

H. B. 2488

(By Delegates Campbell, Eldridge, Householder, Rodighiero,
Marcum, Ashley and Ellington)

[Introduced January 28, 2015; referred to the
Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-3-5e, relating to requiring the construction of new public buildings and when an entrance of an existing public building is renovated to be compliant with the federal Americans With Disabilities Act by having automatic doors; authorizing rule-making; and defining a term.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §29-3-5e, to read as follows:

ARTICLE 3. FIRE PREVENTION AND CONTROL ACT.

§29-3-5e. Promulgation of rules for public buildings; construction; renovation; automatic doors.

(a) The State Fire Commission shall propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code to ensure the construction of new public buildings and public buildings whose entrances are renovated throughout this state are handicap accessible by

1 the use of automatic doors.

2 (b) The rules shall comply with the standards set forth in the federal Americans With
3 Disabilities Act, including, but not limited to:

4 (1) Door openings must provide at least a thirty-two inch clearance for the user;

5 (2) Doors must be designed so that no more than five pounds of force is required to open or
6 close the door and must take at least three seconds to open and not more than fifteen pounds of force
7 to stop by the user; and

8 (3) An appropriate amount of maneuvering space must be allowed on each side of the door.

9 (c) For the purposes of this section the term "public building" means a building or structure
10 of any nature owned, leased or occupied by this state, a political subdivision of this state or a county
11 board of education.

NOTE: The purpose of this bill is to require the construction of new public buildings and when an entrance to an existing public building is renovated to be compliant with the federal Americans With Disabilities Act by having automatic doors. The bill defines the term "public building" and authorizes rule-making.

This section is new; therefore, it has been completely underscored.