

## § 1192.1

## 36 CFR Ch. XI (7–1–11 Edition)

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AUTHORITY: 42 U.S.C. 12204.

SOURCE: 56 FR 45558, Sept. 6, 1991, unless otherwise noted.

### Subpart A—General

#### § 1192.1 Purpose.

This part provides minimum guidelines and requirements for accessibility standards to be issued by the Department of Transportation in 49 CFR part 37 for transportation vehicles required to be accessible by the Americans with

Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 *et seq.*).

#### § 1192.2 Equivalent facilitation.

Departures from particular technical and scoping requirements of these guidelines by use of other designs and technologies are permitted where the alternative designs and technologies used will provide substantially equivalent or greater access to and usability of the vehicle. Departures are to be considered on a case-by-case basis by the Department of Transportation under the procedure set forth in 49 CFR 37.7.

#### § 1192.3 Definitions.

*Accessible* means, with respect to vehicles covered by this part, compliance with the provisions of this part.

*Automated guideway transit (AGT) system* means a fixed-guideway transportation system which operates with automated (driverless) individual vehicles or multi-car trains. Service may be on a fixed schedule or in response to a passenger-activated call button. Such systems using small, slow moving vehicles, often operated in airports and amusement parks, are sometimes called *people movers*.

*Bus* means any of several types of self-propelled vehicles, other than an over-the-road bus, generally rubber tired, intended for use on city streets, highways, and busways, including but not limited to minibuses, forty- and thirty-foot transit buses, articulated buses, double-deck buses, and electric powered trolley buses, used to provide designated or specified public transportation services. Self-propelled, rubber tire vehicles designed to look like antique or vintage trolleys or streetcars are considered buses.

*Common wheelchairs and mobility aids* means belonging to a class of three or four wheeled devices, usable indoors, designed for and used by persons with mobility impairments which do not exceed 30 inches in width and 48 inches in length, measured 2 inches above the ground, and do not weigh more than 600 pounds when occupied.

*Commuter rail car* means a rail passenger car obtained by a commuter authority (as defined by 49 CFR 37.3) for use in commuter rail transportation.

*Commuter rail transportation* means short-haul rail passenger service operating in metropolitan and suburban areas, operated by a commuter authority, whether within or across the geographical boundaries of a state, usually characterized by reduced fare, multiple ride, and commutation tickets and by morning and evening peak period operations. This term does not include light or rapid rail transportation.

*Demand responsive system* means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

*Designated public transportation* means transportation provided by a public entity (other than public school transportation) by bus, rail, or other conveyance (other than transportation by aircraft or intercity or commuter rail transportation) that provides the general public with general or special service, including charter service, on a regular and continuing basis.

*Fixed route system* means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule.

*High speed rail* means an intercity-type rail service which operates primarily on a dedicated guideway or track not used, for the most part, by freight, including, but not limited to, trains on welded rail, magnetically levitated (maglev) vehicles on a special guideway, or other advanced technology vehicles, designed to travel at speeds in excess of those possible on other types of railroads.

*Intercity rail passenger car* means a rail car intended for use by revenue passengers obtained by the National Railroad Passenger Corporation (Amtrak) for use in intercity rail transportation.

*Intercity rail transportation* means transportation provided by Amtrak.

*Light rail* means a streetcar-type vehicle railway operated on city streets, semi-private rights-of-way, or exclusive private rights-of-way. Service may be provided by step-entry vehicles or by level-boarding.

*New vehicle* means a vehicle which is offered for sale or lease after manufacture without any prior use.

*Over-the-road bus* means a vehicle characterized by an elevated passenger deck located over a baggage compartment.

*Rapid rail* means a subway-type transit vehicle railway operated on exclusive private rights-of-way with high-level platform stations. Rapid rail may also operate on elevated or at-grade level track separated from other traffic.

*Remanufactured vehicle* means a vehicle which has been structurally restored and has had new or rebuilt major components installed to extend its service life.

*Specified public transportation* means transportation by bus, rail, or any other conveyance (other than aircraft) provided by a private entity to the general public, with general or special service (including charter service) on a regular and continuing basis.

*Tram* means any of several types of motor vehicles consisting of a tractor unit, with or without passenger accommodations, and one or more passenger trailer units, including but not limited to vehicles providing shuttle service to remote parking areas, between hotels and other public accommodations, and between and within amusement parks and other recreation areas.

*Used vehicle* means a vehicle with prior use.

#### § 1192.4 Miscellaneous instructions.

(a) *Dimensional conventions.* Dimensions that are not noted as minimum or maximum are absolute.

(b) *Dimensional tolerances.* All dimensions are subject to conventional engineering tolerances for material properties and field conditions, including normal anticipated wear not exceeding accepted industry-wide standards and practices.