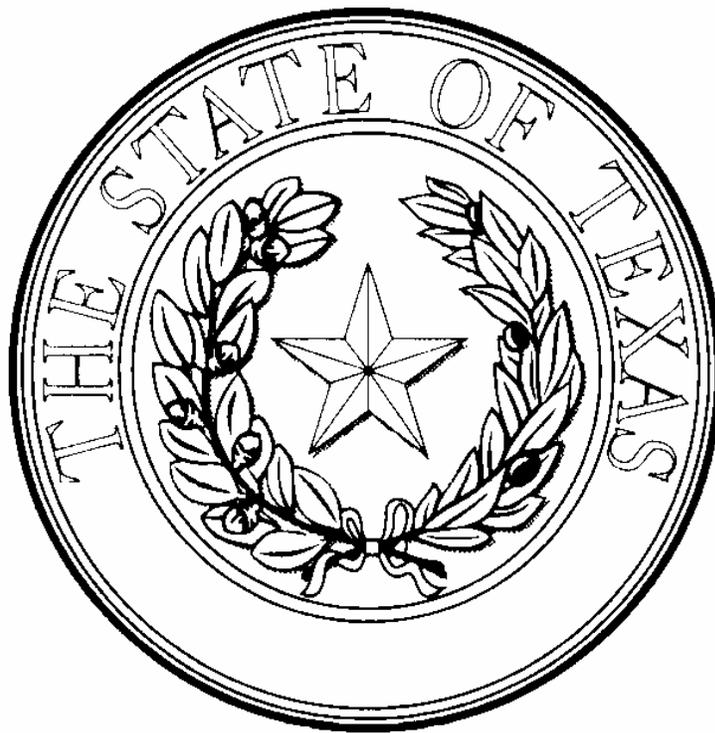


TEXAS DEPARTMENT OF LICENSING AND REGULATION

P. O. BOX 12157

AUSTIN, TEXAS 78711



Registered Accessibility Specialist

PROCEDURES

Compliance Division
Architectural Barriers

Issued March 2007



Procedures for Registered Accessibility Specialists
ACKNOWLEDGEMENT OF RECEIPT

By signing below, I do hereby acknowledge that I have received a copy of Registered Accessibility Specialist Procedures or have been directed to the Texas Department of Licensing and Regulation web-site (www.license.state.tx.us) to acquire a copy.

I understand that it is my responsibility to familiarize myself with these procedures in their entirety and to abide by all requirements set forth within. This responsibility is in addition to my obligation to comply with Title 16, Texas Administrative Code, Architectural Barriers Administrative Rules, and the Texas Architectural Barriers Act.

I also acknowledge that the Texas Department of Licensing and Regulation may alter or otherwise amend these procedures at any time; however, the effective date of the changes must be preceded by a notice to the RAS and must be in writing.

Furthermore, I understand that these procedures replace (supersede) any and all prior Registered Accessibility Procedures.

Signature of Registered Accessibility Specialist)	License Number	Date
Printed Name	DBA or Business Name	
Street Address	City, State, Zip	
Email	Daytime Phone	Fax

The original signed and completed form must be mailed or hand-delivered to the address below.
 This form will not be accepted by facsimile.

 FOLD HERE FOR WINDOW ENVELOPES

Texas Department of Licensing and Regulation
 Compliance Division/ARCHITECTURAL BARRIERS
 P.O. Box 12157 (920 Colorado)
 Austin, Texas 78711

Architectural Barriers
Registered Accessibility Specialist Procedures
(Effective April 1, 2007)

- I. General 4**
- II. Plan Review 6**
- III. Inspection 8**
- IV. Project File Maintenance 12**
- V. File Transfers 14**
- VI. Attachments 16**

This document has been developed by the Texas Department of Licensing and Regulation (TDLR) to establish procedures as they relate to plan reviews and inspections performed by Registered Accessibility Specialists (RAS).

