



# Texas Accessibility Update

**1 Hour / 1 HSW Hour**

**AIAPDH151**

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## Texas Accessibility Update - Final Exam

1. If a private building or facility (as defined by TAS 106.5.46) meets the criteria of TAS 106.5.60 for a “shopping center or shopping mall” and has *more than one story*:
  - a. an accessible route is not required if the establishment on the mezzanine level is a service establishment.
  - b. the type of establishment determines whether there needs to be an accessible route
  - c. an accessible route is required by 206.2.3, exception 1 to all stories and to all mezzanines.
  - d. All of the above
2. An employee break room without fixed or built-in range cooking facilities:
  - a. Is an employee work area
  - b. Is not considered a kitchen or kitchenette, therefore is not subject to compliance with the requirements of 212 and 804.
  - c. Shall comply with the requirements of 212 and 804 for kitchens and kitchenettes
  - d. Is not considered a kitchen or kitchenette, therefore still needs to comply with the requirements of 212 and 804.
3. *Housing at a place of education* includes which of the following:
  - a. Housing operated by a public Elementary School
  - b. Housing operated by a public Post-Graduate School
  - c. Housing operated by a private Secondary School
  - d. All of the above
4. Considering *Baby Changing Tables*:
  - a. Compliance is not required with the protruding object requirements of TAS 204 and 307
  - b. They are considered convenience “fixtures” based on Advisory 604.8.1.1
  - c. They are prohibited from being located in wheelchair accessible toilet compartments
  - d. They should not be dispersed throughout a space based on TAS 226.2
5. For purposes of amenity center requirements, the term “residents” referenced in \_\_\_\_\_ shall mean persons that are members of the homeowners association (HOA) or residents of the subdivision established by a planned housing development.
  - a. Rule 68.30(5)
  - b. TAS 226.1
  - c. TAS 902
  - d. Rule 49.40
6. With regards to Water Closet Clearance, a/an \_\_\_\_\_ is any element that violates the protruding object requirements of TAS 204 and 307.
  - a. Dispenser
  - b. Fixture
  - c. Coat Hook
  - d. Obstruction
7. A wading pool is a Class D pool that has a maximum depth of \_\_\_\_\_ at any point.
  - a. 1.5 feet
  - b. 2 feet
  - c. 3 feet
  - d. 16 inches
8. Regarding *Employee Work Areas*:
  - a. “Approach, enter and exit” means that people using wheelchairs must be able to enter and back out of the space
  - b. Must comply with the circulation path requirements of TAS 206.2.8
  - c. Dumpster enclosures used exclusively by employees shall be considered employee work areas base on TAS 201.1
  - d. All of the above
9. In determining whether or not the location of an accessible route would adequately meet the needs of people with disabilities, which of the following factors has the Department *NOT* taken into consideration based on TAS 201.1:
  - a. How many hours the employee works
  - b. Function of the building or facility
  - c. Population to be served
  - d. Location relative to distance and time
10. 404.2.10 requires door and gate surfaces within \_\_\_\_\_ inches of the finish floor to have a smooth surface on the push side.
  - a. 12
  - b. 18
  - c. 10
  - d. 8

# Texas Accessibility Update

**AIA CES Course Number: AIAPDH151**

## **Course Description:**

This 1 CE hour 2012 Texas Accessibility Standards course examines each of the Technical Memoranda issued as of June 2017. The Elimination of Architectural Barriers Advisory Committee reviews technical matters relating to the Texas Accessibility Standards. If needed they provide clarifications of these matters through the publishing of the Technical Memoranda. This course reviews the Technical Memoranda provided by the Texas Commission of Licensing and Regulation.

## **Learning Objectives:**

1. Twenty-five Technical Memoranda for the 2012 Texas Accessibility Standards will be identified by the student. The Technical Memoranda listed in this course are current and complete through June 2017.
2. Student will review and recognize the reason for each of the 25 clarifications.
3. All parameters for each clarification will be discussed so that the student can recall which Texas Accessibility Standards sections are affected.
4. All clarifications will be taught so that the student will be able to apply each of them to the 2012 Texas Accessibility Standards.

Technical Memoranda are an important part of compliance with the Texas Accessibility Standards. The following Technical Memoranda have been issued by the Texas Department of Licensing and Regulation as clarification to various portions of the Texas Accessibility Standards.

