

§ 1150.1

36 CFR Ch. XI (7-1-08 Edition)

Subpart D—Time

- 1150.31 Computation.
- 1150.32 Extension of time or postponement.

Subpart E—Proceedings Prior to Hearings; Pleadings and Motions

- 1150.41 Informal resolution.
- 1150.42 Citations.
- 1150.43 Answers.
- 1150.44 Amendments.
- 1150.45 Request for hearing.
- 1150.46 Motions.
- 1150.47 Disposition of motions and petitions.
- 1150.48 PER: Citation, answer, amendment.

Subpart F—Responsibilities and Duties of Judge

- 1150.51 Who presides.
- 1150.52 Authority of judge.
- 1150.53 Disqualification of judge.

Subpart G—Prehearing Conferences and Discovery

- 1150.61 Prehearing conference.
- 1150.62 Exhibits.
- 1150.63 Discovery.

Subpart H—Hearing Procedures

- 1150.71 Briefs.
- 1150.72 Purpose of hearing.
- 1150.73 Testimony.
- 1150.74 Exclusion of evidence.
- 1150.75 Objections.
- 1150.76 Exceptions.
- 1150.77 Official notice.
- 1150.78 Public documents.
- 1150.79 Offer of proof.
- 1150.80 Affidavits.
- 1150.81 Consolidated or joint hearing.
- 1150.82 PER proceedings.

Subpart I—The Record

- 1150.91 Record for decision.
- 1150.92 Official transcript.

Subpart J—Posthearing Procedures; Decisions

- 1150.101 Posthearing briefs; proposed findings.
- 1150.102 Decision.
- 1150.103 PER: Posthearing briefs, decision.
- 1150.104 Judicial review.
- 1150.105 Court enforcement.

Subpart K—Miscellaneous Provisions

- 1150.111 Ex parte communications.
- 1150.112 Post-order proceedings.
- 1150.113 Amicable resolution.
- 1150.114 Effect of partial invalidity.

AUTHORITY: 29 U.S.C. 792, as amended.

SOURCE: 45 FR 78474, Nov. 25, 1980, unless otherwise noted.

Subpart A—General Information

§ 1150.1 Purpose.

Purpose. The purpose of the regulations in this part is to implement section 502(b)(1) of the Rehabilitation Act of 1973, Pub. L. 93-112, 29 U.S.C. 792, as amended by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, Pub. L. 95-602, section 118, 92 Stat. 2979, by establishing rules of procedure for public hearings which ensure compliance with standards issued under the Architectural Barriers Act of 1968, Pub. L. 90-480, as amended, 42 U.S.C. 4151 *et seq.* (including standards of the U.S. Postal Service).

§ 1150.2 Applicability: Buildings and facilities subject to guidelines and standards.

(a) *Definitions.* As used in this section, the term:

Constructed or altered on behalf of the United States means acquired by the United States through lease-purchase arrangement, constructed or altered for purchase by the United States, or constructed or altered for the use of the United States.

Primarily for use by able-bodied military personnel means expected to be occupied, used, or visited principally by military service personnel. Examples of buildings so intended are barracks, officers' quarters, and closed messes.

Privately owned residential structure means a single or multi-family dwelling not owned by a unit or subunit of Federal, state, or local government.

(b) *Buildings and facilities covered.* Except as provided in paragraph (c) of this section, the standards issued under the Architectural Barriers Act of 1968, Pub. L. 90-480, as amended, 42 U.S.C. 4151 *et seq.* (including standards of the United States Postal Service) apply to any building or facility—

(1) The intended use for which either—

(i) Will require that such building or facility be accessible to the public, or

(ii) May result in employment or residence therein of physically handicapped persons; and