, East Tower, Dallas. According to the complete agenda the board will call the meeting to order; hear citizen's comments (limited to three minutes); commissioner's report; status reports; Senate Bill 3 consolidation of Legal Services Staff, Facility Review Task Force, Senate Interim Committee on Health and Human Services (private psychiatric facilities); consider items related to the West 38th Street Planned Unit Development Lease; consider appointment of the deputy commissioner for mental health services; and Litigation: RAJ v. Jones, Lelsz v. Kavanagh, potential litigation.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 465-4506.

Filed: January 2, 1992, 11:40 a.m.

TRD-9200018

State Board of Plumbing Examiners

Monday, January 13, 1992, 9 a.m. The State Board of Plumbing Examiners will meet at 929 East 41st Street, Austin. According to the revised agenda summary the board will meet in executive session; hear report of personnel committee on study of agency personnel manual; and continue discussion from last meeting of journeyman and master examinations.

Contact: Lynn Brown, 929 East 41st Street, Austin, Texas 78751, (512) 458-2145.

Filed: January 2, 1992, 4:07 p.m.

TRD-9200035

State Preservation Board

Thursday, January 16, 1992, 2 p.m. The Permanent Advisory Committee of the State Preservation Board will meet at the Library and Archives Building, Room 314, Austin. According to the agenda summary, the committee will call the meeting to order; discuss approval of minutes; discuss old or unfinished or new business; and adjourn.

Contact: Dealey Herndon, 201 East 14th Street, Room 503, Austin, Texas 78701, (512) 463-5495.

Filed: January 6, 1992, 4:21 p.m.

TRD-9200163

Public Utility Commission of Texas

Tuesday, January 14, 1992, 1:30 p.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda the division will hold a prehearing conference in Docket Number 10758: application of Southwestern Bell Telephone Company to revise its intrastate access service tariff.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 2, 1992, 3:01 p.m.

TRD-9200028

Monday, March 23, 1992, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 10731-application of Southwestern Bell Telephone Company to reduce rates for Type 1 and Type 2A service in the Cellular Mobile Interconnection Tariff.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 6, 1992, 3:20 p.m.

TRD-9200145

Tuesday, May 12, 1992, 10 a.m. (reschedule from May 5, 1992, 10 a.m.) The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda the division will hold a hearing in Docket Number 9305-application of Central Power and Light Company for a certificate of convenience and necessity for a proposed 345 kV transmission line in Nueces, San Patricio, Bee and Goliad Counties.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 2, 1992, 3:01 p.m.

TRD-9200029

Railroad Commission of Texas

Monday, January 13, 1992, 9:30 a.m. The Railroad Commission of Texas will meet at the William B. Travis Building, 1701 North Congress Avenue, 12th Floor Conference Room, Austin. Agendas follow.

The commission will consider various matters within the jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various action, including, but not limited to scheduling an item in its entirety or for particular action at a future time or date. The commission may consider the procedural status of any contested case if 60 days or more have elapsed from the date the hearing was closed or from the date the transcript was received. The commission will meet in executive session as authorized by the Open Meetings Act, including to receive legal advice regarding pending and/or contemplated litigation.

Contact: Walter H. Washington, Jr., P.O. Box 12967, Austin, Texas 78711, (512) 463-7274.

Filed: January 3, 1992, 11:11 a.m.

TRD-9200063

The commission will consider and act on the Automatic Data Processing Division Director's report on division administration, budget, procedures, equipment acquisitions and personnel matters.

Contact: Bob Kmetz, P.O. Box 12967, Austin, Texas 78711, (512) 463-7251.

Filed: January 3, 1992, 11:11 a.m.

TRD-9200061

The commission will consider and act on the Administrative Services Division Director's report on division administration, budget, procedures and personnel matters.

Contact: Roger Dillon, P.O. Box 12967, Austin, Texas 78711, (512) 463-7257.

Filed: January 3, 1992, 11:11 a.m.

TRD-9200060

The commission will consider category determination under §§102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108 of the Natural Gas Policy Act of 1978.

Contact: Margie Osborn, P.O. Box 12967, Austin, Texas 78711, (512) 463-6755.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200059

The commission will consider and act on the Personnel Division Director's report on division administration, budget, procedures,

and personnel matters. The commission will meet in executive session to consider the appointment, employment, evaluation, re-assignment, duties, discipline and/or dismissal of personnel.

Contact: Mark Bogan, P.O. Box 12967, Austin, Texas 78711, (512) 463-7187.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200058

The commission will consider and act on the Office of Information Services Director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Box 12967, Austin, Texas 78711, (512) 463-6710.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200057

The commission will consider and act on the Investigation Division Director's report on division administration, investigations, budget and personnel matters.

Contact: Walter H. Washington, Jr., P.O. Box 12967, Austin, Texas 78711, (512) 463-6828.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200056

The commission will consider and act on the Division Director's report on budget and personnel matters related to the organization of the Alternative Fuels Research and Education Division.

Contact: Dan Kelly, P.O. Box 12967, Austin, Texas 78711, (512) 463-7110.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200055

The commission will consider and act on the Office of the Executive Director's report on commission budget and fiscal matters, administrative and procedural matters, personnel and staffing, state and federal legislation, and contracts and grants. The commission will discuss the implementation of individual operating budgets for each individual commissioner's office. Consideration of appointment, reassignment and/or termination of various positions, including division directors. Consideration of reorganization of the well plugging program. The commission will meet in executive session to consider the appointment, employment, evaluation, re-assignment, duties, discipline and/or dismissal of personnel, and pending litigation.

Contact: Walter H. Washington, Jr., P.O. Box 12967, Austin, Texas 78711, (512) 463-7274.

Filed: January 3, 1992, 11:10 a.m.

TRD-9200054

Monday, January 13, 1992, 1:30 p.m. The Railroad Commission of Texas will meet at the William B. Travis Building, 1701 North Congress Avenue, 12th Floor Conference Room 12-126, Austin. According to the complete agenda, the commission will conduct an oil and gas statewide hearing.

Contact: Paula Middleton, P.O. Drawer 12697, Austin, Texas 78711, (512) 463-6729.

Filed: January 3, 1992, 11:11 a.m.

TRD-9200062

Texas Real Estate Commission

Saturday-Sunday, January 11-12, 1992, 9 a.m. and 8 a.m. respectively. The Texas Real Estate Inspector Committee of the Texas Real Estate Commission will meet at the TREC Headquarters Office, 1101 Camino La Costa, Conference Room #235, Austin. According to the agenda summary, the committee will review proposed new 22 TAC §§535.216, 535.218, and 535.220 submitted previously to the commission; discussion and possible action to recommend adoption of rules or other action by the Texas Real Estate Commission to implement Texas Civil Statutes, Article 6573a, §23; and review of draft of proposed inspection standards.

Contact: Jack Morris, P.O. Box 12188, Austin, Texas 78711-2188, (512) 465-3900.

Filed: January 3, 1992, 11:01 a.m.

TRD-9200050

Monday, January 13, 1992, 1:30 p.m. The Texas Real Estate Commission will meet at the TREC Headquarters Office, 1101 Camino La Costa, Conference Room #235, Austin. According to the agenda summary, the board will discuss and possibly act to adopt or repropose amendments to 22 TAC Chapter 537 concerning standard contract forms; discussion and possible final action to adopt proposed new 22 TAC §§535.212, 535.216, and 535.218 concerning real estate inspectors; discuss or propose new §535.220 concerning inspector code of ethics; discussion and possible final action to adopt proposed new 22 TAC §535.95 concerning licensees on military duty and defaults on student loans; discussion of Texas Civil Statutes, Article 6573a, §23(1)(6); discussion of Senate Bill 3 and Senate Bill 1; discussion of 22 TAC §535.156; discussion and possible action to approve MCE providers and courses; or to approve accredited schools or courses; meet in executive session to discuss pending litigation; and authorization of payments from recovery funds.

Contact: Camilla Shannon, P.O. Box

12188, Austin, Texas 78711-2188, (512) 465-3900.

Filed: January 3, 1992, 11:15 a.m.

TRD-9200064

Tuesday, January 14, 1992, 8:30 a.m. The Agency Task Force of the Texas Real Estate Commission will meet at the TREC Headquarters Office, 1101 Camino La Costa, Conference Room #235, Austin. According to the agenda summary, the task force will discuss agency disclosure forms and rules; and discussion of action to be recommended to the commission concerning agency in real estate transactions.

Contact: Camilla Shannon, P.O. Box 12188, Austin, Texas 78711-2188, (512) 465-3900.

Filed: January 3, 1992, 10:57 a.m.

TRD-9200049

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Structural Pest Control Board

Wednesday, January 22, 1992, 1:30 p.m. The Structural Pest Control Board will meet at the William B. Travis Building, 1701 North Congress Avenue, #1-100, Austin. According to the complete agenda, the board will hold a public hearing on the following proposed rules and regulations: §§593.21 and 593.22.

Contact: Benny M. Mathis, Jr., 9101 Burnet Road, #201, Austin, Texas 78758, (512) 835-4066.

Filed: January 3, 1992, 2:21 p.m.

TRD-9200081

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Texas Guaranteed Student Loan Corporation

Friday, January 10, 1992, 11 a.m. The Executive Committee of the Texas Guaranteed Student Loan Corporation will meet at 12015 Park 35 Circle, Colonnade Building, Suite 300, Austin. According to the complete agenda, the committee will discuss approval of the minutes of December 13, 1991; corporate status report; review January 23, 1992 board meeting agenda; discuss old and new business; and adjourn.

Contact: Peggy Irby, 12015 Park 35 Circle, Austin, Texas 78758, (512) 835-1900.