## TECHNICAL MEMORANDUM 2012 TAS

Texas Department of Licensing and Regulation  
Architectural Barriers

### ELECTRIC VEHICLE CHARGING STATIONS TM 2012-01

Effective Date: March 15, 2012

2012 TAS Reference: 201.1

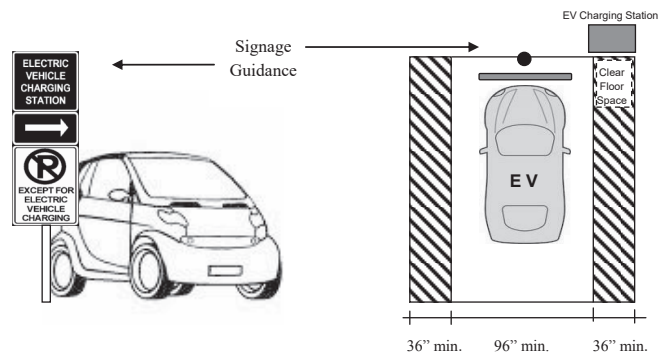
As the U.S. Department of Justice has not issued formal accessibility guidelines addressing electric vehicle charging stations, the Texas Department of Licensing and Regulation issues the following technical clarifications until such time as federal standards become available and are adopted.

If electric charging stations are provided in new or existing parking lots, parking garages or other location containing parking spaces, twenty percent (20%) but not less than one, of each type of charging station in each cluster on a site shall meet the following criteria:

Controls and operating mechanisms for the accessible charging station shall comply with TAS 309 and shall be within the forward reach ranges specified in TAS 308.2;

The vehicle space(s) with the accessible charging station shall be at least 96 inches wide and shall provide a 36 inch wide (minimum) accessible route complying with TAS 402 on both sides of the vehicle space to allow the user adequate space to exit their vehicle and access both sides of the vehicle. Striping of the accessible routes is recommended but not required.

Directional and informational signage complying with TAS 216.3 shall designate the location of the accessible charging stations. The symbol of accessibility is recommended but not required. The following examples of signage and layout are for illustrative purposes only and are not intended to imply that there are no other options available.



### EMERGENCY RESPONSE BUILDINGS AND FACILITIES TM 2012-02

Effective Date: November 15, 2012

2012 TAS Reference: 233 and 809

Based on information received from the U.S. Access Board and commentary by the U.S. Department of Justice in the Guidance and Analysis for 28 CFR Parts 35 and 36 Nondiscrimination on the Basis of Disability in State and Local Government Services; Final Rules; September 15, 2010; the following application of the 2012 TAS shall apply to buildings and facilities serving emergency response personnel:

Crew quarters that are used exclusively as a residence by emergency response personnel and the kitchens and bathrooms exclusively serving those quarters shall comply with the requirements of 233 (including 233.3.1) and 809 for residential facilities and residential dwelling units.

All other common use areas, elements, and spaces, including, but not limited to, parking, meeting and training rooms, and conference rooms, shall comply with applicable provisions of the 2012 TAS unless exempted by the standards or Rule 68.30.

Multi-story buildings and facilities shall comply with the accessible route requirements of 206.2.3 unless exempted by 206.2.3, Exception 2.

Truck bays, workshops, and other employee work areas, elements, and spaces used exclusively by emergency personnel for work shall comply with 203.9 and other provisions of the 2012 TAS applicable to employee work areas.

## SHOPPING CENTERS OR SHOPPING MALLS TM 2012-03

Effective Date: November 15, 2012

2012 TAS Reference: 206.2.3, Exception 1  
206.2.4, Exception 3

If a private building or facility (as defined by TAS 106.5.46) meets the criteria of TAS 106.5.60 for a “shopping center or shopping mall” and it has more than one story, an accessible route is required by 206.2.3, Exception 1 to all stories and to all mezzanines.

This accessible route is required regardless of whether or not there is at least one sales or service establishment on the mezzanine level. In other words, the type of spaces provided on a mezzanine level does not alleviate the obligation to provide the required accessible route.

If, however, the retail space is located in a one story building or facility with a mezzanine, an accessible route is not required to the mezzanine based on TAS 206.2.4, Exception 3.

This clarification has been confirmed by the Department with the U. S. Access Board and does not constitute a substantive change to the compliance requirements of TAS 206.2.3, Exception 1.

## MULTI-STORY BUILDINGS AND FACILITIES: TM 2012-04

Effective Date: November 15, 2012

2012 TAS Reference: 206.2.3, Exception 1 – Private Buildings and Facilities

The following clarifications are provided to address references to the terms “square feet” and “per story” in 206.2.3, Exception 1:

1. **Square Feet.** The reference to “square feet” shall mean gross square feet.
2. **Per Story.** The term “story” is defined in 106.5.64 as that portion of a building or facility designed for human occupancy included between the upper surface of a floor or the upper surface of the floor or roof next above. A story containing one or more mezzanines has more than one floor level.