I. General - A RAS shall:

A) Obtain, comply with, and be knowledgeable of the following documents:

1. Texas Government Code, Chapter 469, Elimination of Architectural Barriers (the Texas Architectural Barriers Act or "TABAA")
2. Architectural Barriers (AB) Administrative Rules, 16 Texas Administrative Code, Chapter 68.
3. Texas Accessibility Standards (TAS)
4. Technical Memoranda
5. RAS Procedures
6. RAS Bulletins
7. Current Forms

B) Hold harmless and indemnify TDLR for all liability.

C) Transfer to TDLR within 14 days of receipt, any misdirected TDLR fees (for filing projects or obtaining other services) received from the owner or designated agent of the building/facility. The fee transfer must be accompanied by a completed Project Status Update Form.

NOTE: The owner is responsible for payment of applicable fees to TDLR. Should any department fees be misdirected to a RAS, they shall be transferred to TDLR as stated above.

D) Notify TDLR of changes in personal contact information by submitting a completed Registered Accessibility Specialist Contact Update form within 30 days of the change.

E) Notify TDLR of changes in owner and/or designated agent information by submitting a completed Project Status Update Form within 30 days of being notified of the change.

NOTE: If the owner's designated agent changes, a RAS shall obtain a new Owner Agent Designation Form, place the original form in the project file, and notify TDLR as stated above.

F) Forward a copy of the Proof of Submission Form (completed by design professional) to TDLR within 14 days of receipt of the form if the construction documents are prepared by a licensed design professional.

- G)** Apply calendar days to compute and comply with all time periods referenced in these procedures.
- H)** Not modify or alter the design format of any TDLR form bearing the state seal. All forms are available on the TDLR website at www.license.state.tx.us unless otherwise specified. Transmittal letters may not be modified except as noted on the applicable **Attachments**.
- I)** Acknowledge that information in each project file is public record and is subject to the requirements of the Texas Public Information Act (TPIA), Chapter 552, Texas Government Code, unless specifically exempted by law. Requests made through the TPIA are only to be processed by TDLR and a RAS shall direct all persons requesting such information to TDLR.

II. Plan Review - A RAS shall:

- A)** Obtain a completed AB Online Confirmation Page or AB Project Registration Form (PRF) signed by the owner or designated agent of the building/facility prior to performing a plan review.

NOTE: A RAS that registers a project on-line for the owner or designated agent must obtain a PRF prior to registration. Both the PRF and Online Confirmation Page shall be maintained in the project file in accordance with the requirements of Section IV.

- B)** Prior to performing a plan review, obtain a completed Owner Agent Designation Form from the owner of the building/facility if the owner has chosen to designate an agent.
- C)** Obtain documents to be used for the construction of the building/facility prior to performing a plan review.
- D)** Notify the owner or designated agent of the building/facility when a project is not subject to review (i.e. projects with an estimated construction cost of less than \$50,000 and/or projects that are not subject to the Act) and acquire written authorization to proceed prior to performing the plan review.
- E)** Notify TDLR State Lease Coordinator by phone, fax, or e-mail when the project is a state lease or state lease renewal and obtain written authorization to proceed prior to performing a plan review.
- F)** Transfer any misdirected TDLR fees (for filing projects or obtaining other services) received from the owner or designated agent of the building/facility to TDLR in accordance with the requirements of Section I(C).
- G)** Forward any Proof of Submission Forms received from a design professional to TDLR in accordance with the requirements of Section I(F)
- H)** Establish and maintain a project file for all projects, registered, reviewed, and/or inspected by a RAS in accordance with Section IV and V of these procedures.
- I)** Perform a plan review to verify compliance with the TABA, the AB Rules, and the TAS.
- J)** Complete plan reviews within 30 days of receipt of the construction documents if received with applicable fees.
- K)** Submit an Equivalent Facilitation Form to TDLR in accordance with RAS Bulletin 001 when appropriate.
- L)** Issue the plan review findings to the owner and person making the submission by mailing, shipping, or hand delivering the following:
 - 1.** PLAN REVIEW COMPLETED Transmittal Letter (**Attachment “A”**).
 - 2.** Plan/Revisions Review Report (**Attachment “J”**) meeting the following minimum criteria:

- a. Name of RAS
- b. RAS license number
- c. Date of report
- d. EABPRJ project number
- e. Project name
- f. Facility name
- g. Project address and city
- h. Detailed description of construction activities
- i. Owner's name
- j. Owner's address, city, state, zip code
- k. Deficiencies accurately cited on the report meeting the following minimum criteria:
 - i. Actual TAS reference number and text,
 - ii. Actual location of the deficiency, and
 - iii. Actual nature of the deficiency
- l. Reports shall not state or imply that the owner or person making the submission should apply for a variance except as referenced in TAS.
- m. Reports shall be type written

M) Within 14 days of completing the plan review, notify TDLR of the plan review status by submitting a completed Project Status Update Form documenting the date the review was completed.

NOTE: Once a plan review report is provided to the owner and person making the submission, the RAS shall submit a completed Project Status Update Form to TDLR regardless of whether or not RAS fees have been received.

N) Retain all submitted construction documents for a minimum of 90 days from the date of the plan review report.

NOTE: After the 90-day period, construction documents which are not required to be part of the project file by Section IV(A)(3) of the procedures may be discarded.

O) Within 30 days of receipt of revisions correspondence, issue a REVISIONS REVIEW COMPLETED Transmittal Letter (**Attachment "B"**) to the owner and person making the re-submittal.

P) Within 14 days of completing the revision, notify TDLR of the revision status by submitting a completed Project Status Update Form documenting the date the revision was completed.

NOTE: Design revisions received after completion of construction are not required to be reviewed, but will become a matter of record.

Q) Transfer the file to TDLR in accordance with Section V(A)1, if the owner or designated agent of the building/facility has not obtained an inspection within one year of the estimated completion date.

III. Inspection - A RAS shall:

- A)** Obtain a completed Request for Inspection Form signed by the owner or designated agent of the building or facility prior to performing an inspection.

NOTE: If the owner or designated agent of the building/facility has not obtained an inspection within one year of the estimated completion date, the inspection is overdue and the file shall be transferred to TDLR in accordance with Section V(A)1.

- B)** Prior to performing an inspection, obtain a completed Owner Agent Designation Form from the owner if the owner has chosen to designate an agent.
- C)** Request the project file from TDLR or another RAS (if applicable) by issuing a completed Project File Request Form. A building or facility shall not be inspected without the RAS first obtaining the original project file unless specifically approved by TDLR.

NOTE: If a RAS does not receive the project file from another RAS within the time line established by Section V(B) contact TDLR.

- D)** Notify the owner or designated agent of the building/facility when a project is not subject to inspection (projects with an estimated construction cost of less than \$50,000 and/or a projects that are not subject to the Act) and acquire written authorization to proceed prior to performing an inspection.
- E)** Notify TDLR State Lease Coordinator by phone, fax, or e-mail when the project is a state lease or state lease renewal and obtain written authorization to proceed prior to performing an inspection.
- F)** Transfer any misdirected TDLR fees (for filing projects or obtaining other services) received from the owner or designated agent of the building/facility to TDLR in accordance with the requirements of Section I(C).
- G)** Establish (if the original file is unavailable and specifically approved by TDLR) and maintain a project file for all projects registered, reviewed, and/or inspected by a RAS in accordance with the requirements of Section IV.
- H)** Inspect subject buildings and facilities within one year of the completion of construction. Thereafter, a RAS shall perform the inspection within 30 days of receipt of the project file if the file is not held by the RAS.
- I)** Inspect subject buildings or facilities only when accompanied by the owner or designee. The RAS shall issue a copy of the completed Proof of Inspection Form to the owner or designated agent within 30 days of performing the inspection.

NOTE: The designee may be someone other than the owner or designated agent referenced in Administrative Rule 68.10(10).

- J)** Perform an inspection to verify compliance with the TABA, AB Rules, and TAS.