Filed: January 2, 1992, 1:51 p.m.

TRD-9200021

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Sunset Advisory Commission

Friday, January 3, 1992, 1 p.m. The Sunset Advisory Commission held an emer-

gency meeting at the John H. Reagan Building, Room 109, Austin. According to the complete agenda, the commission called the meeting to order; discussed approval of the minutes from September 20, 1991 meeting; heard status report on current reviews: overall timeframes; work summaries; agency issues; interest group meetings; testimony submitted at meetings; overall sunset schedule: heard reports, testimony, decisions, and legislation; discussed other business; and adjourned. The emergency status was necessary as commission members were in Austin for a special legislative session.

Contact: Susan Kinney, 105 West 15th Street, Room 305, Austin, Texas 78701, (512) 463-1300.

Filed: January 2, 1992, 10:09 a.m.

TRD-9200008

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University of Texas System

Thursday, January 16, 1992, 1:30 p.m. The Board for Lease of University Lands of the University of Texas System will meet at 201 West Seventh Street, Austin. According to the agenda summary, the board will discuss approval of the minutes; and approve oil and gas lease sale.

Contact: Linward Shivers, 201 West Seventh Street, Austin, Texas 78701, (512) 499-4462.

Filed: January 3, 1992, 3:35 p.m.

TRD-9200086

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University of Texas Health Science Center at San Antonio

Wednesday, January 15, 1992, 3 p.m. The Institutional Animal Care and Use Committee of the University of Texas Health Science Center at San Antonio will meet at the History of Medicine Conference Room 5.070LIB, 7703 Floyd Curl Drive, San Antonio. According to the agenda summary, the committee will discuss approval of minutes; protocols for review; hear subcommittee reports; and discuss other business.

Contact: Molly Greene, 7703 Floyd Curl Drive, San Antonio, Texas 78284-7822, (512) 567-3717.

Filed: January 7, 1992, 8:46 a.m.

TRD-9200178

◆ ◆ ◆
Texas Water Commission

Friday, January 10, 1992, 8 a.m. (rescheduled from January 10, 1992, at 2 p.m.). The Texas Water Commission will

meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 123, Austin. According to the agenda summary, the commission will meet in executive session to interview candidates for the position of executive director for the commission.

Contact: Doug Kitts, 1700 North Congress Avenue, Austin, Texas 78701, (512) 463-7898.

Filed: January 3, 1992, 4:30 p.m.

TRD-9200100

Wednesday, January 15, 1992, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including, but not limited to, scheduling an item in the entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: January 3, 1992, 4:30 p.m.

TRD-9200100

Wednesday, January 15, 1992, 10 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including, but not limited to, scheduling an item in the entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: January 3, 1992, 4:30 p.m.

TRD-9200101

Tuesday, January 21, 1992, 10 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold a hearing on an appeal filed by ratepayers on water and sewer rate increases effective August 1, 1991 for Harris County Water Control and Improvement District Number 92. In addition, the ratepayers have requested that the commission take jurisdiction over Harris County WCID Number 92 under Water Code Sections 12.081 and 54.024. Docket Number

9340-W.

Contact: Heidi Jackson, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 6, 1992, 9:25 a.m.

TRD-9200123

Tuesday, January 21, 1992, 10 a.m. The Texas Water Commission will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-100, Austin. According to the agenda summary, the commission will hold a hearing on Suburban Utilities Company, Inc.'s and Hanco Utilities, Inc.'s water utility rate increases. These water utility companies are serving customers in Parker, Johnson, Hood, Denton and Tarrant Counties. Docket Numbers 9281-G (Suburban) and 9298-R (Hanco).

Contact: Leslie Limes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 6, 1992, 9:28 a.m.

TRD-9200125

Friday, January 24, 1992, 10 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 1149B, Austin. According to the agenda summary, the commission will hold a hearing on an appeal (Docket Number 9271-A) and complaint (Docket Number 9324-X) filed by the City of Highland Village against the City of Lewisville. The appeal requests the commission to review the City of Lewisville's wholesale sewer rates and the complaint requests review of the City of Lewisville's alleged decision to attempt to limit the volume of sewage received from the City of Highland Village.

Contact: Deborah Parker, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 6, 1992, 9:24 a.m.

TRD-9200124

Monday, January 27, 1992, 10 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 1149A, Austin. According to the agenda summary, the commission will hold a hearing on a water rate increase application by Hunter's Cove Section I Water System. The increase was effective September 1, 1991. The commission staff is requesting a hearing because Hunter's Cove Section I Water System is requesting a flat rate for water service. Meters will be installed by January 31, 1992 and the staff feels a metered rate should be determined. Docket Number 9257-G.

Contact: Sally C. Colbert, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 6, 1992, 9:23 a.m.

TRD-9200122

Wednesday, January 29, 1992, 9 a.m. The

Office of Hearings Examiner of the Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the office will determine whether to affirm, modify, or set aside Emergency Order Number 91-17E issued December 23, 1991 to Atochem North America, Inc. The Order authorizes Atochem to install, operate and maintain a treatment system for arsenic-contaminated water in Finfeather Lake. The treatment system is to be used to treat the water in Finfeather Lake prior to discharging the water into an unnamed tributary of Country Club Lake ("Municipal Lake"); thence to Burton Creek; thence to Carters Creek; thence into the Navasota River in Segment Number 1209 of the Brazos River Basin.

Contact: Laura Ray, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 3, 1992, 1:57 p.m.

TRD-9200074

Friday, January 31, 1992, 10 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold a hearing on Southwest Utilities, Inc.'s water and sewer rate increases effective November 5, 1991 for its service area located in Brazoria, Harris, Liberty, Matagorda and Montgomery Counties. Docket Number 9296-R.

Contact: Leslie A. Limes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 6, 1992, 9:21 a.m.

TRD-9200121

Wednesday, February 19, 1992, 10 a.m. The Office of Hearings Examiner of the Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the office will hold a hearing to determine whether to affirm, modify, or set aside Emergency Order 91-16E issued November 26, 1991 to Rollins Environmental Services, Inc. The Order authorizes Rollins to make certain modifications to the incinerator units and requires certain other actions at the Deer Park hazardous waste management facility. The hazardous waste management facility is located at 2027 Battleground Road in Deer Park, Harris County.

Contact: Steve Dickman, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: January 3, 1992, 1:57 p.m.

TRD-9200073

Texas Water Development Board

Tuesday, January 14, 1992, 3 p.m. The Audit Committee of the Texas Water Development Board will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 513-F, Austin. According to the complete agenda, the committee will consider approval of the minutes of the October 16, 1991 meeting; be briefed on the annual financial report for the year ended August 31, 1991; briefed on the FYE August 31, 1991 annual audit and findings to date of the State Auditor; briefed on the status of the internal audit plan and deviations from the plan; and the committee may recess into executive session to consider a performance evaluation of the Internal Auditor and may reconvene in open meeting if action is needed. Additional non-committee board members may be present to deliberate but will not vote in the committee meeting.

Contact: Craig D. Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 6, 1992, 3:50 p.m.

TRD-9200148

Tuesday, January 14, 1992, 4 p.m. The Finance Committee of the Texas Water Development Board will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 513-F, Austin. According to the complete agenda, the committee will consider approval of the minutes of the December 11, 1991 meeting; be briefed on the status of the State Revolving Fund Variable Rate Demand Bond sale and related matters; discuss the interest rate on loans through the Agricultural Water Conservation Loan Program; updated on and may discuss the quarterly investments and other financial matters; may consider items relating to any pending or prospective applications for funding; discuss changes to the Board's 1986 A and B refunding resolution; and discuss items on the agenda of the January 15, 1992 board meeting. Additional non-committee board members may be present to deliberate but will not vote in the committee meeting.

Contact: Craig D. Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 6, 1992, 3:51 p.m.

TRD-9200149

Texas Workers' Compensation Insurance Facility

Thursday, January 9, 1991, 10 a.m. (revised agenda). The Governing Committee of the Texas Workers' Compensation Insurance Facility met at the Radisson Plaza

Hotel, 700 San Jacinto Boulevard, Austin. According to the agenda summary, the committee held election of chairman and vice-chairman; discussed approval of Minute 8; considered proposed by-laws, rules and regulations; consideration of: deductible plans for the facility; rating plan for the facility; discussed facility's investments; heard report from the Appeals Committee; discussed credit/underwriting guidelines; contract with Texas Workers' Compensation Commission; and met in executive session concerning pending legal and personnel matters.

Contact: Miles L. Mathews, 8303 MoPac Expressway, #310, Austin, Texas 78759, (512) 345-1222.

Filed: January 2, 1992, 4:07 p.m.

TRD-9200036

Thursday, January 9, 1992, 10 a.m. The Governing Committee of the Texas Workers' Compensation Insurance Facility met at the Radisson Plaza Hotel, 700 San Jacinto Boulevard, Austin. According to the complete revised agenda, the committee held election of chairman and vice-chairman; discussed approval of Minute 8; considered proposed by-laws, rules and regulations; consideration of: deductible plans for the facility; rating plan for the facility; discussed facility's investments; heard report from the Appeals Committee; discussed credit/underwriting guidelines; discussed contract with Texas Workers' Compensation Commission; heard report on status of the claims audit; report on payment of assessment; report on rate plan filing; considered request from Aetna Casualty and Surety Company regarding Tra-Jax, Inc.; and met in executive session concerning pending legal and personnel matters.

Contact: Miles L. Mathews, 8303 MoPac Expressway North, #310, Austin, Texas 78759, (512) 345-1222.

Filed: January 6, 1992, 2:24 p.m.

