

# 5 Minutes

**Peter Grojean**, founder of consulting firm Accessibility Unlimited, discusses the 2012 Texas Accessibility Standards (TAS) that take effect in March. ■

BY TRICIA LYNN SILVA

Better access is Peter Grojean's mission. In 1991, the local engineer founded Accessibility Unlimited — an organization that works with public and private businesses and property owners to ensure their compliance with current accessibility standards.

At the federal level, these standards fall under the American with Disabilities Act (ADA), which is enforced by the U.S. Department of Justice. At the state level, however, it is the Texas Department of Licensing and Regulation (TDLR), that oversees what's known as the Texas Accessibility Standards (TAS). Grojean discusses the latest draft of the TAS, which takes effect on March 15, 2012.

**Q** Would you give us some background on the Texas Accessibility Standards (TAS)?

**A** In order to address the needs of disabled Texans, Texas adopted the Architectural Barriers Act in 1969. (Since 1991, this program has been under) the Texas Department of Licensing and Regu-

lation (TDLR). On December 17, 1993, the Texas Commission of Licensing and Regulation adopted the Texas Accessibility Standards (TAS), which applies to subject buildings and facilities constructed or renovated on or after April 1, 1994. On September 23, 1996, the U.S. Department of Justice issued certification that the Texas Accessibility Standards ... meet or exceed the new construction and alterations requirements of Title III of the Americans with Disabilities Act. (ADA).

**Q** Why did Texas opt to create its own accessibility standards program?

**A** Disability groups and others in the Architectural Barriers program had strong feelings that the (ADA Accessibility Guidelines), didn't go quite far enough in some specific areas. For example, the ADAAG allowed buildings that are less than three stories or have less than 3,000 square feet — unless the building is a shopping center or the professional office of a health care provider — to be exempt from the requirement that an elevator be provided. Texas eliminated this exemption.

**Q** Why the need to create the TAS 2012?

**A** On July 26, 2010, President Obama announced the release of (an updated ADAAG). The new standards are based on the revised

minimum guidelines previously established by the Access Board — the federal agency devoted to accessibility for people with disabilities — and

includes provisions for certain types of facilities not previously addressed. Since the federal government had adopted new standards, Texas had to change its standards to both be consistent and to avoid conflicts. Also, the new Federal Standards reflect additional research, consumer input, new technology and industry data which supported changes in specific areas.

**Q** How will the new TAS affect commercial construction costs?

**A** Most of the changes will result in no change, or even lower costs. Also, there are more allowed exceptions, which will result in fewer variances being submitted to TDLR. The changes reflect "real world" conditions. Owners need to make sure that their design professionals are aware that there is a new TAS and have a working knowledge of the changes. If a building permit application will be on or after March 15, 2012, the new TAS will apply.

**Q** What are some of noted changes that will be coming with the new TAS?

**A** There is a new provision which lessens a landlord's responsibility to make building improvements based on improvements to a tenant space. Single occupant toilet rooms will be getting larger. Van accessible parking requirements will be based on ratio of 1 in 6 accessible spaces. Currently, 1 in 8 spaces must comply with van accessible parking requirements. Stairs that serve as a means of egress will be required to comply. When multiple single-user toilet rooms are clustered in a single location, 50 percent, rather than 100 percent, will be required to be accessible.



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