



Accessibility and ADA: Facility Standards Update

Introduction and Overview

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Today's Agenda



- Rulemaking
 - DOJ
 - 2010 regulations
 - Adopt new Standards
 - Add provisions to Standards
 - 2010 Standards
 - Structure and overview
 - Chapter 1: Application
 - Chapter 2: Scoping
- Questions

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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)

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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



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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



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DOT's ADA Standards: 2006



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



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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



DOJ's Added Provisions



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



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



Organization and Numbering System



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

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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

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Advisory Information



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

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Italicized Text



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

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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.

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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 ...*

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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

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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

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Referenced Standards



- Use only specific *editions* referenced (e.g. 2002, 2003)
- Use only to the extent specified in ADA Standards



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CHAPTER 2: SCOPING

Highlights

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What's in Chapter 2?



- 201 Application
- 202 Existing Buildings and Facilities
- 302 General Exceptions
- 204 Protruding Objects
- 205 Operable Parts
- 206 Accessible Routes
- 207 Accessible Means of Egress
- 208 Parking Spaces
- 209 Passenger Loading Zones and Bus Stops
- 210 Stairways
- 211 Drinking Fountains
- 212 Kitchens, Kitchenettes, and sinks
- 213 Toilet Facilities and Bathing Facilities
- 214 Washing Machines and Clothes Dryers
- 215 Fire Alarm Systems
- 216 Signs
- 217 Telephones
- 218 Transportation Facilities
- 219 Assistive Listening Systems
- 220 Automatic Teller Machines and Fare Machines
- 221 Assembly Areas
- 222 Dressing, Fitting, and Locker Rooms
- 223 Medical Care and Long Term Care Facilities
- 224 Transient Lodging Guest Rooms
- 225 Storage
- 226 Dining Surfaces and Work Surfaces
- 227 Sales and Service
- 228 Depositions, Vending Machines, Change Machines, Mail Boxes, and Fuel Dispensers
- 229 Windows
- 230 Two-Way Communication Systems
- 231 Judicial Facilities
- 232 Detention Facilities and Correctional Facilities
- 233 Residential Facilities
- 234 Amusement Rides
- 235 Recreational Boating Facilities
- 236 Exercise Machines and Equipment
- 237 Fishing Piers and Platforms
- 238 Golf Facilities
- 239 Miniature Golf Facilities
- 240 Play Areas
- 241 Saunas and Steam Rooms
- 242 Swimming Pools, Wading Pools, and Spas
- 243 Shooting Facilities with Firing Positions

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Existing Buildings



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



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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!

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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.

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New General Exceptions



- Certain single-occupant structures
 - Accessed by below-grade passage or elevated above curb height (e.g. toll booth)
- Certain common areas in detention and correctional facilities
 - Not serving visitors or accessible cells
- Certain common areas in residential facilities
 - Not serving mobility-accessible dwelling units
- Certain small, elevated employee work areas
 - Other than raised courtroom stations, less than 300 sq. ft. and elevated 7" or more, elevation essential to function

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More General Exceptions



- Raised refereeing, judging, and scoring areas
- Water slides
- Animal containment areas not for public use
- Raised boxing or wrestling rings
- Raised diving boards and diving platforms



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That's Not All!



- There are many more very *specific* exceptions throughout the Standards, found within scoping and technical specifications sections

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DOJ's Standards



- Includes regulatory provisions for both Title II and Title III



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Questions?



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Contact Us



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