TRD-9200141

Texas Workers' Compensation Commission

Thursday, January 9, 1992, 9 a.m. The Texas Workers' Compensation Commission met at the Southfield Building, 4000 South IH-35, Rooms 910-911, Austin. According to the agenda summary, the commission called the meeting to order; discussed approval of minutes for the public meeting of December 11, 1991; discussed and considered: proposed amendments to existing rules; for proposal; nominations for Medical Advisory Committee; strategies for the TWCC Strategic Plan; met in executive session; action, if any, on matters considered in executive session; general report of is-

sues relating to commission activities; discussed future public meetings; and adjourned.

Contact: Todd K. Brown, 4000 South IH-35, Austin, Texas 78704, (512) 448-7962.

Filed: January 3, 1992, 4:49 p.m.

TRD-9200109

Texas Workers' Compensation Research Center

Friday, January 10, 1992, 8 a.m. (re-scheduled from 10 a.m.) The Board of Directors of the Texas Workers' Compensation Research Center will meet at the University of Texas, LBJ School of Public Affairs, Sid Richardson Hall, Room 3.108, Austin. According to the complete agenda, the board will call the meeting to order; discuss approval of minutes; hear report of the committees; meet in executive session to discuss personnel matters; report of actions, if any, of executive session; work session on research agenda; set next meeting date; and adjourn.

Contact: June L. Karp, LOC, 1005 Sam Houston Building, Austin, Texas 78701, (512) 475-4991.

Filed: January 6, 1992, 4:01 p.m.

TRD-9200153

Friday, January 10, 1992, 10 a.m. The Board of Directors of the Texas Workers' Compensation Research Center will meet at the University of Texas, LBJ School of Public Affairs, Sid Richardson Hall, Room 3.108, Austin. According to the complete agenda, the board will call the meeting to order; discuss approval of minutes; hear reports of committees; meet in executive session to discuss personnel matters; hear report of actions, if any, of executive session; work session on research agenda; set next meeting date; and adjourn.

Contact: June L. Karp, LOC, 1005 Sam Houston Building, Austin, Texas 78701, (512) 475-4991.

Filed: January 3, 1992, 11:58 a.m.

TRD-9200068

Regional Meetings

Meetings Filed January 2, 1992

The Dawson County Central Appraisal District Board of Directors met at 920 North Dallas Avenue, Lamesa, January 8, 1992, at 7 a.m. Information may be obtained from Tom Anderson, P.O. Box 797, Lamesa, Texas 79331, (806) 872-7060. TRD-9200010.

Grayson Appraisal District Appraisal Review Board will meet at 205 North Travis Street, Sherman, January 14, 1992, at 9 a.m. Information may be obtained from Angie Keeton, 205 North Travis, Sherman, Texas 75090, (903) 893-9673. TRD-9200011.

North Central Texas Council of Governments Local Government Investment Fund for Texas will meet at 616 Six Flags Drive, Centerpoint Two, Arlington, January 10 1992, at 12 p.m. Information may be obtained from Charles Cason III, P.O. Box Arlington, Texas 76005-5888, (817) 640-3300. TRD-9200038.

Tarrant Appraisal District Review Board will meet at 2309 Gravel Road, Fort Worth, January 16, 1992, at 8 a.m. Information may be obtained from Suzanne Williams, 2309 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9200025.

Upshur County Appraisal District Board of Directors will meet at the Upshur County Appraisal District Office, Warren and Trinity Streets, Gilmer, January 10, 1992, at 1 p.m. Information may be obtained from Louise Stracener, P. O. Box 280, Gilmer, Texas 75644, (903) 843-3041. TRD-9200009.

Meetings Filed January 3, 1992

The Barton Springs/Edwards Aquifer Conservation District Board of Directors met at 1124 A Regal Row, Austin, January 9, 1992, at 6 p.m. Information may be obtained from Bill E. Couch, 1124A Regal Row, Austin, Texas 78748, (512) 282-8441. TRD-9200084.

The Capital Area Workforce Alliance Committee met at ACC, 5930 Middle Fiskville Road, Austin, January 8, 1992, at 9 a.m. Information may be obtained from Debra Iversen, 1104 South Mays Street, Round Rock, Texas 78664, (512) 244-7231. TRD-9200066.

The Central Counties Center for Mental Health and Mental Retardation Services met at 304 South 22nd Street, Temple, January 7, 1992, at 6 p.m. Information may be obtained from Robert E. Luckey, Ph.D., 304 South 22nd Street, Temple, Texas 76501, (817) 778-4841. TRD-9200087.

The Colorado River Municipal Water District Board of Directors met at 400 East 24th Street, Big Spring, January 9, 1992, at 10 a.m. Information may be obtained from O. H. Ivie, P.O. Box 869, Big Spring, Texas 79721, (915) 267-6341. TRD-9200075.

The Dallas Area Rapid Transit NCT Regional Certification Agency Board met at 616 Six Flags Drive, Arlington, January 6, 1992, at 10 a.m. Information may be ob-

1992, at 10 a.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200108.

The Dallas Area Rapid Transit Corporate Location Ad Hoc Committee met at the Dart Office, 601 Pacific Avenue, Executive Conference Room, Dallas, January 7, 1992, at 11 a.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200106.

The Dallas Area Rapid Transit Mobility Impaired Committee (Special) met at 601 Pacific Avenue, Board Room, Dallas, January 7, 1992, at noon. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200107.

The Dallas Area Rapid Transit Audit Committee met at the Dart Office, 601 Pacific Avenue, Board Conference Room, Dallas, January 7, 1992, at noon. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200104.

The Dallas Area Rapid Transit Rail Planning and Development Committee met at the Dart Office, 601 Pacific Avenue, Board Room, Dallas, January 7, 1992, at 2 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200105.

The Dallas Area Rapid Transit CBD Transit Master Plan Subcommittee met at the Dart Office, 601 Pacific Avenue, Board Room, Dallas, January 8, 1992, at 8 a.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200103.

The Deep East Texas Council of Governments Rural Health Care Task Force held an emergency meeting at 200 North Fredonia Street, Fredonia Hotel and Convention Center, Nacogdoches, January 3, 1992, at 3 p.m. The emergency meeting was necessary in order to have enough time to make presentation on health care issues at national health day promotion hosted by congressmen Wilson's office. Information may be obtained from Katie Bayliss, 274 East Lamar Street, Jasper, Texas 75961, (409) 384-5704. TRD-9200040.

Fort Bend Parkway Association met at 11111 Brooklet Drive, Suite 100, Houston, January 9, 1992, at 6 p.m. Information may be obtained from Robert R. Randolph, 2801 First City Tower, 1001 Fannin, Houston, Texas 77002-6760, (713) 758-2380. TRD-9200047.

Grayson Appraisal District Board of Directors will meet at 205 North Travis Street,

Sherman, January 15, 1992, at 7:15 a.m. Information may be obtained from Angie Keeton, 205 North Travis, Sherman, Texas 75090, (903) 893-9673. TRD-9200042.

The Hansford Appraisal District Board met at 709 West Seventh Street, Spearman, January 8, 1992, at 9 a.m. Information may be obtained from Alice Peddy, P.O. Box 519, Spearman, Texas 79081, (806) 659-5575. TRD-9200077.

Hays County Appraisal District Board of Directors met at 632 A East Hopkins, Municipal Building, San Marcos, January 9, 1992, at 3:30 p.m. Information may be obtained from Lynnell Sedlar, 632 A East Hopkins, San Marcos, Texas 78666, (512) 754-7400. TRD-9200048.

The Texas Municipal Power Agency ("TMPA") Audit and Budget Committee met at the Gibbons Creek Steam Electric Station, Administration Building, 2 1/2 Miles North of Carlos, FM 244, Carlos, January 9, 1992, at 8 a.m. Information may be obtained from Carl Shahady, P.O. Box 7000, Bryan, Texas 77805, (409) 873-2013. TRD-9200078.

The Texas Municipal Power Agency ("TMPA") Board of Directors met at the Gibbons Creek Steam Electric Station, Administration Building, 2 1/2 Miles North of Carlos, FM 244, Carlos, January 9, 1992, at 9:30 a.m. Information may be obtained from Carl Shahady, P.O. Box 7000, Bryan, Texas 77805, (409) 873-2013. TRD-9200082.

Sulphur-Cypress Soil and Water Conservation District #419 met at 1809 West Ferguson, Suite B, Mt. Pleasant, January 8, 1992, at 8:30 a.m. Information may be obtained from Beverly Amerson, 1809 West Ferguson, Suite B, Mt. Pleasant, Texas 75455, (903) 572-5411. TRD-9200041.

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**Meetings Filed January 6,
1992**

The Denton Central Appraisal District Appraisal Review Board will meet at 3911 Morse Street, Denton, January 15, 1992, at 9 a.m. (revised agenda). Information may be obtained from John D. Brown, 3911 Morse Street, Denton, Texas 76205, (817) 566-0904. TRD-9200138.

The Denton Central Appraisal District Appraisal Review Board will meet at 3911 Morse Street, Denton, January 15, 1992, at 9 a.m. Information may be obtained from John D. Brown, 3911 Morse Street, Denton, Texas 76205, (817) 566-0904. TRD-9200139.

The Denton Central Appraisal District Board of Directors will meet at 3911 Morse Street, Denton, January 16, 1992, at 4 p.m. Information may be obtained from John D.

Brown, 3911 Morse Street, Denton, Texas 76205, (817) 566-0904. TRD-9200140.

The Fisher County Appraisal District Board of Directors will meet at the Fisher County Appraisal/Tax Office, Fisher County Courthouse, Roby, January 14, 1992, at 7:30 p.m. Information may be obtained from Teddy Kral, P.O. Box 516, Roby, Texas 79543, (915) 776-2733. TRD-9200136.