Therefore, based on 106.1 and the indicated meaning of “story”, the reference to “per story” shall also apply to the first story when calculating square footage.

These clarifications have been confirmed by the Department with the U. S. Access Board and do not constitute a substantive change to the compliance requirements of 206.2.3, Exception 1.

## SAFE HARBOR TM 2012-05

Effective Date: January 22, 2013

2012 TAS Reference: 106.5.57

The following clarifications are provided to address variances issued for projects constructed under the 1994 TAS and their effect on safe harbor:

1. **1994 TAS Variances.** Variances issued by the Department are only applicable to the EABPRJ construction project for which they are issued and cannot be applied to any other construction project, including, but not limited to, any project constructed on or after March 15, 2012.

In addition, information that an element or space constructed under the 1994 TAS may have been issued a variance does not mean that the element or space has been granted safe harbor.

2. **Full Compliance with 1994 TAS.** Only elements and spaces in full compliance with the 1994 TAS are eligible for safe harbor. Thus, where an element or space was constructed, renovated, altered, or modified prior to March 15, 2012 but full compliance with the 1994 TAS was not achieved; that element or space does not fall within the scope of safe harbor.\*\*

\*\*This determination is based on a similar commentary by the U.S. Department of Justice in the Guidance and Analysis for 28 CFR Parts 36 Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities (as amended by the final rule published September 15, 2010).

## WADING POOLS TM 2012-06

Effective Date: January 22, 2013

2012 TAS Reference: 242.3

The 2012 TAS does not provide a specific definition of a wading pool and neither does the federal standards. The Department will defer to the following definition contained in the Texas Administrative Code, Title 25, Part 1, §265.182(157) based on 201.1:

*265.182 (157) Wading Pool – A Class D pool that has a maximum depth of 2 feet at any point.*

## PRESS BOXES TM 2012-07

Effective Date: January 22, 2013

2012 TAS Reference: 206.2.7, Exceptions 1 and 2

The following clarifications are provided to address references to the terms “aggregate area” and “square feet” in 206.2.7, Press Boxes, Exceptions 1 and 2:

1. **Aggregate Area.** Based on 106.3 (Undefined

Terms), the term “aggregate” is defined by collegiate dictionaries as taking all units as a whole.

Therefore, in the sense that the text implies, the aggregate area of a press box shall include toiletrooms, corridors, and any other areas, elements, and spaces located within the press box. In addition, it shall include filming platforms and observation decks when access to these areas is provided by stairs instead of ladders.

- 2. **Square Feet.** References to “square feet” shall mean gross square feet.

These clarifications have been confirmed by the Department with the U. S. Access Board and do not constitute a substantive change to the compliance requirements of 206.2.7, Exceptions 1 and 2.

## PRIVATE CLUBS TM 2012-08

**Effective Date: January 22, 2013**

**2012 TAS Reference: 201.1**

In accordance with TAS 201.1, the requirements of the Texas Accessibility Standards are to be applied to all areas of a facility unless exempted, or where scoping limits the number of multiple elements required to be accessible.

There are no exemptions in Texas Government Code, Chapter 469 (the Act) for private clubs or in Texas Administrative Rule, Chapter 68 (the Rules).

In addition, TAS contains no Exceptions that are specific to private clubs nor does the scoping limit the number of multiple elements required to be accessible in private clubs.

Private clubs, therefore, must comply with the Act, Rules, and TAS as administered by the Texas Department of Licensing and Regulation.

## EMPLOYEE BREAK ROOMS TM 2012-09

**Effective Date: January 22, 2013**

**2012 TAS Reference: 212 and 804**

In accordance with TAS 106.5.28, kitchenettes and break rooms are not employee work areas; therefore, they must be accessible and must be designed and constructed to comply with TAS.

### With Cooking Facilities

An employee break room **with** fixed or built-in range cooking facilities shall comply with the requirements of 212 and 804 for kitchens and kitchenettes. The term “kitchen” and “kitchenette” shall be used interchangeably.

**Cooking Facilities:** Fixed or built-in range, cooktop, oven, microwave, or convection oven.

**Fixed or Built-In:** Appliance is attached to a cabinet, shelf, or wall; connected to plumbing or gas; or hardwired to electricity.

