

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 70.—Nondiscrimination on the Basis of Disability by Public Accommodations

21-70-54. Certification of state laws or local building codes.

(a) For purposes of this regulation:

(1) "assistant attorney general" means the assistant attorney general for civil rights, the United States department of justice (DOJ), or his or her designee;

(2) "certification of equivalency" means a final certification by the assistant attorney general that a code meets or exceeds the minimum requirements of title III of the Americans with disabilities act (ADA), 42 U.S.C. 12181, for accessibility and usability of facilities covered by that title; and

(3) "code" means a state law or local building code or similar ordinance, or part thereof, that establishes accessibility requirements.

(b) If the assistant attorney general certifies that a code meets or exceeds the minimum requirements of title III of the ADA at any proceeding under the act, the DOJ certification of equivalency shall be rebuttable evidence that the state law or local ordinance does meet or exceed the minimum requirements of the act for accessibility and usability of facilities covered by the act.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009; effective Dec. 19, 1994.)

***** Authenticated Kansas Administrative Regulation *****