

## 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](mailto: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](mailto: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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