



DOCKET NUMBER  
PROPOSED RULE

PR

4

(54 FR 9966)

2

## COMMISSION ON THE HANDICAPPED

Old Federal Building • 335 Merchant Street • Room 353 • Honolulu, Hawaii 96813 • Phone 548-7606

April 25, 1989

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

ATTENTION: Docketing and Service Branch

Dear Sir or Madam,

The Commission on the Handicapped would like to comment on the proposed regulation that would amend the regulations issued by the Nuclear Regulatory Commission for enforcement of Section 504 of the Rehabilitation Act of 1973, as amended, in federally assisted programs or activities to include a cross-reference to the Uniform Federal Accessibility Standards (UFAS) in place of the current American National Standards Institute (ANSI) standards.

The Commission is in strong support of this proposed regulation for several reasons. First, some facilities which are subject to the Section 504 regulations of certain agencies for new construction or alteration are required to use ANSI standards. These same facilities are also subject to the Section 504 regulations of other federal agencies which require UFAS and could create confusion as to which standards should be used. Therefore, a government-wide reference to UFAS would eliminate the confusion and will increase the likelihood that architects will be able to design properly to meet the needs of persons with disabilities.

Similarly, if all federal funding agencies referred to UFAS, potential conflicts would be reduced when a building is subject to the Section 504 regulations of more than one federal agency.

Furthermore, UFAS is the higher standard. The ANSI standards provide only the graphics for barrier-free design and do not contain guidelines governing such things as the appropriate number of parking spaces or water closets to be accessible to persons with disabilities. Thus, they afford insufficient direction to architects and public officials in need of accessibility information.

Finally, the State of Hawaii enacted legislation this year which recognizes UFAS as the standards to be followed for the construction of all new state and county government buildings. Thus, the replacement of ANSI with UFAS by federal agencies will lend more consistency to our state and county programs which are also bound by Section 504.

The Commission therefore urges the adoption of the proposed regulation.

Thank you for considering our position.

Sincerely,

Mark T. Obatake

MARK T. OBATAKE *tyo*  
Chairperson

8905050234 890425  
PDR PR  
4 54FR9966 PDR

DOCKET  
MAY -1 P4:19

DS10