The Golden Crescent Service Delivery Area Private Industry Council, Inc. Planning Committee met at 3901 Houston Highway, Board Room, Victoria, January 9, 1992, at 11:30 a.m. Information may be obtained from Sandy Heiermann, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9200114.

The High Plains Underground Water Conservation District Number One Board of Directors' will meet at 2930 Avenue Q, Conference Room, Lubbock, January 14, 1992, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181. TRD-9200142.

The Hunt County Appraisal District Board of Directors met at the Hunt County Appraisal District, Board Room, 4801 King Street, Greenville, January 9, 1992, at 6:30 p.m. Information may be obtained from Melda Hart or Shirley Smith, P.O. Box 1339, Greenville, Texas 75401, (214) 454-3510. TRD-9200113.

The Kendall County Appraisal District Board of Directors met at the Kendall Appraisal Office, 207 East San Antonio Street, Boerne, January 9, 1992, at 5 p.m. Information may be obtained from J. P. Davis, P.O. Box 788, Boerne, Texas 78006, (512) 249-8012. TRD-9200128.

The Municipal Power Agency Personnel Committee met at the Gibbons Creek Steam Electric Station, Administration Building, 2 1/2 Miles North of Carlos, FM 244, Carlos, January 9, 1992, at 11 a.m. Information may be obtained from Wanda Callahan, P.O. Box 7000, Bryan, Texas 77805, (409) 873-2013. TRD-9200127.

The Nortex Regional Planning Commission General Membership Committee will meet at the Wichita Falls Activities Center, Room 214, 10th and Indiana Streets, Wichita Falls, Texas 76301, January 16, 1992, at noon. Information may be obtained from Dennis Wilde, 2101 Kemp Boulevard, Wichita Falls, Texas 76309, (817) 322-5281. TRD-9200119.

The Nortex Regional Planning Commission North Texas State Planning Region Consortium will meet at the Wichita Falls Activities Center, 10th and Indiana Streets, Wichita Falls, January 16, 1992, at noon. Information may be obtained from Fritz Taylor, P.O. Box 5144, Wichita Falls,

Texas 76307, (817) 322-5281. TRD-9200118.

The North Central Texas Council of Governments for the Local Government Investment Fund for Texas will meet at 616 Six Flags Drive, Suite 200, Arlington, January 10, 1992, at noon. Information may be obtained from Charles Cason III, P.O. Drawer COG, Arlington, Texas 76005-5888. TRD-9200171.

The North Central Texas Council of Governments for the Local Government Investment Fund for Texas will meet at 616 Six Flags Drive, Suite 200, Arlington, January 10, 1992, at noon. (Revised agenda). Information may be obtained from Charles Cason III, P.O. Drawer COG, Arlington, Texas 76005-5888. TRD-9200175.

The Palo Pinto Appraisal District Board of Directors will meet at the Palo Pinto County Courthouse, Palo Pinto, January 15, 1992, at 3 p.m. Information may be obtained from Jackie F. Samford, P.O. Box 250, Palo Pinto, Texas 76484-0250. TRD-9200137.

The San Antonio River Authority Water Quality Program Committee of the Board of Directors will meet at the SARA General Offices, Second Floor Conference Room, 100 East Guenther Street, San Antonio, January 15, 1992, at 1:15 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78282-0027, (512) 227-1373. TRD-9200129.

The San Antonio River Authority Audit Review Committee will meet at the SARA General Offices, Second Floor Conference Room, 100 East Guenther Street, San Antonio, January 15, 1992, at 1:45 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (512) 227-1373. TRD-9200130.

The San Antonio River Authority Board of Directors will meet at the SARA General Offices, Second Floor Conference Room, 100 East Guenther Street, San Antonio, January 15, 1992, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (512) 227-1373. TRD-9200131.

The San Patricio County Appraisal District Board of Directors will meet at 1146 East Market Street, Sinton, January 10, 1992, at 9:30 a.m. (Rescheduled from January 9, 1992. Information may be obtained from Kathryn Vermillion, P.O. Box 938, Sinton, Texas 78387, (512) 364-5402. TRD-9200115.

The Sulphur River Basin Authority Board of Directors will meet at the Mt. Pleasant Chamber of Commerce Building, 1604 North Jefferson Street, Mt. Pleasant, January 14, 1992, at 3 p.m. Information may be obtained from William O. Morriss, P.O. Box 240, Texarkana, Texas 75504, (903) 793-5511. TRD-9200165.

The Tarrant Appraisal District Board of Directors met at 2301 Gravel Road, Fort

Worth, January 9, 1992, at 9 a.m. Information may be obtained from Mary McCoy, 2315 Gravel Road, Fort Worth, Texas 76118, (817) 595-6005. TRD-9200116.

The Wise County Appraisal District Board of Directors met at 206 South State Street, Board Room, Decatur, January 9, 1992, at 7 p.m. Information may be obtained from Brenda Jones, 206 South State Street, Decatur, Texas 76234, (817) 627-3081, ext. 04. TRD-9200134.

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**Meetings Filed January 7,
1992**

The Dallas Area Rapid Transit Corporate Location met in an emergency meeting at the DART Office, 601 Pacific Avenue, Executive Conference Room, Dallas, January 7, 1992, at 11 a.m. The emergency was necessary due to importance of the DART Board of Directors to take immediate action upon implementing the DART Service Plan. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9200180.

The Sabine Valley Center Board of Trustees will meet at 107 Woodbine Place, Bramlette Lane, Administration Building, Longview, January 13, 1992, at 7 p.m. Information may be obtained from Mack O. Blackwell, P.O. Box 6800, Longview, Texas 75608, (903) 758-2471. TRD-9200181.

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In Addition

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Texas Department of Banking Notice of Application

Texas Civil Statutes, Article 342-401a, requires any person who intends to buy control of a 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 December 31, 1991, the banking commissioner received an application to acquire control of First State Banking, Blooming Grove, by Adolf F. "Alfi Scherer, Dallas.

Additional information may be obtained from: William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on December 31, 1991.

TRD-9200053 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: January 3, 1992

For further information, please call: (512) 475-1317

Texas Bond Review Board First Report on the 1992 Allocation of the State Ceiling on Certain Private Activity Bonds

The Tax Reform Act of 1986 (the Tax Act) imposes a volume ceiling on the aggregate principle amount of tax-exempt, private activity bonds that may be issued within the State of Texas during any calendar year. The state ceiling for Texas, imposed by the Tax Act for calendar year 1992 is \$867,450,000.

State legislation, Texas Civil Statutes, Article 5190.9a (the Act), established the allocation process for the State of Texas. The Act specifies that 28% of the state ceiling is to be made available to issuers of qualified mortgage bonds and of that amount, one-third is available to the Housing Finance Division of the Texas Department of Housing and Community Affairs, and two-thirds is available for local issuers. Issuers of state-voted issues will have 17.5% of the state ceiling available. Issuers of qualified small issue bonds will have 7.5% of the state ceiling available. Issuers of qualified residential rental project issue bonds will have 5.0% of the state ceiling available. All other issuers of bonds requiring an allocation will have 42% of the state ceiling available.

Pursuant to the Act, the aggregate amount for qualified mortgage bonds in Subceiling 1 is \$242,886,000 with \$161,924,000 available to local issuers and \$80,962,000

available to the Housing Finance Division of the Texas Department of Housing and Community Affairs. The aggregate amount for state-voted issues in Subceiling 2 is \$151,803,750, the amount for qualified small issues in Subceiling 3 is \$65,058,750, the amount for qualified residential rental project issues in Subceiling 4 is \$43,372,500, and the amount for all other issues requiring an allocation in Subceiling 5 is \$364,329,000.

Generally, the state ceiling is allocated by lottery for applications received from January 2-January 10, and thereafter on a first-come, first-served basis. The Texas Bond Review Board administers the allocation system.

Issued in Austin, Texas, on January 2, 1992.

TRD-9116501 Tom K. Pollard
Executive Director
Texas Bond Review Board

Filed: December 31, 1991

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

Collin County Training and Employment Program Public Notice-Intent to Transition

Notice is hereby given that the Collin County Private Industry Council (PIC), Inc. and the county judge of Collin County, as the chief elected officer of the county, on December 17, 1991, met and agreed to a partnership for the purpose of implementing a job training program under the Job Training Partnership Act (Public Law 97-300). The terms to commence on July 1, 1992 and remain in force until such time as modified in writing with consent of both parties.

Grant recipient has been designated as the County of Collin acting through the commissioners court and the county judge for the Collin County service delivery area. Transition of the administration of the Collin County Training and Employment Program from Collin County Community College District to the Collin County Private Industry Council, Inc., has been approved by a majority vote of the Private Industry Council and signed by Collin County judge and Collin County Private Industry Council chair. As the administrative entity for the Collin County service delivery area, the Collin County Private Industry Council shall comply with the Collin County PIC/CEO administrative agreement adopted on December 17, 1991 pursuant to state and federal law.

Issued in Austin, Texas, on January 2, 1992.

TRD-9200071 Patricia Beebe
Executive Director
Collin County Training and Employment
Program

Filed: January 3, 1992

For further information, please call: (214) 542-0490

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**Office of Consumer Credit
Commissioner**

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽¹⁾/Agricultural/ Commercial ⁽²⁾ thru \$250,000</u>	<u>Commercial⁽²⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	01/06/92-01/12/92	18.00%	18.00%
Monthly Rate - Art. 1.04 (c) ⁽¹⁾	01/01/92-01/31/92	18.00%	18.00%

⁽¹⁾Credit for personal, family or household use. ⁽²⁾Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on December 30, 1991.