## Example

The break room shown in the illustration has a counter, sink, built-in cooking facility (microwave), and storage. The following is a general analysis of the compliance requirements for these elements.

- **Storage:** Must comply with 804.5 and 811.
- **Kitchen Sink:** Must comply with 804.4 and 606.

Parallel approach allowed to kitchen sink since no cooktop or conventional range is provided based on 606.2, Exception 1.

- **Counter:** Compliance not required except as required by 606 for the sink or as required by 804.3 for residential dwelling units.
- **Appliances:** Must comply with 804.6.

This example and analysis is only general in nature and not intended to imply that break rooms are exempt other requirements of TAS.



An employee break room **without** fixed or built-in range cooking facilities is not considered a kitchen or kitchenette; therefore, they are not subject to compliance with the requirements of 212 and 804. The break room, however, shall comply with applicable provisions of TAS based on the elements provided.

## Example

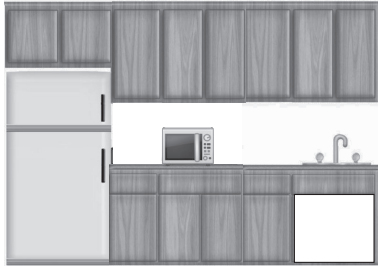
The break room shown in the illustration has a counter, sink, movable appliance (countertop microwave), and storage. The following is a general analysis of the compliance requirements for these elements.

- **Storage:** Must comply with 225 and 811.
- **Sink:** Must comply with 212.3 and 606.  
Forward approach required to sink

even if no cooktop or conventional range is provided since 606.2, Exception 1, is applicable only to kitchen sinks and wetbars.

- Counter: Compliance not required except as required by 606 for the sink.
- Appliances: Compliance not required.

This example and analysis is only general in nature and not intended to imply that break rooms are exempt other requirements of TAS.



## CLUSTERED TOILET ROOMS TM 2013-10

Effective Date: June 1, 2013

2012 TAS Reference: 213.2, Exception 4

Based on information received from the U.S. Access Board, TAS 213.2, Exception 4 does **not** apply to multiple single user *bathing or shower rooms*; therefore, this Exception is applicable only to multiple single user toilet rooms clustered at a single location.

The phrase “for each use” in TAS 213.2, Exception 4 refers to the use of the toilet room by different sexes, age groups, designated users or purposes based on TAS 201.1(ii). For example, employee and public toilet rooms are two different uses and toilet rooms provided for males, females, and children are three different uses.

These clarifications do not constitute a substantive change to the compliance requirements of TAS 213.2, Exception 4.

## BENCHES TM 2013-11

Effective Date: June 1, 2013

2012 TAS Reference: 903

Based on information received from the U.S. Access Board, compliance with TAS 903 (Benches) shall be required **only** when specifically referenced in the 2012 TAS. These references are limited to the following:

- Saunas and Steam Rooms TAS 612.2
- Dressing, Fitting, and Locker Rooms TAS 803.4
- Holding Cells and Housing Cells TAS 807.2.2

Fixed or built-in benches and other types of fixed seating provided in assembly areas (as defined by TAS 106.5.10) shall comply with TAS 221 and 802.

Fixed or built-in benches serving any other subject areas are not required to comply with TAS at this time.

These clarifications do not constitute a substantive change to the compliance requirements of TAS.

## NUMBER OF ACCESSIBLE ELEMENTS AND SPACES TM 2013-12

Effective Date: June 1, 2013

2012 TAS Reference: 201.1

In accordance with TAS 201.1, the standards must be applied to **all areas** of a building or facility subject to compliance with Texas Government Code, Chapter 469 and Administrative Rule 68.20 **unless** exempted, or where scoping limits the number of multiple elements required to be accessible.

For example, health care providers are subject to compliance with TAS based on Chapter 469.003(a)(4) and Rule 68.20(c)(6) and since there are no exemptions or scoping limits for examination rooms, 100% of the examination rooms provided by a health care provider must comply with TAS. This would also apply to other subject areas, elements, and spaces which have no scoping limits such as classrooms.

In contrast, bowling alleys are also subject to compliance with TAS based on Chapter 469.003(a)(4) and Rule 68.20(c)(12), however, the Exception to 206.2.11 limits the number of bowling lanes required to be on an accessible route to at least 5 percent, but no fewer than one of each type.

These clarifications do not constitute a substantive change to the compliance requirements of TAS 201.1.

