

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2670

By: Gilbert

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5
6 AS INTRODUCED

7 An Act relating to public buildings and public works;
8 defining certain terms; requiring certain buildings
9 or facilities to have automatic doors; providing
10 responsibilities of lessors and lessees; providing
11 requirements for certain buildings or facilities;
12 providing penalty for violation; requiring
13 municipalities to enact necessary ordinances;
14 providing for codification; and providing an
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 11.1 of Title 61, unless there
19 is created a duplication in numbering, reads as follows:

20 A. For purposes of this section:

21 1. "Alteration" means a change to a building or facility that
22 affects or could affect the usability of the building or facility or
23 part thereof. Alterations include, but are not limited to,
24 remodeling, renovation, rehabilitation, reconstruction, historic
restoration, resurfacing of circulation paths or vehicular ways,
changes or rearrangement of the structural parts or elements, and

1 changes or rearrangement in the plan configuration of walls and
2 full-height partitions. Normal maintenance, reroofing, painting or
3 wallpapering, or changes to mechanical and electrical systems are
4 not alterations unless they affect the usability of the building;

5 2. "Automatic door" means a door equipped with a power-operated
6 mechanism and controls that open and close the door automatically,
7 upon receipt of a momentary actuating signal; and

8 3. "Public use" describes interior or exterior rooms or spaces
9 that are made available to the general public. Public use may be
10 provided at a building or facility that is privately or publicly
11 owned.

12 B. Any person, partnership, corporation, organization, the
13 state, city, town, county, or other subdivision of this state,
14 owning a building or facility that is open to public use shall
15 provide and maintain in an operational condition an automatic door
16 to:

17 1. At least one main entrance to the building;
18 2. All handicapped accessible restrooms; and
19 3. All interior doors leading to portions of the building open
20 to public use.

21 C. Any person, partnership, corporation, organization, the
22 state, city, town, county, or other subdivision of this state, that
23 is a lessor of rental property open to public use shall ensure that
24 all automatic doors are operational prior to leasing. The lessee

1 shall be responsible for maintaining these automatic doors as
2 operational, unless otherwise specified in the rental agreement.
3 The lessor shall expressly specify this responsibility in the rental
4 agreement.

5 D. Beginning November 1, 2008, all new construction or
6 alterations to buildings or facilities:

7 1. Which require a building permit and are open to public use
8 shall provide and maintain an automatic door in accordance with this
9 section;

10 2. Which require a building permit, are open to public use, and
11 are two (2) or more stories shall provide and maintain at least one
12 handicapped accessible restroom with an automatic door on each
13 floor; and

14 3. Which require a building permit, and are open to public use
15 shall follow the requirements set forth by the Oklahoma State Fire
16 Marshal and the most recent publication of the Americans with
17 Disabilities Act Accessibility Guidelines.

18 E. Any person who violates any provision of this section or who
19 tampers with, removes, destroys, disconnects, or removes power from
20 any portion of an automatic door, except in the course of
21 inspection, maintenance or replacement of the automatic door, upon
22 conviction, is guilty of a misdemeanor and may be fined not less
23 than Fifty Dollars (\$50.00) nor more than One Hundred Dollars
24 (\$100.00).

1 F. Municipalities shall enact ordinances necessary to enforce
2 the provisions of this section.

3 SECTION 2. This act shall become effective November 1, 2008.
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