TRD-9200012 Al Endsley
Consumer Credit Commissioner

Filed: December 2, 1992

For further information, please call: (512) 479-1280

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The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽¹⁾/Agricultural/ Commercial ⁽²⁾ thru \$250,000</u>	<u>Commercial⁽²⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	12/30/91-01/05/92	18.00%	18.00%

⁽¹⁾Credit for personal, family or household use. ⁽²⁾Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on December 30, 1991.

TRD-9116482 Al Endsley
Consumer Credit Commissioner

Filed: December 2, 1992

For further information, please call: (512) 479-1280

Request For Interpretation of Title 79

Under provisions of Revised Statutes, Title 79, Article 2.02A, §(10), (Texas Civil Statutes, Article 5069-2.02A) the consumer credit commissioner may issue interpretations of Revised Statutes, Title 79 (Texas Civil Statutes, Article 5069-1.01 et seq). The consumer credit commissioner has received the following request for interpretations.

Request Number 92-1. Request from Mark D. Morris of Baker & Botts, 1600 San Jacinto Center, 98 San Jacinto Boulevard, Austin, Texas 78701-4039, interpreting the

provisions of Texas Civil Statutes, Article 5069-4.04(4), the "Code," concerning disclosing the amount financed and the schedule of payments on certain transactions subject to the Code, Chapter 4.

Request Number 92-2. Request from Mark D. Morris of Baker & Botts, 1600 San Jacinto Center, 98 San Jacinto Boulevard, Austin, Texas 78701-4039, interpreting the effect of 12 United States Code, §85 on loans otherwise subject to the provisions of Subtitle 2 or Chapter 15 Texas Civil Statutes, Articles 5069-2.01 et seq, 5069-15.01 et seq, the Code.

Issued in Austin, Texas, on January 3, 1991.

TRD-9116476 Al Endsley
Consumer Credit Commissioner

Filed: January 3, 1992

For further information, please call: (512) 479-1280

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Office of the Governor
Budget Execution Approval

Relating to appropriations to the Texas Commission on Alcohol and Drug Abuse, finding that an emergency exists, and proposing that part of the funds appropriated be used for a purpose different from the purpose for which the appropriation was made.

Section 1. H.B. 1, Acts of the Seventy-second Legislature, First Called Session, 1991, appropriates federal funds, including Alcohol, Drug Abuse, and Mental Health Block Grant funds, to the Texas Commission on Alcohol and Drug Abuse (TCADA).

Section 2. H.B. 93, Acts of the Seventy-second Legislature, Second Called Session, 1991, in Section 22.01(c) directs that block grant funds received by TCADA in excess \$60.5 million in each year of the 1992-93 biennium shall be expended by TCADA only for the purpose of the operation of treatment programming at the substance abuse felony punishment facilities authorized by H.B. No. 93 under Section 493.009, Government Code.

Section 3. The Legislative Budget Board finds that unless increased funds are made available to TCADA for prevention, intervention, and treatment services, many children and adolescents will be denied those services and therefore, an emergency exists.

Section 4. Pursuant to Chapter 317, Government Code, the Legislative Budget Board proposes that during the fiscal year beginning September 1, 1991, TCADA be authorized to use \$1,608,116 of those funds in excess of \$60.5 million from the Alcohol, Drug Abuse, and Mental Health Block Grant for the purpose of providing prevention, intervention, and treatment services.

I certify that this Budget Execution Proposal was adopted by the Legislative Budget Board on November 18, 1991 by the following vote:

On the part of the Senate Yeas: 4 Nays: 0

On the part of the House Yeas: 3 Nays: 0

Issued in Austin, Texas, on January 1, 1992.

TRD-9200016 Ann W. Richards
Governor
Legislative Budget Board

Filed: January 2, 1992

For further information, please call: (512) 463-1778

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Relating to appropriations to the Texas Agriculture Experiment Station, finding that an emergency exists, and proposing that funds be transferred to the Texas Veterinary Medical Diagnostic Laboratory.

Section 1. S.B. No. 254, Acts of the Seventy-second Legislature, R.S., 1991, transferred responsibility for the Pullorum Disease and Fowl Typhoid Control Program from the Texas Agricultural Experiment Station to the Texas Veterinary Medical Diagnostic Laboratory. However, the General Appropriations Act for the 1992-93 Biennium provides funding for the program (\$443,451 from General Revenue) in the experiment station rather than the diagnostic laboratory.

Section 2. The Legislative Budget Board finds that the intent of the legislature was to provide funding for the program in accordance with the transfer of responsibility accomplished by S.B. No. 254, and an emergency exists.

Section 3. Pursuant to Chapter 317, Government Code, the Legislative Budget Board proposes that on the effective date of this Budget Execution Proposal, the Comptroller of Public Accounts shall determine the amount of the unobligated balance in funds appropriated to the Texas A&M Agriculture Experiment Station and designated for the Pullorum Disease and Fowl Typhoid Control Program and shall transfer those balances to the Texas Veterinary Medical Diagnostic Laboratory to be used for the same purpose.

I certify that this Budget Execution Proposal was adopted by the Legislative Budget Board on November 18, 1991 by the following vote:

On the part of the Senate Yeas: 5 Nays: 0

On the part of the House Yeas: 4 Nays: 0

Issued in Austin, Texas, on January 1, 1992.

TRD-9200016 Ann W. Richards
Governor
Legislative Budget Board

Filed: January 2, 1992

For further information, please call: (512) 463-1778

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Relating to appropriations to the Texas College of Osteopathic Medicine, finding that an emergency exists, and proposing that part of the funds appropriated be used for a purpose different from the purpose for which the appropriation was made.

Section 1. H.B. No. 1, Acts of the Seventy-second Legislature, First Called Session, 1991, appropriates General Revenue Funds to the Texas College of Osteopathic Medicine (TCOM) and, by rider, designates a certain amount as a Capital Budget Item for "Acquisition of Information Resource Technologies."

Section 2. It was the intent of the Legislature that \$377,000 of the funds designated for "Acquisition of Information Resource Technologies" be used for salaries and operating expenses rather than capital outlay.

Section 3. The Legislative Budget Board finds that unless funds are made available for salaries and operating expenses, the project cannot be completed and therefore, an emergency exists.

Section 4. Pursuant to Chapter 317, Government Code, the Legislative Budget Board proposes that, out of those funds designated as a Capital Budget Item and described "Acquisition of Information Resource Technologies," TCOM be authorized to use \$377,000 for salaries and operating expenses.

I certify that this Budget Execution Proposal was adopted by

the Legislative Budget Board on November 18, 1991 by the following vote:

On the part of the Senate Yeas: 4 Nays: 0

On the part of the House Yeas: 4 Nays: 0

Issued in Austin, Texas, on January 1, 1992.

TRD-9200016 Ann W. Richards
 Governor
 Legislative Budget Board

Filed: January 2, 1992

For further information, please call: (512) 463-1778



Texas Department of Health

Licensing Actions for Radioactive Materials

The Texas Department of Health has taken actions regarding licenses for the possession and use of radioactive materials as listed in the table below. The subheading labeled "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout Texas" indicates that the radioactive material may be used on a temporary basis at job sites throughout the state.

NEW LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
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Dallas	Advanced Metabolic Imaging	L04526	Dallas	0	12/20/91
Irving	Nichols Institute Laboratories North Texas, Ltd.	L04525	Irving	0	12/18/91
Throughout Texas	ENCON International	L04528	El Paso	0	12/18/91
Throughout Texas	AGP Laboratories, Inc.	L04529	Arlington	0	12/18/91

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
-----	----	-----	----	-----	-----
Abilene	Hendrick Medical Center	L02433	Abilene	30	12/20/91
Athens	East Texas Medical Center - Athens	L02470	Athens	19	12/13/91
Beaumont	Mobil Oil Corporation	L00603	Beaumont	49	12/19/91
Corpus Christi	Hoechst Celanese Corporation	L00409	Corpus Christi	48	12/19/91
Dallas	Presbyterian Hospital	L04288	Dallas	3	12/18/91
Fort Worth	Mineral Logging Systems, Inc.	L02994	Fort Worth	8	12/20/91
Gladewater	Gladewater Hospital Authority	L03330	Gladewater	7	12/18/91
Houston	Pro Diagnostic, Inc.	L04484	Houston	1	12/19/91
Houston	Champion International Corporation	L01793	Houston	17	12/20/91
Huntsville	Sam Houston State University	L00496	Huntsville	22	12/20/91
Lubbock	Methodist Hospital	L00483	Lubbock	69	12/20/91
Pampa	Coronado Hospital	L03123	Pampa	11	12/17/91
Pampa	Mundy Industrial Service, Inc.	L04360	Houston	5	12/20/91
Richardson	Optex Systems Inc.	L04332	Richardson	2	12/18/91
San Antonio	Southwest Texas Methodist Hospital	L00594	San Antonio	91	12/20/91
Throughout Texas	Geotest Engineering, Inc.	L02735	Houston	24	12/18/91
Throughout Texas	Corpus Christi Inspection & Engineering, Inc.	L04379	Corpus Christi	10	12/17/91
Throughout Texas	Texas Instruments, Inc.	L00946	Dallas	59	12/18/91
Throughout Texas	Schlumberger Well Services	L01833	Houston	79	12/18/91
Throughout Texas	Cotton Houston Services, Inc.	L03920	Huffman	26	12/17/91
Throughout Texas	Ebasco Services Incorporated	L02662	Houston	28	12/17/91
Throughout Texas	Phoenix Surveys Inc.	L04108	Grahan	4	12/19/91
Throughout Texas	Isotag Specialist	L04498	Midland	1	12/19/91
Throughout Texas	Radiation Consultants, Inc.	L02179	Houston	26	12/19/91