## HOUSING AT A PLACE OF EDUCATION TM 2013-13

Effective Date: June 1, 2013

2012 TAS Reference: 224.6

*Housing at a place of education* means housing operated by or on behalf of an elementary, secondary, undergraduate, or postgraduate school, or other place of education, including dormitories, suites, apartments, or other places of residence.

This definition is consistent with the ADA Title II Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services § 35.104 and Title III Part 36 Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities, § 36.104, therefore, it is applicable to housing provided

by both public and private places of education.

This clarification does not constitute a substantive change to the compliance requirements of TAS 224.6.

## DINING SURFACES TM 2013-14

Effective Date: June 1, 2013

2012 TAS Reference: 226 and 902

### Dispersion

The requirements of TAS 226 and 902 are applicable to fixed or built-in dining surfaces based on TAS 201.1. In addition, dining surfaces must be dispersed based on TAS 226.2; therefore, each type of dining surface must comply with TAS 902. Examples of different types of dining surfaces include, but are not limited to, bars, tables, lunch counters, and booths.

### Calculations

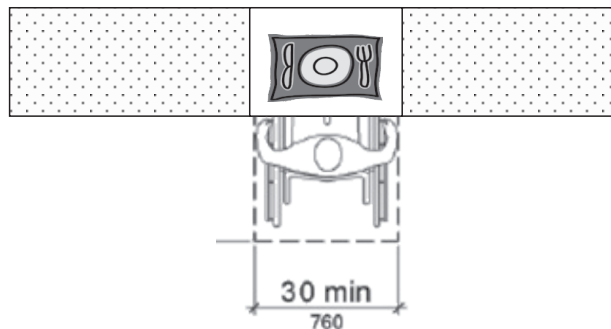
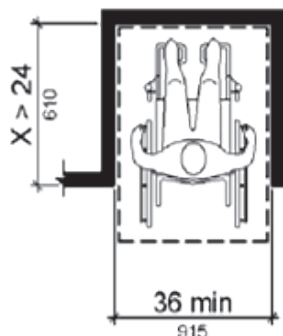
At least 5% of the seating and standing spaces at fixed or built-in dining surfaces provided for the consumption of food or drink must comply with 902 based on TAS 226.2.

This includes, but is not limited to; seating and standing spaces provided at fixed or built-in tables, bars, lunch counters, and booths. The option in the 1994 TAS to provide service at accessible tables in lieu of providing accessible dining surfaces and bars does not apply to projects subject to the 2012 TAS.

A measurement of 18" per person shall be used to calculate the number of seating and standing capacity of a dining surface.

### Length

Clear floor space complying with TAS 305 for a forward approach is required for an accessible dining surface based on TAS 902.2. Therefore, accessible dining surfaces shall be 30" minimum in length based on 305.5 or 36" minimum if the clear floor space is located in an alcove based on TAS 305.7.1.



These clarifications do not constitute a substantive change to the compliance requirements of TAS.

## BABY CHANGING TABLES TM 2013-15

Effective Date: June 1, 2013

2012 TAS Reference: 902

Baby changing tables are work surfaces based on Advisory 902.1; therefore, if fixed or built-in baby changing tables are provided, at least 5%, but not less than one, must comply with TAS 902 based TAS 226.1.

### Protruding Objects

Baby changing tables cannot violate the protruding object requirements of TAS 204 and 307 in either an open or closed position since either position is a potential hazard for persons with visual impairments.

### Toilet Compartments

Baby changing tables are not prohibited from being located in wheelchair accessible toilet compartments; however, the minimum space required by TAS 604.8.1.1 for the compartment cannot be obstructed by the baby changing table in either an open or closed position.

To achieve compliance with TAS for both the toilet compartment and baby changing table, it may be necessary to design the toilet compartment to exceed the minimum size requirements of TAS 604.8.1.1 as addressed in Advisory 604.8.1.1.

The clear floor space required for a baby changing table by TAS 902.2 may overlap the water closet clearance based on TAS 604.3.2 since baby changing tables are considered convenience "fixtures" based on Advisory 604.8.1.1. The overlap is applicable only to the clear floor space and not to actual table itself.

### Dispersion

Baby changing tables must be dispersed throughout a space based on TAS 226.2, however, an additional baby changing table is not required in a common use area of a toilet or bathing room when the only baby changing table is located in a toilet compartment.

These clarifications do not constitute a substantive change to the compliance requirements of TAS.



## RESIDENTIAL AMENITY CENTERS TM 2013-16

Effective Date: June 1, 2013

2012 TAS Reference: 68.30(5)

Areas, elements, and spaces in residential amenity centers used exclusively by *residents*\* and their guests are not subject to compliance with Chapter 469 or TAS based on the Exemption criteria of Rule 68.30(5).