- K)** Within 14 days of completing the inspection, notify TDLR of the inspection status by submitting a completed Project Status Update Form documenting the date the inspection was completed.
- L)** Submit an Equivalent Facilitation Form to TDLR in accordance with RAS Bulletin 001 when appropriate.
- M)** Issue the inspection results to the owner or designated agent by mailing, shipping, or hand delivering the following within 30 days of performing the inspection:
1. An Inspection Transmittal Letter indicating one of the following inspection results:
 - a. INSPECTION COMPLETED - NO VIOLATIONS (**Attachment “C”**); or
 - b. INSPECTION COMPLETED - VIOLATIONS PENDING (**Attachment “D”**)
 2. An Inspection Report (**Attachment “K”**) meeting the following criteria:
 - a. Name of RAS
 - b. RAS license number
 - c. Date on which inspection was performed
 - d. TDLR project number
 - e. Project name
 - f. Facility name
 - g. Project address and city
 - h. Detailed description of construction activities
 - i. Owner’s name
 - j. Owner’s address, city, state, zip code
 - k. Violations must be cited on the inspection report clearly and accurately including the following:
 - i. Actual TAS reference number and text,
 - ii. Actual location of the violation, and
 - iii. Actual nature of the violation
 - l. Reports shall not state or imply that the owner or designated agent should apply for a variance except as referenced in TAS.
 - m. Reports shall be type written
 - n. Reports are required for all inspections.
- NOTE:** Photographs and other documents are not permitted to take the place of the violation within the inspection report. Additional information may be used and referenced; however, the specific violation must be clearly noted in the applicable section of the inspection report.
3. An Inspection Response Form
- N)** Issue a completed Project Status Update form to TDLR with the inspection status within 14 days of the date of the inspection report.

NOTE: Once an inspection report is provided to the owner or designated agent, the RAS shall submit a completed Project Status Update Form to TDLR regardless of whether or not RAS fees have been received.

- O) Transfer project file to TDLR as stated in Section V(A) of these procedures if the inspection results in NO VIOLATIONS.
- P) Allow the owner or designated agent an initial 90-day period from the date of the inspection report to make corrective modifications as stipulated in the Inspection Transmittal Letter required by Section III(M)1.

NOTE: All projects inspected by a RAS have 270 days from the date of the inspection report to correct inspection violations.\

- Q) Issue a CORRECTIONS FOLLOW-UP Transmittal Letter (**Attachment “E”**) 180 days from the date of the inspection report if verification of corrective modifications has not been received.
 - R) Maintain and transfer the project file in accordance with Section IV for 270 days from the date of the Inspection Report.
 - S) Within 14 days of receipt, respond to corrective modifications received by issuing the following to the owner or designated agent:
 - 1. A Corrective Modification/Re-inspection Transmittal Letter indicating one of the following:
 - a. CORRECTIVE MODIFICATIONS - NO VIOLATIONS (**Attachment “F”**); or
 - b. CORRECTIVE MODIFICATIONS - VIOLATIONS PENDING (**Attachment “G”**); or
 - c. REINSPECTION - NO VIOLATIONS (**Attachment “H”**); or
 - d. REINSPECTION - VIOLATIONS PENDING (**Attachment “I”**)
 - 2. Verify corrective modifications by accepting one of the following from the owner or designated agent:
 - a. a follow-up inspection if requested in writing by the owner or designated agent, OR
 - b. a written response indicating all violations have been corrected, OR
 - c. a completed Inspection Response Form indicating that all violations have been corrected.
- NOTE:** The RAS shall accept whichever verification of corrective modifications submitted or requested by the owner or designated agent.
- T) Issue a completed Project Status Update form to TDLR with the corrective modification status within 14 days of issuing a written response.
 - U) Submit an Equivalent Facilitation Form to TDLR in accordance with RAS Bulletin 001 when appropriate.
 - V) Transfer the file to TDLR in accordance with the requirements of Section V(A).

W) Within 14 days, transfer all correspondence to TDLR (with a Project Status Update Form) that is received after the project file has been transferred to TDLR.

