

**RULES AND REGULATIONS
REGARDING THE ACCESSIBILITY OF SIDEWALKS
FOR THE PHYSICALLY HANDICAPPED.**

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SECTION 1.0 - AUTHORITY AND PURPOSE

SECTION 1.1 - AUTHORITY

Pursuant to Rhode Island General Laws, (1956), Title 42, Chapter 13, Section 1, the Rhode Island Department of Transportation adopts the following Rules and Regulations to set the standards for making sidewalks more easily accessible to the physically handicapped.

SECTION 1.2 - 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 the physically handicapped. 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 Rhode Island General Laws, Chapter 24-5 and Chapter 24-8.

SECTION 2.0 - ACCESSIBILITY STANDARDS

(A) In addition to the specifications found in Rhode Island General Laws, (1956), 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 building and facility (ADAAG) (Appendix A - 28 CFR, Part 36), said Guidelines having been incorporated into 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 persons with handicaps, including removal of snow, ice or sand. This Section does not prohibit isolated or temporary interruptions in access due to maintenance or repair.

SECTION 3.0 - VIOLATIONS

A complaint for violation of these Rules and Regulations may be filed with the State Building Code Standards Committee in accordance with the provisions set forth in Rhode Island General Laws, Section 42-87-5(b).

SECTION 4.0 - SEVERABILITY

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

SECTION 5.0 - EFFECTIVE DATE

These rules and regulations shall take effect on the 21st day of June, 1995.

I HEREBY CARTIFY THAT THE ABOVE IS A TRUE COPY.

R. I. DEPARTMENT OF TRANSPORTATION

William D. Ankner, Ph.D.
DIRECTOR