

### Subpart 101-19.6—Accommodations for the Physically Handicapped

#### § 101-19.600 Scope of subpart.

This subpart prescribes standards for the design, construction, lease, and alteration of buildings to ensure, whenever possible, that physically handicapped persons will have ready access to and use of such buildings. Record-keeping and reporting requirements (see §§ 101-19.606 and 101-19.607) are prescribed for all projects subject to this subpart.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

[43 FR 16479, Apr. 19, 1978]

#### § 101-19.601 Authority and applicability.

This subpart implements Public Law 90-480, approved August 12, 1968, as amended (42 U.S.C. 4151, *et seq.*). The standards prescribed herein shall apply to all Federal agencies and instrumentalities and to non-Federal organizations to the extent provided in the Act.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

[43 FR 16479, Apr. 19, 1978]

#### § 101-19.602 Definitions.

The following definitions shall apply to this subpart 101-19.6:

(a) *Building* means any building or facility (other than a privately owned residential structure not leased by the Government for subsidized housing programs and any building or facility on a military installation designed and constructed primarily for use by able-bodied military personnel) the intended use for which will require either that the building or facility be accessible to the public or may result in the employment therein of physically handicapped persons, which is to be:

(1) Constructed or altered by, or on behalf of, the United States after September 2, 1969;

(2) Leased in whole or in part by the United States between August 12, 1968, and December 31, 1976, if constructed or altered in accordance with plans and specifications of the United States;

(3) Financed in whole or in part by a grant or a loan made by the United States after August 12, 1968, if the

building or facility is subject to standards for design, construction, or alteration issued under authority of the law authorizing such a grant or loan;

(4) Constructed under authority of the National Capital Transportation Act of 1960, the National Capital Transportation Act of 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact; or

(5) Leased in whole or in part by the United States after January 1, 1977, including any renewal, succeeding, or superseding lease.

(b) *Alteration* means repairing, improving, remodeling, extending, or otherwise changing a building.

(c) The terms *bid* and *bidder* shall be construed to include *offer* and *offeror*.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

[39 FR 23214, June 27, 1974, as amended at 43 FR 16479, Apr. 19, 1978]

#### § 101-19.603 Standards.

Except as provided in § 101-19.604, every building must be designed, constructed, or altered to meet the minimum requirements of the Uniform Federal Accessibility Standards (uniform standards) developed by the General Services Administration (GSA), the Department of Defense (DOD), the Department of Housing and Urban Development (HUD), and the United States Postal Service (USPS), in consultation with the Department of Health and Human Services. Departing from these standards by using other methods is permitted if it is clear that equal accessibility and usability of the facility are provided. Except as provided under §§ 101-19.602 and 101-19.604, buildings designed, constructed, or altered before the effective date of this standard must meet the minimum standards in the GSA Accessibility Standard DG6 from October 14, 1980, to July 31, 1984, or the American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped, published by the American National Standards Institute, Inc. (ANSI A117.1-1961) (R1971) from September 2, 1969, to October 13, 1980. Buildings under design