IV. Project File Maintenance - A RAS shall:

A) Establish and maintain a TDLR project file (for each project) which at a minimum includes:

1. The TDLR Project Number clearly labeled (type written) on front tab of a letter-size manila folder.
NOTE: Folders with brads to retain file contents are preferred.
2. A chronological written record of transactions listing all occurrences pertaining to the project.
3. The following plans (if submitted as part of the construction documents), folded to fit within the folder:
 - a. Architectural Site
 - b. Grading
 - c. Architectural Floor
 - d. Demolition
 - e. Any sheets deemed necessary by the RAS
4. An original completed AB Online Confirmation Page or an original AB Project Registration Form
5. An original Proof of Submission Form(s)
6. An original of each Owner Agent Designation Form(s)
7. A copy of Plan Review Transmittal Letter(s)
8. A copy of Plan Review Report(s)
9. A copy of Inspection Transmittal Letters
10. A copy of Inspection Report(s)
11. A copy of each Project Status Update Form(s)
12. Any design revisions
13. Any corrective modification documents
14. Any variance/appeal documents received from TDLR
15. Any correspondence related to project including letters, facsimiles, e-mails, etc.
16. An original Request for Inspection Form
17. An original Inspection Response Form

18. An original Proof of Inspection Form

19. Any Project File Request Form(s)

20. A copy of any Equivalent Facilitation Form(s)

B) Assume liability for a lost, stolen, destroyed, or misplaced project file within their possession. The RAS is responsible for replacing lost, stolen, destroyed or misplaced project files.

NOTE: It is the obligation of the RAS to produce/maintain adequate proof of file transfers to TDLR and RAS.

V. File Transfers – A RAS shall:

A) Transfer a project file to TDLR when:

- 1. The Inspection is Overdue** - If the owner has not obtained an inspection within one year of the estimated completion date, then the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of the expiration of the estimated completion date, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.

- 2. Verification of Corrective Modifications is Not Received** - When verification of corrective modifications reflecting full compliance is not received within the 270-day period from the date of the Inspection Report, then the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of the expiration of the 270-day period from the date of the Inspection Report, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.

- 3. Inspection Indicates No Violations** - When the inspection/corrective modifications status indicates NO VIOLATIONS, then the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of the determination of inspection status, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.

- 4. Requested** - When project files are requested by TDLR, the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project-file to TDLR within 14 days receipt of a completed project file request from TDLR.

- 5. The project status is To Be Closed/Not Constructed** - When the project is not constructed, the RAS shall:
 - a. Receive written verification from the owner stating that the project will not be constructed, and
 - b. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of receiving written verification from owner, and
 - c. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.

- 6. The project is To Be Closed/Exempted by Rule** - When the project is exempted by rule, the RAS shall:

- a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of determination that a project is not subject to plan review or inspection, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.
7. The project is **To Be Closed/Under \$50,000** - When the project is not constructed, the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of determination that a project is not subject to review or inspection, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.
8. The project is **To Be Closed/As a Duplicate** - When the project is determined to be a duplicate, the RAS shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project file to TDLR within 14 days of determination that the project is a duplicate, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.
9. **Loss of Certification Occurs** - When a loss of certification occurs and a RAS has AB project files in their possession, a RAS shall contact the AB Program Manager within 14 days loss of certification to arrange transfer of project files.

B) Transfer a project file to a RAS when:

1. **Requested by RAS** – When project files are requested by a RAS for purpose of inspection, the RAS in possession of the project file shall:
 - a. Transfer the project file by mailing, shipping or hand-delivering the project-file to the RAS within 14 days of receipt of a completed Project File Request Form, and
 - b. Notify TDLR of the updated project status by including a completed Project Status Update Form in the project file.

VI. Attachments

- A.** Plan Review Completed Transmittal Letter
- B.** Revisions Review Completed Transmittal Letter
- C.** Inspection Completed - No Violations Transmittal Letter
- D.** Inspection Completed - Violations Pending Transmittal Letter
- E.** Corrections Follow-Up Transmittal Letter
- F.** Corrective Modifications - No Violations Transmittal Letter
- G.** Corrective Modifications - Violations Pending Transmittal Letter
- H.** Re-Inspection - No Violations Transmittal Letter
- I.** Re-Inspection - Violations Pending Transmittal Letter
- J.** Plan/Revisions Review Report
- K.** Inspection Report