AMENDMENTS TO EXISTING LICENSES ISSUED CONTINUED:

Throughout Texas	Texas Department of Transportation	L00197	Austin	63	12/18/91
Throughout Texas	Mobil Research and Development Corporation	L00194	Dallas	34	12/20/91
Throughout Texas	W. H. Henken Industries, Inc.	L00967	Arlington	26	12/20/91
Throughout Texas	Hercules Engineering & Testing Services, Inc.	L03642	Houston	7	12/19/91
Throughout Texas	Gulf Coast Testing Laboratory, Inc.	L01474	Corpus Christi	19	12/20/91
Throughout Texas	HOMCO International, Inc.	L02827	Houston	14	12/20/91

Throughout Texas	City of Bryan	L03002	Bryan	6	12/30/91
Throughout Texas	Nuclear Technologies International	L02975	Midland	27	12/31/91

RENEWALS OF EXISTING LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
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Austin	Radian Corporation	L01692	Austin	28	12/18/91
Austin	Austin Radiological Association	L00545	Austin	63	12/19/91
Corpus Christi	Hoechst Celanese Corporation	L00409	Corpus Christi	47	12/18/91
Kosse	U.S. Silica Company	L03150	Kosse	6	12/18/91
Pasadena	Hoechst Celanese Corporation	L04008	Houston	5	12/20/91
Throughout Texas	Midwest Inspection Service	L03120	Perryton	33	12/19/91
Throughout Texas	TransAmerican Natural Gas Corporation	L03956	Laredo	6	12/20/91
Throughout Texas	Panhandle N.D.T. & Inspection, Inc.	L02627	Borger	28	12/20/91
Throughout Texas	Luling Perforators, Inc.	L03958	Luling	4	12/23/91

TERMINATIONS OF LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
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San Marcos	Southwest Texas State University	L04193	San Marcos	1	12/20/91

AMENDMENTS TO EXISTING LICENSES DENIED:

Location	Name	License#	City	Amend- ment #	Date of Action
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Dallas	Century Inspection, Inc.	L00062	Dallas	0	12/19/91
Irving	Syncor International Corporation	L02048	Irving	0	12/16/91

In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with Texas Regulations for Control of Radiation in such a manner as to minimize danger to public health and safety or property and the environment; the applicants' proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the Texas Regulations for Control of Radiation.

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or person affected within 30 days of the date of publication of this notice. A person

affected is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or person affected may request a hearing by writing David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas, 78756-3189.

Any request for a hearing must contain the name and address of the person who considers himself affected by agency action, identify the subject license, specify the reasons why the person considers himself affected, and state the relief sought. If the person is represented by an agent, the name and address of the agent must be stated.

Copies of these documents and supporting materials are

available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, 1212 East Anderson Lane, Austin, Texas, from 8 a.m. to 5 p. m. Monday-Friday (except holidays).

Issued in Austin, Texas, on January 2, 1992.

TRD-9200120 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 6, 1992

For further information, please call: (512) 458-7000

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Notice of Intent to Revoke Certificates of Registration

Pursuant to Texas Regulations for Control of Radiation (TRCR), Part 13, (25 TAC §289.112), the Bureau of Radiation Control (bureau), Texas Department of Health (department), filed complaints against the following registrants: Charles R. Drew Medical Center, Houston, R03911; Reginald C. Christopher, D.D.S., Austin, R13290; Jim W. Airhart, D.V.M., Mesquite, R11960; Chris N. Sigueira, D.D.S., P. C., Houston, R12422; Albert Bryan Lewter, Jr., D.D.S., Houston, R14990.

The department intends to revoke the certificates of registration; order the registrants to cease and desist use of radiation machine(s); order the registrants to divest themselves of such equipment; and order the registrants to present evidence satisfactory to the bureau that they have complied with the orders and the provisions of the Health and Safety Code, Chapter 401. If the fee is paid within 30 days of the date of each complaint, the department will not issue an order.

This notice affords the opportunity to the registrants for a hearing to show cause why the certificates of registration should not be revoked. A written request for a hearing must be received by the bureau within 30 days from the date of service of the complaint to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed or if the fee is not paid, the certificates of registration will be revoked at the end of the 30-day period of notice. A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 2, 1992

TRD-9200030 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 2, 1992

For further information, please call: (512) 835-7000

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Notice of Revocation of Certificates of Registration

The Texas Department of Health, having duly filed complaints pursuant to Texas Regulations for Control of Radiation, Part 13 (25 TAC §289.112), has revoked the following certificates of registration: John W. Lane, D.D.S.,

Waco, R09988, December 20, 1991; Alvin Dental Center, Alvin, R14872, December 20, 1991; W. C. Wambaugh, D.D.S., Inc., The Woodlands, R09712, December 20, 1991; Wingette H. Goodwin, D.D.S., San Augustine, R01002, December 20, 1991; Conroe Immediate Care Medical Clinic, Conroe, R15161, December 20, 1991; Heritage Family Dental Group, Waco, R15294, December 20, 1991; Dick Bannon, Plano, R16061, December 31, 1991.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, Monday-Friday, 8 a. m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 2, 1992.

TRD-9200031 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 2, 1992

For further information, please call: (512) 835-7000

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Notice of Intent to Revoke a Radioactive Material License

Pursuant to Texas Regulations for Control of Radiation (TRCR), Part 13, (25 TAC §289.112), the Bureau of Radiation Control (bureau), Texas Department of Health (department), filed a complaint against the following licensee: M and W Wireline Services, Colorado City, L03824.

The department intends to revoke the radioactive material license; order the licensee to cease and desist use of such radioactive material; order the licensee to divest himself of the radioactive material; and order the licensee to present evidence satisfactory to the bureau that he has complied with the orders and the provisions of the Health and Safety Code, Chapter 401. If the fee is paid within 30 days of the date of the complaint, the department will not issue an order.

This notice affords the opportunity to the licensee for a hearing to show cause why the radioactive material license should not be revoked. A written request for a hearing must be received by the bureau within 30 days from the date of service of the complaint to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed or if the fee is not paid, the radioactive material license will be revoked at the end of the 30-day period of notice. A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 2, 1992.

TRD-9200032 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

For further information, please call: (512) 835-7000

Permit Application for Municipal Solid Waste Site Notice of Filing

Sentry Environmental, L.P. has filed Application Number 2171 with the Texas Department of Health for a permit to operate a proposed Type I municipal solid waste site (landfill) to be located approximately 1.9 miles west of the intersection of FM 407 and IH 35 west, in Denton County.

The site covers approximately 353 acres of land and is to daily receive approximately 775 tons of solid waste under the regulatory jurisdiction of the Texas Department of Health for disposal or other processing in accordance with the department's "Municipal Solid Waste Management Regulations." A technical review of the application is being made by the department's Bureau of Solid Waste Management and various state and local agencies which have a jurisdictional interest.

No public hearing will be held on this application unless a person affected has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, has suffered or will suffer actual injury or economic damage by the granting of the application. If a hearing is requested by a person affected, or if the Bureau of Solid Waste Management determines that a public hearing should be held, notice of such hearing will be provided to the requester and will also be published in a newspaper regularly published or circulated in the county in which the site is located at least 30 days prior to the date of such hearing.

Requests for a public hearing and/or requests for a copy of the application shall be submitted in writing to the Chief, Bureau of Solid Waste Management, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756. A copy of the application may be reviewed at the Bureau of Solid Waste Management, (512) 458-7271.

Issued in Austin, Texas, on January 3, 1992.

TRD-9200052 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 3, 1992

For further information, please call: (512) 458-7271

Texas Statewide Health Coordinating Council

Regional Focus Meetings

The Texas Statewide Health Coordinating Council (SHCC) will host a series of regional focus meetings in order to receive comments and suggestions concerning primary and preventive health care issues to be addressed in the 1993-1994 State Health Plan. The schedule of meetings is as follows.

Arlington: January 21, 1992, 1-4 p.m., North Central Texas Council of Governments, Centerpoint II, Board Room, 616 Six Flags Drive, Arlington, (817) 640-3300.

Kilgore: January 23, 1992, 1-4 p.m., East Texas Council of Governments, 3800 Stone Road, Kilgore, (903) 984-8641.

El Paso: January 28, 1992, 1-4 p.m., Rio Grande Council

of Governments, Landmark Building, 1014 North Stanton Street, Suite 100, El Paso, (915) 533-0998.

Houston: January 30, 1992, 1-4 p.m., Houston-Galveston Area Council, Board Room, Fourth Floor, 3555 Timmons, Houston, (713) 627-3200.

Midland: January 31, 1992, 1-4 p.m., Permian Basin Regional Planning Commission, 2910 La Force Boulevard, Midland International Airport, Midland, (915) 563-1061.

Lubbock: February 3, 1992, 1-4 p.m., South Plains Association of Governments, Board Room, 1323 58th Street (58th and Avenue P), Lubbock, (806) 762-8721.

San Antonio: February 4, 1992, 1-4 p.m., Alamo Area Council of Governments, Conference Room 420, 118 Broadway, San Antonio, (512) 225- 5201.

McAllen: February 5, 1992, 1-4 p.m., McAllen City Hall, Commission Meeting Room, 2nd Floor, 311 North 15th Street, McAllen, (512) 682- 3481.

Belton: February 6, 1992, 1-4 p.m., Central Texas Council of Governments, 302 East Central, Belton, (817) 939-1801.

Austin: February 7, 1992, 1-4 p.m., Texas Department of Health Auditorium, 1100 West 49th Street, Austin, (512) 458-7261.

