

## Statutory Requirements

Did You Know?

According to the U.S. Census, 4.0 million Texans (19.4%) have one or more physical or mental disabilities; this number is growing as the population ages.

The Texas Architectural Barriers Act (TABA) mandates accessibility in publicly and privately funded buildings and facilities, as well as facilities leased or occupied by state agencies. It applies to temporary or emergency construction in addition to permanent construction. Current application requires compliance at:

- Buildings and facilities constructed, renovated, modified, or altered, in whole or in part on or after January 1, 1970, through the use of state, county, or municipal funds, or the funds of any political subdivision of the state.
- Buildings leased or occupied in whole or in part for use by the state under any lease or rental agreement entered into on or after January 1, 1972.
- Privately funded buildings and facilities defined as public accommodations by the Americans with Disabilities Act of 1990, that are constructed or renovated, modified, or altered on or after January 1, 1992.
- Privately funded buildings and facilities defined as commercial facilities by the Americans with Disabilities Act of 1990, that are constructed or renovated, modified, or altered on or after September 1, 1993.

Consider That:

People of all ages and abilities stand to benefit from environments that are supportive and enabling.

A curb cut serves a wheelchair user and a parent pushing a stroller.

Volume control helps the hearing impaired and anyone trying to use a pay phone in a noisy room.

A 'hi-lo' drinking fountain provides access to those in wheelchairs and helps those who have difficulty bending.

The Architectural Barriers (AB) program ensures that newly constructed or altered buildings and facilities are accessible to people with mobility, vision, or hearing disabilities. The program provides administrative oversight for plan reviews and inspections, and offers education and training opportunities.

The statute requires that construction documents covering subject facilities be submitted for review if the estimated construction costs are \$50,000 or more.

Responsibility for submitting construction documents lies with architects, engineers, interior designers and landscape architects with overall responsibility for design of the building or facility. In the absence of a registered design professional with overall responsibility, the owner is responsible for submitting the construction documents.

The Texas Department of Licensing and Regulation (TDLR) is obligated to report to the respective registration board any design professional with overall responsibility for a project who fails to submit construction documents within the designated time period.

Building owners are responsible for having the required inspections performed within one year of the completion of construction.

Failure on the part of a building owner to comply with the TABA may result in administrative penalties not to exceed \$5,000 for each violation, per day.

## "Access for All" Decal



TDLR, in conjunction with the Governor's Committee on People with Disabilities (GCPD), has developed an "Access for All" decal. The decal is distributed by TDLR

for newly constructed buildings that have been found in substantial compliance with the Texas Accessibility Standards (TAS).

## For Further Assistance

For more information regarding TDLR and the AB program, including information on the Texas Accessibility Academy, to subscribe to e-mail updates, or to file a complaint, visit our web site: [www.license.state.tx.us](http://www.license.state.tx.us).

To purchase copies of TAS, obtain technical information, or request information in alternative formats, contact:

Texas Department of Licensing and Regulation  
Architectural Barriers Section  
P.O. Box 12157  
Austin, TX 78711

(877) 278-0999 (Toll Free in Texas)  
(512) 463-3211  
(512) 475-2886 (Fax)  
(800) 735-2989 (Relay Texas - TDD)  
(800) 735-2988 (Relay Texas - Voice)



## TDLR Mission Statement

The mission of the Texas Department of Licensing and Regulation (TDLR) is to maintain public trust by ensuring the public's safety and promoting a fair and competitive business environment for our regulated industries.

### Historical Background

Texas law includes an Architectural Barriers Act, first adopted by the state legislature in 1969.

The Texas Accessibility Standards (TAS) are building standards adopted in 1993 by the Texas Department of Licensing and Regulation as a result of the amendments to the Act in 1991.

Compliance with the Texas Architectural Barriers Act and TAS is separate from compliance with the Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines (ADAAG).

The federal government enforces ADA and the Rehabilitation Act of 1973. TDLR enforces the Texas Architectural Barriers Act.



### Equivalency Certification from the U.S. Department of Justice

On September 23, 1996, the U.S. Department of Justice certified that the Texas Accessibility Standards meet or exceed the new construction and alterations requirements of Title III of the Americans with Disabilities Act.

The Texas Accessibility Standards make getting around easier for everyone, but consider what they make possible for people with disabilities. Shopping, going to a movie, working, and attending school are all activities that most people take for granted. But when stores, theaters, offices, and schools are not accessible, they can present barriers to everyday activities.



# Architectural Barriers

Texas Department of Licensing and Regulation

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