

RULES AND REGULATIONS
REGARDING THE ACCESSIBILITY OF SIDEWALKS
FOR PEOPLE WHO ARE DISABLED

SECTION 1 - AUTHORITY

These Rules and Regulations are promulgated pursuant to 42-13-1, which relate to Powers of the Director of the Department of Transportation, and in accordance with Chapter 42-35, Administrative Procedures of the Rhode Island General Laws of 1956, as amended (RIGL).

SECTION 2 - PURPOSE

The purpose of these Rules and Regulations is to establish standards for the construction and maintenance of sidewalks and curbs which will make sidewalks abutting public highways more easily accessible to people who are disabled. Nothing in these Regulations shall be construed to enlarge the responsibility of the State of Rhode Island regarding the construction and maintenance of sidewalks which is currently set forth in RIGL Chapter 24-5 and Chapter 24-8.

SECTION 3 - ACCESSIBILITY STANDARDS

(A) In addition to the specifications found in RIGL Chapter 24-8, sidewalks and curbs hereinafter constructed or altered in a manner that affects their usability, shall conform to the Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) (28 CFR Part 36, Appendix A) and the State Building Code.

(B) Once constructed, said curbs and sidewalks shall be maintained to the maximum extent feasible by city or town in which they are located in a manner accessible and usable by people who are disabled, including removal of snow, ice or sand. This Section does not prohibit isolated or temporary interruptions in access due to maintenance or repair.

SECTION 4 - VIOLATIONS

A complaint for violation of these Rules and Regulations may be filed with the Governor's Commission on Disabilities in accordance with the provisions set forth in RIGL Section 42-87-5(b).

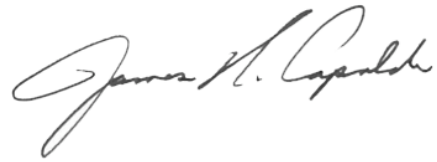
SECTION 5 - SEVERABILITY

If any provision of these rules and regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the rules and regulations which can be given effect, and to this end the provision of these regulations are declared to be severable.

SECTION 6 - APPLICATION

These rules and regulations will take effect twenty (20) days after filing with the Secretary of State.

I hereby certify that the above is a true copy.

A handwritten signature in cursive script, reading "James R. Capaldi".

James R. Capaldi, P.E.
Director

Rev 02/01/04