Issued in Austin, Texas, on January 6, 1992.

TRD-9200112 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 6, 1992

For further information, please call: (512) 458-7261

Texas Department of Human Services Correction of Error

The Texas Department of Human Services submitted proposed new 40 TAC §29.1104, concerning Texas Medicaid reimbursement methodology. The rule appeared in the December 20, 1991, *Texas Register* (16 TexReg 7463).

Due to a typographical error by the *Texas Register*, the dollar amount in the second sentence of (a)(2)(D) is incorrect. The sentence should read as follows:

"The initial value of the conversion factor is \$26.873."

Also, the repeal of §29.1104 (16 TexReg 7465) was incorrectly printed as "§29.1004."

The section heading should read "§29.1104. Reasonable Charges."

Public Utility Commission of Texas Notice of Intent To File Pursuant To Public Utility Commission Substantive Rule 23.27

Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to PUC Substantive Rule 23.27 for approval of custom-specific PLEXAR-Custom Service for MND Services, Inc., The Woodlands.

Tariff Title and Number. Application of Southwestern Bell Telephone Company for Approval of Plexar-Custom Service of MND Services, Inc., pursuant to PUC Substantive Rule 23.27(k). Tariff Control Number 10837.

The Application. Southwestern Bell Telephone Company is requesting approval of Plexar-Custom Service for MND Services, Inc. The geographic service market for this specific service is the The Woodlands area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Commission Public Information Section at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on December 31, 1991.

TRD-9200027 Mary Ross McDonald
Secretary of the Commission
Public Utility Commission of Texas

Filed: January 2, 1992

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

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Texas Water Commission Enforcement Orders

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Paul Rosenberg, doing business as Rosehill Ranchettes (Docket Number 9207-E) (no CCN Number) on December 23, 1991, assessing \$2,793.20 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Kathy Keils, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on December 30, 1991.

TRD-9116489 Mamie M. Black
Notices Coordinator
Texas Water Commission

Filed: December 31, 1991

For further information, please call: (512) 463-8537

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Invitation for Bids

This is a formal notice to bidders of the intention of the Texas Water Commission (TWC) to let a contract for the United Creosoting Site Remedial Action Phase A Residential Remediation. Sealed Bids addressed to: LaReine K. Pound, Project Manager, Superfund Engineering Section, Pollution Cleanup Division, Texas Water Commission, 1700 North Congress Avenue, Austin, Texas 78711-3087, (512) 463-7897.

Bids will be received until 10 a.m. local prevailing time, February 27, 1992 and then publicly opened and read aloud. Specified work shall consist of providing all personnel, equipment, and material for the residential remediation.

Plan and specifications as well as reference documents may be examined without charge at the Texas Water Commission, Steven F. Austin State Office Building, 1700 North Congress Avenue, Austin, or the Montgomery County Public Library, 400 North San Jacinto Street, Conroe, Texas 77301 or may be obtained for the nonrefundable purchase price of \$125 each at the following location on or after January 13, 1992: Roy F. Weston, Inc., 5599 San Felipe, Suite 700, Houston, Texas 77056, (713) 621-1620.

A Pre-bid conference will be held at 10 a.m., at Saint Marks Lutheran Church, Fellowship Hall, 2100 Tickner Street, Conroe, on February 13, 1992.

A certified or cashier's check, or an acceptable bid bond in an amount not less than 5.0% of the total bid, shall accompany each bid as a guaranty that, if awarded the contract, the bidder will promptly enter into a contract with TWC and furnish bonds on the forms provided.

A pre-award survey will be conducted by TWC to determine if the apparent low bidder satisfies certain minimum requirements described in the instructions to bidders, including successful completion of work similar to that required by this contract.

The successful bidder or bidders shall be required to furnish a performance bond and a payment bond.

Time of completion shall be 155 calendar days.

Attention to bidders is directed to Texas Civil Statutes, Article 5159a (Vernon 1987), requiring that not less than the general prevailing rates of per diem wages for work of similar character in the locality where the work is performed shall be paid all laborers, workmen, and mechanics employed in the construction of public works. The contract for this project requires the successful bidder to comply with Article 5159a and the Davis-Bacon Act. Also, the successful bidder will be required to comply with the Labor Standards Provisions for Federal and Federally assisted Construction Contract (EPA Form 5720-4).

Any contract or contracts awarded under this invitation for bids are expected to be 90% funded by a grant the United States Environmental Protection Agency. Neither the United States nor any of its departments, agencies, or employees is or will be a party to the Invitation for Bids or any resulting contract. This procurement will be subject to regulations contained in 40 CFR Parts 31, 32, and 35.

By signing the bid, a bidder affirms that he has not given, offered to give, or intended to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted bid. Failure to sign the bid or signing it with a false statement, shall void the submitted bid or any resulting contracts, and the bidder shall be removed from all bid lists (State Purchasing and General Services Commission, 1 Texas Administrative Code, §113.5(O) (July 1, 1988)).

Attention of bidders is further directed to Public Law 101-121, §319, which prohibits the use of federal funds for lobbying the Executive and Legislative Branches of the federal government in connection with the specific contract, grant, or loan, and requires disclosure of such lobbying even where no Federal funds are used.

All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin. Bidders on this work will be required to

comply with the President's Executive Order Number 11246, as amended. The requirements for bidders and contractors under this order are explained in the contract documents.

Issued in Austin, Texas, on January 6, 1992.

TRD-9200126 Claire P. Arenson
Office of Hearings Examiner
Texas Water Commission

Filed: January 6, 1992

For further information, please call: (512) 463-7897

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Meeting Notice

A meeting of the Management Committee of the Galveston Bay National Estuary Program (GBNEP) is scheduled for: Wednesday, January 15, 1992, 9 a.m., Holiday Inn, Convention Center, 1300 NASA Road One, Houston, Texas 77058.

Following opening remarks and approval of minutes, a summary of GBNEP activities will be presented by the program staff. The committee will then consider approval and preliminary funding allocations for fiscal year 1993 projects. The General Land Office will then brief the committee on the management of cabins on state-owned lands, and the role of the General Land Office in the upcoming coastal zone management Initiative, including possible coordination with GBNEP. The committee will then review and consider approval of a video production concerning the Galveston Bay ecosystem. The committee will also review and decide on the artwork for the pollution reporting hotline logo. The committee will then receive comments from the principal investigator of the bay-wide management survey, funding source inventory, and bay-wide management evaluation studies, and will engage in discussion concerning the direction of these projects for maximal effectiveness. The committee will then consider revision/approval of final project reports for, or will hear briefings on the status of, the following projects: History of Resource Utilization; Bay-Wide Management Survey; Point Source Loading Study; Ambient Water/Sediment Quality Study; Oyster Survey; Survey of Toxicants in Seafood Organisms; Wetland Habitat Survey; Bay Segmentation Study; Socioeconomic Study of Bay Utilization; Data Base Inventory. The committee will then consider for revision/approval the following project work plans: Funding Source Inventory; Pollution Reduction in the Houston Ship Channel; Citizen's Monitoring; Bay Day. The committee will then consider possible new slots to be created on the Management Committee for resource agencies not currently represented. The committee will then consider any other business, a date for the next meeting, and will adjourn.

Issued in Houston, Texas, on January 3, 1992.

TRD-9200117 Frank S. Shipley
Texas Water Commission

Filed January 6, 1992

For further information, please call (713) 332-9937
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Notice of Application For Waste Disposal Permit

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of December 30, 1991-January 3, 1992.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, 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 30 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 contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7906.

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.

Aldine Independent School District; wastewater treatment facilities; at 222 Raymac Road, approximately 3,000 feet northeast of the intersection of West Mount Houston Road (FM Road Number 149) and Interstate Highway 45, and approximately 10.5 miles north of the downtown Houston Central Business District in Harris County; renewal; 12070-03.

Associated Milk Producers, Inc.; dairy processing plant; at 1015 East Broadway near the City of Winnsboro, Wood County; new; 03390.

Bruce Hardwood Floors, A Division of Triangle Pacific Corporation; hardwood processing plant which produces laminated flooring; at 1100 Cottonford Road in the City of Center, Shelby County; new; 03434.

Lillian Elliott; wastewater treatment facilities; on the bank of Cottonwood Creek, approximately 1,500 feet east of State Highway 60 and 1.6 miles north of State Highway 35 in Bay City in Matagorda County; renewal; 11528-01.

Harris County Municipal Utility District Number 321; wastewater treatment facilities; approximately 1,200 feet south of West Road and 6,000 feet west of Interstate Highway 45 in Harris County; renewal; 13211-01.

HG/Lake Livingston Property Owners Association, Inc.; wastewater treatment facilities approximately 5,600 feet southwest of the intersection of U.S. Highway 190 and FM Road 980, approximately 400 feet west of FM Road 980 in San Jacinto County; renewal; 13332-01.

Terry Kennedy doing business as Terry Kennedy Dairy; dairy; on the west side of County Road 2907, approximately 2.5 miles south of the intersection of State Highway 294 and County Road 2907 in Cherokee County; new 03427.

Koehl & Son Hog Farm; swine operation; on the south side of FM Road 102, approximately three miles southwest of the intersection of FM Road 102 and Interstate Highway 10 in Colorado County; new; 03440.

City of La Feria Utility Board; wastewater treatment facilities; approximately 1.7 miles south of the intersection of FM Road 506 with U.S. Highway 83 and then west along Dodd Lane approximately 1,000 feet in Cameron County; renewal; 10697-01.

Memorial Hills Utility District; wastewater treatment facilities; immediately south of Cypress Creek, approximately 600 feet north and 600 feet east of the intersection of FM Road 1960 and Hardy Road in Harris County; renewal; 11044-01.

