

**ARCHITECTURAL AND
TRANSPORTATION BARRIERS
COMPLIANCE BOARD**

36 CFR Part 1195

[Docket Nos. 2004-1; 2004-2]

RIN 3014-AA11

**Americans With Disabilities Act (ADA)
Accessibility Guidelines for Passenger
Vessels; Large Vessels; Small Vessels**

AGENCY: Architectural and
Transportation Barriers Compliance
Board.

ACTION: Availability of Draft Guidelines;
Advance Notice of Proposed Rule;
Extension of time to file comments.

SUMMARY: The Architectural and
Transportation Barriers Compliance
Board (Access Board) has placed in the
docket and on its website for public
review and comment draft guidelines
which address accessibility to and in
passenger vessels which are permitted
to carry more than 150 passengers or
more than 49 overnight passengers. The
Access Board has also issued an
Advance Notice of Proposed
Rulemaking which addresses newly
constructed or altered passenger vessels
which carry 150 or fewer passengers or
49 or fewer overnight passengers. This
document extends the deadline for
comments on both the draft guidelines
for large vessels and the ANPRM for
small vessels.

DATES: Comments on the draft
guidelines and the ANPRM must be
received by July 28, 2005. Late
comments will be considered to the
extent practicable.

ADDRESSES: Comments should be sent to
the Office of Technical and Information
Services, Architectural and
Transportation Barriers Compliance
Board, 1331 F Street NW., suite 1000,
Washington, DC 20004-1111. E-mail
comments should be sent to
pvag@access-board.gov. Comments sent
by e-mail will be considered only if they
contain the full name and postal address
of the sender in the text. Comments will
be available for inspection at the above
address from 9 a.m. to 5 p.m. on regular
business days.

FOR FURTHER INFORMATION CONTACT: Paul
Beatty, Office of Technical and
Information Services, Architectural and
Transportation Barriers Compliance
Board, 1331 F Street, NW., suite 1000,
Washington DC 20004-1111. Telephone
number (202) 272-0012 (voice); (202)
272-0082 (TTY); Electronic mail
address: pvag@access-board.gov.

SUPPLEMENTARY INFORMATION:

**Notice of Availability of Draft
Guidelines for Large Vessels**

On November 26, 2004, the
Architectural and Transportation
Barriers Compliance Board (Access
Board) issued a notice of availability of
draft guidelines. The draft guidelines
address accessibility to and in passenger
vessels covered by the Americans with
Disabilities Act, which are permitted to
carry more than 150 passengers or more
than 49 overnight passengers. (69 FR
69244; November 26, 2004). The notice
of availability and the draft guidelines
along with supplementary information
have been placed in the rulemaking
docket and on the Board's Web site
(<http://www.access-board.gov/pvaac/nao.htm>). The Board is soliciting
comments on the draft guidelines and
will issue a notice of proposed
rulemaking (NPRM) following a review
of comments received. The notice of
availability provided for a deadline of
March 28, 2005 for comments to be
submitted. This notice extends that
deadline.

**Advance Notice of Proposed
Rulemaking for Small Vessels**

Also on November 26, 2004, the
Access Board published an Advance
Notice of Proposed Rulemaking
(ANPRM) in the **Federal Register**. (69
FR 69245; November 26, 2004). The
ANPRM addresses the development of
accessibility guidelines for newly
constructed or altered passenger vessels
covered by the Americans with
Disabilities Act, which carry 150 or
fewer passengers or 49 or fewer
overnight passengers. The ANPRM is
also on the Board's Web site at <http://www.access-board.gov/pvaac/anprm.htm>. The Board requested
comments on the ANPRM and provided
for a deadline of March 28, 2005. This
notice extends that deadline.

Extension of Time for Filing Comments

The Board held a public hearing on
the draft guidelines for large vessels and
the ANPRM for small vessels on January
10, 2005 in Washington DC. At that time
and since the notice of availability was
issued, the Board has received requests
for an extension of the comment period.
Commenters have requested additional
time to further review the detailed
guidelines and provide in-depth
comments. As a result, the Board has
extended the time for filing comments
by an additional four months. It is also
the Board's intention to hold two
additional public hearings. The
location, date and time of the future
hearings will be announced in a
subsequent **Federal Register** notice and

on the Board's Web site. The Board
believes that the extension of time for
comments and the two additional
hearings will give the public a better
opportunity to provide input on the
Board's draft guidelines.

Regulatory Assessment

The Board has also drafted a plan for
conducting a regulatory assessment of
the passenger vessels guidelines. The
plan provides for evaluating the
potential impacts of the guidelines on
new construction of passenger vessels
through case studies, and outlines some
methods for examining the impacts of
the guidelines on alterations to
passenger vessels. The plan is available
for public review on the Board's Web
site and the Board invites comment on
the plan. (<http://www.access-board.gov/pvaac/assess-plan.htm>).

Department of Transportation

The Department of Transportation
(DOT) is conducting a separate
rulemaking to adopt the Access Board's
guidelines as accessibility standards for
passenger vessels covered by the ADA.
The DOT rulemaking will also address
operational issues related to passenger
vessels. DOT issued a separate Advance
Notice of Proposed Rulemaking
(ANPRM) in the **Federal Register** on
November 26, 2004. (69 FR 69246;
November 26, 2004).

**Availability of Copies and Electronic
Access**

Single copies of the passenger vessels
rulemaking (Availability of Draft
Guidelines, Draft Guidelines and
Supplementary Information, Draft Plan
for Regulatory Assessment, and ANPRM
on Access to and in Small Passenger
Vessels) may be obtained at no cost by
calling the Access Board's automated
publications order line (202) 272-0080,
by pressing 2 on the telephone keypad,
then 1 and requesting publication S-45.
Please record your name, address,
telephone number and publication code
S-45. Persons using a TTY should call
(202) 272-0082. Documents are
available in alternate formats upon
request. Persons who want a publication
in an alternate format should specify the
type of format (cassette tape, Braille,
large print, or ASCII disk). Documents
are also available on the Board's Web
site (<http://www.access-board.gov>).

Lawrence W. Roffee,

*Executive Director, Architectural and
Transportation Barriers Compliance Board.*
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