

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1270

H. P. 857

House of Representatives, March 1, 1967

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Carswell of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

**AN ACT Requiring Constructed Public Buildings be Made Accessible to the
Physically Handicapped.**

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 25, part 7, additional. Title 25 of the Revised Statutes is amended by adding a new part 7, to read as follows:

PART 7

PUBLIC BUILDINGS

CHAPTER 331

CONSTRUCTION FOR PHYSICALLY HANDICAPPED

§ 2701. Definitions

As used in this chapter:

1. Administrative authority. "Administrative authority" means the state, county or municipal official responsible for the administration and enforcement of this chapter.

2. Building. "Building" means a structure to which the public customarily has access and utilizes and which is constructed, in whole or in part, with funds of the State or its political subdivisions.

3. Physical handicap. "Physical handicap" means an impairment which confines an individual to a wheelchair; or causes an individual to walk with difficulty; or affects the sight or hearing to the extent that an individual functioning in public areas is insecure or exposed to danger; or causes faulty coordination or

reduces mobility, flexibility, coordination and perceptiveness to the extent that special facilities are needed to provide for the safety of that individual.

§ 2702. Standards of construction

Whenever any building as described in this chapter is constructed it shall include the following:

1. Grading. Grading so that the ground shall attain a level with at least one primary entrance;
2. Public walk. At least one public walk to a primary entrance; such walk to be at least 48 inches wide and have a gradient not greater than 5%; and of continuing common surface, not interrupted by steps or abrupt changes in level;
3. Ramp. Where a ramp with gradient greater than 5% is necessary or desired, it shall not have a slope greater than one foot rise in 12 feet, or 8.33% or 4° 50'; and shall have handrails on at least one side, and preferably 2 sides, that are 32 inches in height from the surface of the ramp;
4. Doors. Doors at the primary entrance or entrances at grade level shall have a clear opening of no less than 32 inches when open and shall be operable by a single effort. The floor on the inside and outside of each doorway shall extend at least one foot beyond each side of the door and be level for a distance of at least 5 feet from the closed portion of the door in the direction the door swings. Thresholds shall have beveled edges;
5. Floors. Floors shall be maintained to assure nonslip surfaces; and on any given story shall be of a common level throughout; or be connected by a ramp in accord with subsection 3;
6. Elevators. Elevators, when provided in planning, shall be accessible to and usable by the physically handicapped at all levels used by the general public. They shall allow for wheelchair traffic and have control buttons with identifying features for the blind;
7. Stairs. Stairs that might require use by physically handicapped persons shall have handrails 32 inches high as measured from the tread at the face of the riser. At least one handrail shall extend at least 18 inches beyond the top step and the bottom step; and such extension shall be on the side of a continuing wall. and the bottom step; and such extension shall be on the side of a continuing wall. Steps of stairs shall not have abrupt, square, nosing; and should wherever pos-
8. Toilets. An appropriate number of toilet rooms, in accordance with the nature of a building, shall be accessible to and usable by the physically handicapped;
9. Drinking fountains. An appropriate number of drinking fountains, in accordance with the nature and use of a building, shall be accessible to and usable by the physically handicapped;
10. Telephones. Where public telephones are installed an appropriate number, in accordance with the nature and use of a building, shall be accessible to and usable by the physically handicapped;

11. **Others doors.** Doors that are not intended for normal use, and that are dangerous if a blind person were to enter or exit by them, shall be made identifiable to touch by knurling the handle or knob;

12. **Warning signals.** Warning signals for emergencies should provide audible and visual signals simultaneously for the benefit of those persons with either hearing or sight disabilities.

§ 2703. Administration authority

The responsibility for administering and enforcing this chapter shall be as follows:

1. **State.** Where state funds are used, the Director of Public Improvements; except in respect to elementary and secondary school buildings it shall be the Commissioner of Education;

2. **Counties or municipalities.** Where funds for counties and municipalities are used, except school buildings, the governing bodies thereof;

3. **New buildings.** New buildings constructed after the effective date of this Act shall meet all provisions of this chapter;

4. **Remodeling.** Existing buildings undergoing extensive or major remodeling after the effective date of this Act shall meet the requirements of this chapter;

5. **Conforming standards.** In addition to complying with the standards set forth in this chapter the authority responsible for the construction of any building or facility shall, insofar as feasible in the opinion of the administrative authority, conform with the current standards and specifications approved by the American Standards Association Inc. and known as "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped," Registered U. S. Patent Office No. A 1117-1—1961.