

Memorandum

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To: DISTRICT LOCAL ASSISTANCE ENGINEERS
DISTRICTS 01-12

Date: October 25, 2004

From: /s/ Original Signed By
TERRY L. ABBOTT
Chief
Division of Local Assistance

Subject: Notifying Local Agencies of the Advance Notice of Proposed Rulemaking for U.S. Department of Justice's ADA regulations

The Division of Local Assistance is requesting that the District Local Assistance Engineers notify local agencies of the Advance Notice of Proposed Rulemaking for the U.S. Department of Justice's ADA regulations. The deadline to submit comments is January 28, 2005.

The U.S. Department of Justice (DOJ) has published an Advance Notice of Proposed Rulemaking (ANPRM) to begin the process of revising the DOJ's ADA regulations (28 CFR Parts 35-36) to adopt design standards that are consistent with the revised ADA Accessibility Guidelines published by the Architectural and Transportation Barriers Compliance Board (also known as the Access Board) on July 23, 2004. The ADA requires the DOJ to publish regulations that include accessibility standards that are consistent with the Access Board's guidelines. Until the DOJ's rulemaking is complete, the revised ADA Guidelines are effective only as guidance to the DOJ (and to the U.S. Department of Transportation). The revised guidelines have no legal effect on the public.

The ANPRM is the first of three steps in the regulatory process. The ANPRM will be followed by notice of proposed rulemaking (NPRM) and a final rule. The DOJ published the ANPRM to solicit public comment on several issues relating to the potential application of the revised guidelines and to obtain background information needed for the regulatory impact analysis (a report analyzing the economic costs and benefits of a regulatory action) that will accompany the proposed and final rules.

Comments may be submitted electronically to <http://www.adaanprm.org/> or www.regulations.gov or by mail to P.O. Box 1032, Merrifield, VA 22116-1032. All comments will be available to the public online at www.adaanprm.org.

c: Deputy District Directors, Planning
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Division of Local Assistance Area Engineers
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