Rule 68.30(5) does not apply to any elements, areas, or spaces used, leased, or rented to residents or non-members for activities open to the general public, including but not limited to, those used for swimming competitions, golf tournaments, business-related meetings / seminars / conferences, and those made available to organizations other than the homeowners association such as non-profit and service organizations (i.e. scouts and churches).

\*For purposes of amenity center requirements, the term "*residents*" referenced in Rule 68.30(5) shall mean persons that are members of the homeowners association (HOA) or residents of the subdivision established by a planned housing development.

These clarifications do not constitute a substantive change to the compliance requirements of Rule 68.30(5).

## WATER CLOSET CLEARANCE - OVERLAP TM 2013-17

Effective Date: June 1, 2013

2012 TAS Reference: 604.3.2

Based on TAS 106.3 and the application of terms and definitions in the sense that the text implies, the following clarifications are provided to address the water clearance overlap requirements of TAS 604.3.2.

### Associated

TAS 604.3.2 allows "*associated*" grab bars, dispensers, sanitary napkin disposal units, coat hooks, and shelves to overlap the required clearance around an accessible water closet. Based on the collegiate definition of "*associate*;" these elements are closely related or connected to the function and use of the water closet.

**Dispensers** associated with the use of a water closet and allowed to overlap the water closet clearance include seat cover, feminine hygiene product, disposal bag, and toilet paper dispensers. These dispensers must comply with all applicable provisions of TAS and cannot violate the protruding object requirements of TAS 204 and 307. Soap and towel dispensers and other dispensers unrelated to the use of a water closet may not overlap the water closet clearance.

**Shelves and coat hooks** provided for the placement of items and garments during the use of a water closet are allowed to overlap the water closet clearance and must comply with TAS 213.3.7. Only shelves and coat hooks are referenced in TAS 604.3.2, therefore, other types of storage such as supply closets and cabinets, clothes rods, and drawers may **not** overlap the water closet clearance.

### Fixtures

TAS 604.3.2 also allows the clear floor space and clearances required at other "*fixtures*" to overlap the water closet clearance.

For purposes of compliance with TAS 604.3.2, the reference to "*fixture*" shall mean the plumbing fixtures identified in TAS 213.3 and baby changing tables which are identified as convenience fixtures in Advisory 604.8.1.1. None of these fixtures shall be located within the required water closet clearance except as allowed by the Exception to TAS 604.3.2. As noted above, only the clear floor and clearance may overlap; not the actual fixture.

### Obstructions

"*Obstructions*" are also prohibited by TAS 604.3.2 within the required water closet clearance. An obstruction is any element that violates the protruding object requirements of TAS 204 and 307.

## SINKS TM 2013-18

Effective Date: June 1, 2013

2012 TAS Reference: 212.3 and 804.4

### Kitchens / Kitchenettes with Sinks

If a sink is provided in a space that is subject to compliance with TAS 804 (Kitchen and Kitchenettes), the sink must comply with TAS 606 based on TAS 804.4 (Sinks). Sinks provided in these spaces shall be considered "*kitchen*" sinks.

### Other Spaces with Sinks

With the exception of mop and service sinks, sinks provided in other subject spaces must comply with TAS 606 based on TAS 212.3 (Sinks). Sinks provided in these spaces shall NOT be considered "*kitchen*" sinks.

These clarifications do not constitute a substantive change to the compliance requirements of TAS 212.3 or 804.4.

## PRIVATE TOILET AND BATHING ROOMS TM 2013-19

Effective Date: October 3, 2013

2012 TAS Reference: 213.2 and 213.3

A toilet or bathing room for a single occupant accessed only through a private office and not for common use or public use shall be considered a “private” toilet or bathing room.

Based on TAS 213.2 and TAS 213.3, private toilet and bathing rooms and the plumbing fixtures and accessories provided in these rooms shall comply with TAS 603 and all other applicable provisions of TAS at the initial time of construction except to the extent allowed by the following TAS Exceptions.

Toilet and Bathing Rooms  
603.2.3, Exception 1: Door Swing.

Water Closets  
604.4, Exception 1: Seats  
604.5, Exception 1: Grab Bars.

Lavatories and Sinks  
606.2, Exception 2: Clear Floor Space.  
606.3, Exception 1: Height.

Bathtubs  
607.4, Exception 1: Grab Bars.

Shower Compartments  
608.3, Exception 1: Grab Bars.

