



Welcome!

Accessibility and the ADA: Facility Standards Update

will begin at 2:00 p.m. Eastern Time



Listening to the Webinar



- Online:
 - Please make sure your computer speakers are turned on or your headphones are plugged in
 - Control the audio broadcast via the AUDIO & VIDEO panel
 - If you have sound quality problems, please go through the Audio Wizard by selecting the microphone icon



Listening to the Webinar (cont.)



- To connect by telephone:

1-443-453-0034

Pass Code:
368564

This is **not** a toll-free number



Captioning



- Real-time captioning is provided; open the window by selecting the “cc” icon in the Audio & Video panel
- You can re-size the captioning window, change the font size, and save the transcript



Submitting Questions



- In the webinar:
 - Double-click on “Mid-Atlantic ADA Center” in the Participant List to open a tab in the Chat panel (keyboard: F-6 and arrow up or down to find Mid-Atlantic ADA Center); type your question in the text box and “enter”
 - Your question will be sent to the presenters; other participants will not be able to see it
- E-mail: training@transcen.org



Technical Assistance



- If you experience technical difficulties
 - Use the Chat panel to send a message to the Mid-Atlantic ADA Center
 - E-mail training@transcen.org
 - Call 301-217-0124



Rulemaking



- Access Board develops accessibility guidelines (ADA/ABAAG 2004)
 - Americans with Disabilities Act (ADA)
 - Architectural Barriers Act (ABA)
 - Replace Uniform Federal Accessibility Standards (UFAS)
- Federal agencies adopt Standards *based on* guidelines
 - GSA, USPS, DOD have adopted, HUD pending (ABA)
 - DOT, DOJ have adopted (ADA)

10



One Standard to Rule Them All ...



...well, not really

- Other laws, standards, and codes still apply, *for example*
 - Fair Housing Act
 - Rehabilitation Act
 - (many agencies still use UFAS)
 - State laws and building codes



11



Agency-Specific Provisions



- ADA and ABA standard-setting agencies add unique provisions to guidelines
 - DOT and DOJ have both done so under the ADA
- Project must comply with *all* codes and standards that apply to it



12



DOT's ADA Standards: 2006



- Transportation facilities
 - Regulations add provisions to guidelines, including, for example, requirement for detectable warning surfaces on curb ramps (*unlike* DOJ)



13



DOJ's ADA Standards: 2010



- State and local government facilities (Title II)
 - 28 CFR Part 35
- Public accommodations and commercial facilities (Title III)
 - 28 CFR Part 36



14



DOJ's Added Provisions



- DOJ has added provisions to the guidelines
 - Social Service Center Establishments
 - Housing at Places of Education
 - Assembly Areas
 - Medical Care Facilities
 - Residential Dwelling Units
 - Detention and Correctional Facilities
 - Places of Lodging

15



Maintenance



- DOJ’s regulations clarify that *maintenance* of accessible features may be reduced in accordance with reduction in scoping or technical specifications in new Standards

16



Safe Harbor



- DOJ’s regulations allow “safe harbor” for elements that ***comply with 1991 Standards***
 - New alterations requirements of 2010 Standards will apply if such elements undergo a planned alteration *after* the compliance date



17



Compliance Date: DOJ’s 2010 Standards



- March 15, 2012
 - Triggering event: Title II
 - Start of physical construction
 - Triggering event: Title III
 - Date last application for building permit or permit extension is certified complete by state or local government; or
 - If authority does not certify application completions, date application for permit or permit extension received; or
 - If no permit required, start of physical construction

18





2010 STANDARDS Structure and Format

19



Organization and Numbering System



- Harmonize with model building codes
 - International Code Council (ICC)/International Building Code (IBC)
 - American National Standards Institute (ANSI)

20



Chapters and Sections



- Chapter 1: Application and Administration
 - Section numbers: 100s
- Chapter 2: Scoping
 - Section numbers: 200s
- Chapters 3 – 10: Technical Specifications
 - Section numbers: 300s – 1000s

21



Advisory Information



- **1991:** Located in appendix
- **2010:** Integrated throughout document

22



Italicized Text



- **1991:** Indicates something different from ANSI
- **2010:** Indicates *defined terms*

23



What Does All That Look Like?



203.12 Animal Containment Areas. Animal containment areas that are not for *public use* shall not be required to comply with these requirements or to be on an accessible route.

Advisory 203.12 Animal Containment Areas. Public circulation routes where animals may travel, such as in petting zoos and passageways alongside animal pens in State fairs, are not eligible for the exception.

24



Examples of Reorganization



- 1991: Special Technical Sections
 - Medical Care
 - Transient Lodging
 - Transportation
 - 2010: Chapter 8: Special Rooms, Spaces, and Elements
- ➔
- Business and Mercantile
 - Libraries
- ➔
- GONE!
- But wait ...*

25



Look Around ...



- Find requirements relevant to businesses and libraries in other sections, *for example*
 - Chapter 2: Scoping
 - Depositories, Vending Machines, Change Machines, Mail Boxes, and Fuel Dispensers
 - Chapter 8: Special Rooms, Spaces, and Elements
 - Dressing, Fitting, and Locker Rooms
 - Chapter 9: Built-In Elements
 - Dining Surfaces and Work Surfaces
 - Check-Out Aisles and Sales and Service Counters

26



... and many more

All New



- Many new scoping provisions and technical specifications, *for example*
 - Kitchens and kitchenettes
 - Clothes washers and dryers
 - Courtrooms
 - Jails, prisons
 - Residential facilities
 - Recreational facilities

27





CHAPTER 1:
APPLICATION AND ADMINISTRATION
Highlights

28



Dimensions for Children’s Elements



- Water closets and toilet compartments, related elements (grab bars, toilet paper dispensers)
- Lavatories and sinks
- Drinking fountains
- Dining and work surfaces

29



Conventions



- Tolerances: conventional industry tolerances allowed for construction and manufacturing, **not for design**
 - *No tolerance for “range” dimensions with specific “min./max.” end points*
- Calculation of percentages
 - Round UP for *number* of things
- Figures for illustration only; all requirements in text

30



Existing Buildings



- **1991:** Separate sections
 - Additions
 - Alterations
 - Historic Preservation
- **2010:** One section
 - Existing Buildings and Facilities



34



Combined Alterations



- **1991:** 4.1.6(1)(c) If alterations of single elements, when considered together, amount to an alteration of a room or space in a building or facility, the entire space shall be made accessible.
- **2010:**
GONE!

35



Reducing Access



- 202.3.1 Prohibited Reduction in Access. An *alteration* that decreases or has the effect of decreasing the *accessibility* of a building or facility **below the requirements for new construction** at the time of the *alteration* is prohibited.

36



DOJ's Standards



- Includes regulatory provisions for both Title II and Title III



40



DOJ's Guidance



- Includes additional background published with the regulations
- Includes additional figures illustrating sample designs for single-user toilet rooms and hotel guest rooms



41



Access Board's 2004 Guidelines



- If you use this, check for additional regulatory provisions!



42



Where Is All This?



- Department of Justice
 - www.ada.gov/
- Department of Transportation
 - www.fta.dot.gov/ada
- Access Board
 - <http://www.access-board.gov/>

43



Questions?



44



Contact Us



- **ADA questions**
 - ADA National Network
 - 1-800-949-4232 V/TTY
 - www.adata.org
- **Questions about this presentation**
 - Mid-Atlantic ADA Center
 - 1-800-949-4232 V/TTY (DC, DE, MD, PA, VA, WV)
 - 301-217-0124 local
 - www.adainfo.org

45


