



ELIMINATION OF ARCHITECTURAL BARRIERS AT A GLANCE

Statutes: Chapter 469, Government Code

Rules: Title 16 T.A.C. Chapter 68

Practice Act? No

Title Act? No

Inspections? No

Number of Licensees: 25,057 (FY 19)

Overview:

The Elimination of Architectural Barriers law is meant to ensure that the construction or alteration of buildings and facilities in Texas are accessible and functional for persons with disabilities, including non-ambulatory and semi-ambulatory disabilities, sight disabilities, hearing disabilities, disabilities of coordination, and aging. The statute requires compliance with the Texas Accessibility Standards.

The law is intended to further the state's policy of encouraging and promoting the rehabilitation of persons with disabilities, and to eliminate unnecessary barriers that restrict their ability to engage in gainful occupations or to achieve maximum personal independence.

Project Registration & Review

Projects with total estimated costs of \$50,000 or more are required to be registered with TDLR. A full set of construction documents must be given to a Registered Accessibility Specialist in accordance with Administrative Rule 68.20 and 68.50.

If a project's total estimated cost is less than \$50,000, the project is not required to be submitted to TDLR for registration and review; however, the project is still required to comply with the Texas Accessibility Standards. A local jurisdiction or building official may require project registration even if the project cost is less than \$50,000.

For determinations of whether a facility is subject to the Architectural Barriers Act, please see Chapter 469, Government Code, Section 469.003, and Chapter 68, TDLR Administrative Rules, Sections 68.20 and 68.30. You may also contact a TDLR technical information specialist by calling toll free at (877) 278-0999 or by sending your inquiry via e-mail to techinfo.ab@tdlr.texas.gov. If you are a member of the news media, please send your inquiry to the Media Relations Office (media.relations@tdlr.texas.gov) for prompt response.

Type of Fee	Amount
Project Filing Fee	\$175
Late Project Filing Fee	\$300
State Lease Inspection (no construction) Fee	\$225 per lease
Special Review or Inspection	\$215 per hour, one hour minimum
Variance Application Fee	\$175 each
Variance Appeal Fee	\$200
Texas Accessibility Academy Fee	\$150

History

The Elimination of Architectural Barriers law was passed in 1969 and became effective Jan. 1, 1970. Enforcement of the law went through various agencies – the State Building Commission, the State Board of Control, the State Purchasing and General Services Commission – before finding its current home, the Texas Department of Licensing and Regulation, in 1991.

Landmark dates for the program:

- January 1970 – Publicly owned buildings (libraries, schools, city hall, the State Capitol, etc.) had to be accessible
- January 1972 – State leased offices had to be accessible
- January 1992 – Privately owned public accommodations (stores, theatres, service shops, recreation facilities, hotels, etc.) had to be accessible
- September 1993 – Facilities affecting commerce (warehouses, factories, etc.) had to be accessible



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RAS Registration	Fee
Application for Certificate of Registration	\$300
Registration Renewal	\$250

Registered Accessibility Specialist

A person seeking TDLR certification as a Registered Accessibility Specialist (RAS) must meet the following minimum qualifications:

- any one of the following:
 - a degree in architecture, engineering, interior design, landscape architecture, or equivalent, and a minimum of one year of experience related to building inspection, building planning, accessibility design or review, accessibility inspection, or equivalent; or
 - eight years of experience related to building inspection, building planning, accessibility design or review, accessibility inspection, or equivalent; or
 - four years of experience related to building inspection, building planning, accessibility design or review, accessibility inspection, or equivalent, and certification as an accessibility inspector/plans examiner granted by a model building code organization;
- complete the application and pay all required fees; and
- pass an examination approved by the department.

A RAS will be hired by an owner to perform plan reviews or inspection services to verify compliance with the Texas Accessibility Standards. They will then issue reports of their findings to the owner and TDLR.

The **Elimination of Architectural Barriers Advisory Committee** has 9 members serving staggered 3-year terms. The committee is composed of building professionals and persons with disabilities who are familiar with architectural barriers problems and solutions. Persons with disabilities must make up a majority of the membership.

TABS, Texas Architectural Barriers System

TABS is the online system used to register construction projects with TDLR. The system also allows a RAS to update project information and project status. Professionals, owners and others who plan to register a project must sign up online as a TABS user. To access TABS, go to www.tdlr.texas.gov/tabs

Resources and materials at your fingertips!

Publications available on the AB web page include, among many more, the following:

- Texas Accessibility Standards, (2012 and 1994)
- Elimination of Architectural Barriers Act, (the AB Law)
- AB Administrative Rules, 16 TAC, Chapter 68
- RAS Procedures
- Project Data Search
- Search RAS Licensees
- Frequently Asked Questions
- AB Advisory Committee

Texas Accessibility Academy

The Texas Accessibility Academy is a two-day comprehensive study of the Texas Architectural Barriers Act (TABA), program administrative Rules and the 2012 Texas Accessibility Standards (TAS). Presented by staff from TDLR's Architectural Barriers Program, the course includes information about how TABA and TAS relate to the American with Disabilities Act (ADA) and the 2010 ADA Standards for Accessible Design. TABA and TAS are relevant to public and commercial buildings and facilities, but do not apply to private residences.

The class offers 16 hours of continuing education for registered accessibility specialists (RAS) and for design professionals who may self-report continuing education credits.

Check out the Texas Accessibility Academy at <https://www.tdlr.texas.gov/ab/taa.htm>