This clarification does not constitute a substantive change to the compliance requirements of TAS 213.2 and 213.3.

## VALET PARKING TM 2013-20

Effective Date: October 3, 2013

2012 TAS Reference: 208 and 209.4

The 1994 TAS (and 1991 ADAAG) required valet parking facilities to provide a passenger loading zone but exempted the facilities from providing accessible passenger and van parking spaces. They were also exempted from complying with the increased parking space percentages for outpatient and rehabilitation facilities.

All of these exemptions were removed from the 2012 TAS (and 2010 ADA); therefore, in addition to the passenger loading zone requirements of TAS 209.4 and 503, valet parking facilities must also comply with TAS 208 and TAS 502.

The following excerpt from the “Guidance on the 2010 ADA Standards for Accessible Design” issued by the U.S. Department of Justice ([www.ada.gov](http://www.ada.gov)) addresses the reason for the elimination of the exemptions:

*The provision was eliminated because valet parkers may not have the skills necessary to drive a vehicle that is equipped to be accessible, including use of hand controls, or when a seat is not present to accommodate a driver using a wheelchair.*

This clarification does not constitute a substantive change to the compliance requirements of TAS 208 or 209.4.

## EMPLOYEE WORK AREAS TM 2013-21

Effective Date: October 3, 2013

2012 TAS Reference: 203.9 and 206.2.8

### Approach, Enter, and Exit

Employee work areas are required by TAS 203.9 to be designed and constructed so that individuals with disabilities can approach, enter, and exit the work area.

Based on documentation and information provided by the U.S. Access Board, “**approach, enter, and exit**” means that people using wheelchairs must be able to enter and back out of the space. This applies to all employee work areas except employee work areas that meet the elevation, size, and function requirements identified in TAS 203.9.

Employee work area doors, doorways, and gates, therefore, must comply with TAS 404 except the maneuvering clearance is limited to the “enter” side unless required for egress by TAS 207.1.

### Common Use Circulation Paths

In addition to the approach, enter, and exit requirements of TAS 203.9, employee work areas must also comply with the circulation path requirements of TAS 206.2.8.

Based on TAS 206.2.8, common use circulation paths located within employee work areas must comply with the accessible route requirements of TAS 402 unless the circulation paths meet one of the Exceptions in TAS 206.2.8. The term “**circulation path**” is defined in TAS 106.5.19.

This means that walks, hallways, and other exterior and interior pedestrian routes connecting other work areas, spaces, and elements within employee work areas must now be accessible unless exempted. There are, however, Exceptions for walking surfaces and ramps in TAS 403.5, 405.5, or 405.8.

### Dumpster Enclosures

Dumpster enclosures used exclusively by employees shall be considered employee work areas based on TAS 201.1; therefore, they must comply with TAS 203.9. The common use circulation path to the dumpster enclosure, however, shall not be required to comply with TAS 402 if the employee work area is fully exposed to the weather based on TAS 206.2.8, Exception 3.

## Automotive Work Pits

An accessible route shall not be required to automotive work pits used exclusively by employees if the building or facility meets one of the Exceptions in TAS 206.2.3 based on TAS 201.1(i)(v).

## STORAGE (KITCHENS AND KITCHENETTES) TM 2013-22

Effective Date: October 3, 2013

2012 TAS Reference: 804.5

TAS 804.5 requires at least **50% of the shelf space** in storage facilities to comply with TAS 811 when storage facilities are provided in kitchens and kitchenettes.\*

For purposes of compliance with TAS 804.5, a kitchen or kitchenette is any subject room or space that has fixed or built-in cooking facilities. (See additional information in TM 2012-09.)

Based on input from the U.S. Access Board “**shelf space**” shall be calculated by linear feet and drawers shall be considered shelving for purposes of determining compliance with TAS 804.5.

Counter surfaces shall not be considered shelf space nor used to satisfy the requirements of 804.5.

This clarification does not constitute a substantive change to the compliance requirements of TAS 804.5 nor is it applicable to compliance with the storage requirements of TAS 225.2.

\*See TM 2013-23 for information about the compliance requirements of TAS 225.2 for storage provided in other accessible spaces.

## STORAGE (NOT IN KITCHENS OR KITCHENETTES) TM 2013-23

Effective Date: October 3, 2013

2012 TAS Reference: 225.2

TAS 225.2 requires at least **one of each type** of storage to comply with TAS 811 when storage is provided in all accessible spaces except kitchens and kitchenettes.\*

Based on Advisory 225.2 and input from the U.S. Access Board, “**type**” refers to the design of the element (i.e. closets, cabinets, shelves, clothes rods, hooks, and drawers) as well as the intended use (i.e. coat closets, supply closets).