City of Moody; wastewater treatment facilities; approximately 1500 feet northwest of the intersection of State Highway 317 and FM Road 107 in Moody, McLennan County; renewal; 10225-01.

City of Somerset; wastewater treatment facilities; approximately 4,000 feet southeast of the central business district of Somerset, approximately 3,500 feet south of Loop 1604 in Bexar County; renewal; 11822-01.

City of Southside Place; wastewater treatment facilities; at 3701 Bellaire Boulevard, approximately 1.5 miles east of

the intersection of Interstate Highway 610 and Bellaire Boulevard in Harris County; renewal 10712-01.

Texas Department of Transportation; wastewater treatment facilities; within the southbound right-of-way of Interstate Highway 35 and approximately 4.7 mile south of Gainesville in Cooke County; renewal; 11744-01.

Timber Lane Utility District; wastewater treatment facilities; approximately 0.5 mile southwest of the intersection of Wood River Drive and Aldine-Westfield Road, 2.75 miles northeast of the intersection of FM Road 1960 and Interstate Highway 45, and approximately 20 miles north of the City of Houston Central Business District in Harris County; renewal; 11142-02.

Willow Chase Municipal Utility District; wastewater treatment facilities; approximately 2,800 feet south and 800 feet west of the intersection of Grant Road and State Highway 249 in Harris County; renewal; 12243-01.

Issued in Austin, Texas, on January 3, 1992.

TRD-9200102 Laurie J. Lancaster
Deputy Chief Clerk
Texas Water Commission

Filed: January 3, 1992

For further information, please call: (512) 463-7906



1992 Publication Schedule for the *Texas Register*

Listed below are the deadline dates for the January-December 1992 issues of the *Texas Register*. Because of printing schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Texas Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. No issues will be published on February 28, November 6, December 1, and December 29. A bullet beside a publication date indicates that the deadlines have been moved because of state holidays.

FOR ISSUE PUBLISHED ON	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY 10 A.M.	ALL NOTICES OF OPEN MEETINGS BY 10 A.M.
1 *Friday, January 3	Friday, December 27	Tuesday, December 31
2 *Tuesday, January 7	Tuesday, December 31	Thursday, January 2
3 Friday, January 10	Monday, January 6	Tuesday, January 7
4 Tuesday, January 14	Wednesday, January 8	Thursday, January 9
5 Friday, January 17	Monday, January 13	Tuesday, January 14
6 Tuesday, January 21	Wednesday, January 15	Thursday, January 16
Friday, January 24	1991 ANNUAL INDEX	
7 Tuesday, January 28	Wednesday, January 22	Thursday, January 23
8 Friday, January 31	Monday, January 27	Tuesday, January 28
9 Tuesday, February 4	Wednesday, January 29	Thursday, January 30
10 Friday, February 7	Monday, February 3	Tuesday, February 4
11 Tuesday, February 11	Wednesday, February 5	Thursday, February 6
12 Friday, February 14	Monday, February 10	Tuesday, February 11
13 Tuesday, February 18	Wednesday, February 12	Thursday, February 13
14 *Friday, February 21	Friday, February 14	Tuesday, February 18
15 Tuesday, February 25	Wednesday, February 19	Thursday, February 20
Friday, February 28	NO ISSUE PUBLISHED	
16 Tuesday, March 3	Wednesday, February 26	Thursday, February 27
17 Friday, March 6	Monday, March 2	Tuesday, March 3
18 Tuesday, March 10	Wednesday, March 4	Thursday, March 5
19 Friday, March 13	Monday, March 9	Tuesday, March 10
20 Tuesday, March 17	Wednesday, March 11	Thursday, March 12
21 Friday, March 20	Monday, March 16	Tuesday, March 17
22 Tuesday, March 24	Wednesday, March 18	Thursday, March 19
23 Friday, March 27	Monday, March 23	Tuesday, March 24
24 Tuesday, March 31	Wednesday, March 25	Thursday, March 26
25 Friday, April 3	Monday, March 30	Tuesday, March 31
26 Tuesday, April 7	Wednesday, April 1	Thursday, April 2
27 Friday, April 10	Monday, April 6	Tuesday, April 7
Tuesday, April 14	FIRST QUARTERLY INDEX	
28 Friday, April 17	Monday, April 13	Tuesday, April 14
29 Tuesday, April 21	Wednesday, April 15	Thursday, April 16

30 Friday, April 24	Monday, April 20	Tuesday, April 21
31 Tuesday, April 28	Wednesday, April 22	Thursday, April 23
32 Friday, May 1	Monday, April 27	Tuesday, April 28
33 Tuesday, May 5	Wednesday, April 29	Thursday, April 30
34 Friday, May 8	Monday, May 4	Tuesday, May 5
35 Tuesday, May 12	Wednesday, May 6	Thursday, May 7
36 Friday, May 15	Monday, May 11	Tuesday, May 12
37 Tuesday, May 19	Wednesday, May 13	Thursday, May 14
38 Friday, May 22	Monday, May 18	Tuesday, May 19
39 Tuesday, May 26	Wednesday, May 20	Thursday, May 21
40 *Friday, May 29	Friday, May 22	Tuesday, May 26
41 Tuesday, June 2	Wednesday, May 27	Thursday, May 28
42 Friday, June 5	Monday, June 1	Tuesday, June 2
43 Tuesday, June 9	Wednesday, June 3	Thursday, June 4
44 Friday, June 12	Monday, June 8	Tuesday, June 9
45 Tuesday, June 16	Wednesday, June 10	Thursday, June 11
46 Friday, June 19	Monday, June 15	Tuesday, June 16
47 Tuesday, June 23	Wednesday, June 17	Thursday, June 18
48 Friday, June 26	Monday, June 22	Tuesday, June 23
49 Tuesday, June 30	Wednesday, June 24	Thursday, June 25
50 Friday, July 3	Monday, June 29	Tuesday, June 30
51 Tuesday, July 7	Wednesday, July 1	Thursday, July 2
52 Friday, July 10	Monday, July 6	Tuesday, July 7
Tuesday, July 14	SECOND QUARTERLY INDEX	
53 Friday, July 17	Monday, July 13	Tuesday, July 14
54 Tuesday, July 21	Wednesday, July 15	Thursday, July 16
55 Friday, July 24	Monday, July 20	Tuesday, July 21
56 Tuesday, July 28	Wednesday, July 22	Thursday, July 23
57 Friday, July 31	Monday, July 27	Tuesday, July 28
58 Tuesday, August 4	Wednesday, July 29	Thursday, July 30
59 Friday, August 7	Monday, August 3	Tuesday, August 4
60 Tuesday, August 11	Wednesday, August 5	Thursday, August 6
61 Friday, August 14	Monday, August 10	Tuesday, August 11
62 Tuesday, August 18	Wednesday, August 12	Thursday, August 13
63 Friday, August 21	Monday, August 17	Tuesday, August 18
64 Tuesday, August 25	Wednesday, August 19	Thursday, August 20
65 Friday, August 28	Monday, August 24	Tuesday, August 25
66 Tuesday, September 1	Wednesday, August 26	Thursday, August 27
67 Friday, September 4	Monday, August 31	Tuesday, September 1
68 Tuesday, September 8	Wednesday, September 2	Thursday, September 3
69 *Friday, September 11	Friday, September 4	Tuesday, September 8

70 Tuesday, September 15	Wednesday, September 9	Thursday, September 10
71 Friday, September 18	Monday, September 14	Tuesday, September 15
72 Tuesday, September 22	Wednesday, September 16	Thursday, September 17
73 Friday, September 25	Monday, September 21	Tuesday, September 22
74 Tuesday, September 29	Wednesday, September 23	Thursday, September 24
75 Friday, October 2	Monday, September 28	Tuesday, September 29
76 Tuesday, October 6	Wednesday, September 30	Thursday, October 1
77 Friday, October 9	Monday, October 5	Tuesday, October 6
Tuesday, October 13	THIRD QUARTERLY INDEX	
78 Friday, October 16	Monday, October 12	Tuesday, October 13
79 Tuesday, October 20	Wednesday, October 14	Thursday, October 15
80 Friday, October 23	Monday, October 19	Tuesday, October 20
81 Tuesday, October 27	Wednesday, October 21	Thursday, October 22
82 Friday, October 30	Monday, October 26	Tuesday, October 27
83 Tuesday, November 3	Wednesday, October 28	Thursday, October 29
Friday, November 6	NO ISSUE PUBLISHED	
84 Tuesday, November 10	Wednesday, November 4	Thursday, November 5
85 Friday, November 13	Monday, November 9	Tuesday, November 10
*86 Tuesday, November 17	Tuesday, November 10	Thursday, November 12
87 Friday, November 20	Monday, November 16	Tuesday, November 17
88 Tuesday, November 24	Wednesday, November 18	Thursday, November 19
89 Friday, November 27	Monday, November 23	Tuesday, November 24
Tuesday, December 1	NO ISSUE PUBLISHED	
90 Friday, December 4	Monday, November 30	Tuesday, December 1
91 Tuesday, December 8	Wednesday, December 2	Thursday, December 3
92 Friday, December 11	Monday, December 7	Tuesday, December 8
93 Tuesday, December 15	Wednesday, December 9	Thursday, December 10
94 Friday, December 18	Monday, December 14	Tuesday, December 15
95 Tuesday, December 22	Wednesday, December 16	Thursday, December 17
96 Friday, December 25	Monday, December 21	Tuesday, December 22
Tuesday, December 29	NO ISSUE PUBLISHED	
1 (1993) Friday, January 1	Monday, December 28	Tuesday, December 29

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