

CHAPTER 35.

[Engrossed House Bill No. 438.]

PUBLIC BUILDINGS—DESIGN FOR USE BY
THE HANDICAPPED AND AGED.

AN ACT relating to new public buildings and those undergoing major remodeling paid for at least in part by public funds; requiring said buildings to adhere to written architectural standards to make them safer for and more usable by the aging and physically handicapped.

Be it enacted by the Legislature of the State of Washington:

Section 1. It is the intent of the legislature that hereafter, and notwithstanding the provisions of any existing law to the contrary, every plan and specification for the erection of any public building by the state or any agency or political subdivision thereof, or plan or specification for any building erected in part through the use of public funds, and to be used by the public, shall make provision for the following:

Public works—
Provisions for
handicapped—
Submission of
plan and
specification.

(1) Access into and within said buildings to accommodate the aging, as well as physically handicapped persons;

(2) Toilet facilities designed for use by the physically handicapped; and

(3) Those facilities specified by the rules and regulations issued in accordance with law by the respective administrative authorities designated in section 6 of this act.

Sec. 2. The standards and specifications set forth in this act shall apply to all buildings and facilities used by the public which are constructed, remodeled or rehabilitated by the use of state, county or municipal funds, in whole or in part, or the funds, in whole or in part, of any subdivision of the state. All such buildings and facilities constructed in this state after the effective date of this act shall conform to

Application
of act.

each of the standards and specifications prescribed herein, excepting in the case of those buildings or facilities for which contracts for the planning or design have been awarded prior to the effective date, and unless the administrative authority determines, after considering all circumstances applying to the building, that full compliance is impracticable. This act shall apply to temporary or emergency construction as well as permanent buildings.

Public works—
provisions for
handicapped—
Rules and reg-
ulations—
Standards—
Waiver.

Sec. 3. The rules and regulations duly promulgated by each respective administrative authority specified in section 6 of this act shall be the minimum standards and specifications required by this act, and shall be in conformity with the most approved methods for providing facilities required by this act. The booklet entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" (U.S. Patent A117.1-1961), approved October 1961, by the American Standards Association, Incorporated, shall be considered and used as far as is practicable in determining such approved methods.

Each administrative authority enumerated in Section 6 of this act shall, as soon as practicable after the effective date of this act, obtain an authentic copy of the standards referred to in the first paragraph hereof and promulgate the necessary rules, regulations and standards to effectuate this act. Such administrative authority shall annually thereafter obtain a new set of such standards including therein any modifications and changes that have been made during the previous year in order to make such revisions as it deems necessary to keep its rules, regulations and standards current. Compliance with such rules, regulations and standards shall be prima facie evidence of compliance with the provisions of this act.

In cases of practical difficulty, unnecessary hardship or extreme differences, the administrative authorities responsible for the enforcement of this act may grant exceptions from the literal requirements of the standard specifications required by this act to permit the use of other methods or materials when in the opinion of the administrative authorities substantial compliance with the provisions of this act will be secured.

Nothing in this act shall be construed to limit the authority or power of any county, city, town or political subdivision of the state to enact and enforce under power and authority given by law, any ordinance, rule or regulation requiring equal, higher or better standards and specifications than those required by this act.

Sec. 4. (1) Existing public buildings undergoing major remodeling or rehabilitation, after the effective date of this act, shall meet the requirements of this act except where the administrative authority determines that the full compliance is impracticable. However, those buildings and facilities for which contracts for the planning or design have been awarded prior to the effective date of this act shall not be required to meet the requirements of this act.

Remodeling or
modification—
Application.

(2) The standards and specifications shall be applicable only to those portions or parts of the building being remodeled or rehabilitated.

Sec. 5. (1) Approval of the administrative authority shall be secured before the awarding of construction contracts for any building covered by this act.

Approval of
administering
authority.

Sec. 6. The responsibility for enforcement of this act shall be as follows:

Responsibility
for enforce-
ment.

(1) Where state school funds are utilized, enforcement responsibility shall vest in the superintendent of public instruction.

(2) Where state funds are utilized, enforcement responsibility shall vest in the state agency having the statutory authority for the design and construction of buildings covered by this act.

(3) Where funds of counties, municipalities or other political subdivisions of the state are utilized, enforcement responsibility shall vest in the respective governing bodies thereof.

Passed the House February 24, 1967.

Passed the Senate March 7, 1967.

Approved by the Governor March 15, 1967.

CHAPTER 36.

[Engrossed House Bill No. 444.]

STATE CANAL COMMISSION—PER DIEM.

AN ACT relating to the state canal commission; and amending section 3, chapter 123, Laws of 1965 extraordinary session and RCW 91.12.030.

Be it enacted by the Legislature of the State of Washington:

RCW 91.12.030 amended.

Section 1. Section 3, chapter 123, Laws of 1965 extraordinary session and RCW 91.12.030 are each amended to read as follows:

State canal commission—
Compensation.

Commission members shall receive a per diem of twenty-five dollars and shall be reimbursed for their necessary travel.

Passed the House March 2, 1967.

Passed the Senate March 7, 1967.

Approved by the Governor March 15, 1967.