For purposes of compliance with TAS 225.2, the Department shall consider base and wall cabinets to be the same type of storage if designed the same (i.e. both have doors), used for the same purpose, and located in the same room or space.

It is acceptable, therefore, for all accessible storage to be placed in base cabinets when both base and wall cabinets are provided, however, the lowest shelf of at least one wall cabinet shall comply with TAS 811 when only wall cabinets are provided.

Counter surfaces shall not be considered a type of storage nor be used to satisfy the requirements of TAS 225.2.

This clarification does not constitute a substantive change to the compliance requirements of TAS 225.2 nor is it applicable to compliance with the storage requirements of TAS 804.5 for kitchens and kitchenettes.

\*See TM 2013-22 for information about the compliance requirements of TAS 804.5 for storage provided in kitchens and kitchenettes.

## LOCATION (ACCESSIBLE ROUTES) TM 2014-24

Effective Date: August 15, 2014

2012 TAS Reference: 206.3

In accordance with TAS 206.3, the location of accessible routes must coincide with or be located in the same area as the general circulation path and Advisory 206.3 clarifies that an accessible route must be in the same area as stairs and escalators.

Although the term “*same area*” is not defined in TAS, it shall mean “*not in a different section of space within a building*” based on TAS 106.3 and the definitions from collegiate dictionaries of “*same*” and “*area*” in the sense that the text implies.

For example, if a new circulation path (i.e. stairs) is constructed within a tenant space, an accessible route shall also be located within the tenant space.

In determining whether or not the location of an accessible route would adequately meet the needs of people with disabilities, the Department has taken the following factors into consideration based on TAS 201.1:

- (i) population to be served
- (ii) availability to the user;
- (iii) location relative to distance and time;
- (iv) location relative to isolation and separation;
- (v) function of the building or facility; and
- (vi) equal treatment and opportunity

This clarification does not constitute a substantive change to the compliance requirements of TAS 206.3.

# DOOR AND GATE SURFACES

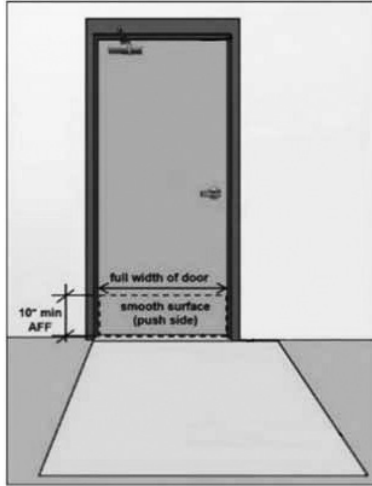
## TM 2017-25

Effective Date: April 1, 2017

2012 TAS Reference: 404.2.10

404.2.10 requires door and gate surfaces within 10 inches (255mm) of the finish floor to have a smooth surface on the push side. This smooth surface must extend the full width of the door or gate. If there are parts creating horizontal or vertical joints in the area required to be smooth, the planes of adjacent surfaces shall be within

1/16 inch (1.6 mm) of each other. If there are cavities created by added kick plates, those cavities shall be capped. A cover (kick) plate must extend the full width of the door surface, including at the door jamb with a smooth transition to any portion that is deeper than 1/16 inch. This standard is applicable to doors and gates on an accessible route. Doors which meet conditions described in this Technical Memorandum will be in compliance with TAS 404.2.10. The illustration depicts the intent of TAS 404.2.10.



The intent of this section is to provide protection for persons with mobility impairments from injury by preventing projections that may catch a cane, crutch, walker, or wheelchair and inhibits passage through the door or gate opening. The smooth surface allows users' mobility aids to pass along the door surface as the user passes through the door or gate.

TAS 404.2.10 also includes Exceptions for (1) sliding doors, (2) tempered glass doors (3) doors and gates which do not extend to within 10 inches of the finish floor, and (4) existing doors.

The Department has determined that a lock, latch or other door hardware in the bottom 10 inches of a door (such as an exposed bottom rod for a panic device, surface latch or door stop) may be deemed to be an employee work area (exempting it from reach range requirements). Whether an employee work area or not, said lock, latch or other door hardware must be flush with the level of the smooth surface of the door unless it is concealed within the door or protected by a compliant cover (kick) plate.

This clarification does not constitute a substantive change to the requirements of TAS 404.2.10.