



# Welcome!

## Accessibility and the ADA: Facility Standards Update

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

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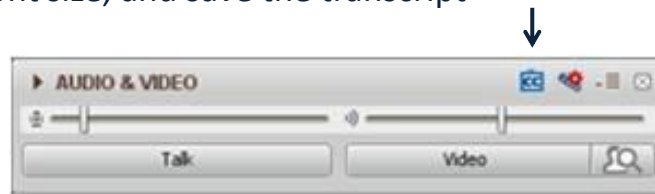
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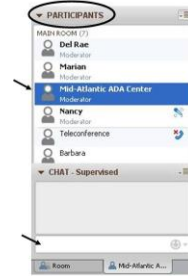
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- In the webinar:
  - Double-click on “Mid-Atlantic ADA Center” in the Participant List to open a tab in the Chat panel (keyboard: F-6 and arrow up or down to find Mid-Atlantic ADA Center); type your question in the text box and “enter”
    - Your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



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- If you experience technical difficulties
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## Archive



- This webinar is being recorded and can be accessed within a few business days
  - Mid-Atlantic ADA Center website:
    - <http://adainfo.org/content/AccessibilityandADAWebinars>

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# Accessibility and the 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, for example, 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



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## 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

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## 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

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## 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



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## 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

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## 2010 STANDARDS

### Structure and Format

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## Organization and Numbering System



- Harmonize 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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## 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

*... and many more*

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## 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

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## CHAPTER 1: APPLICATION AND ADMINISTRATION

### Highlights

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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

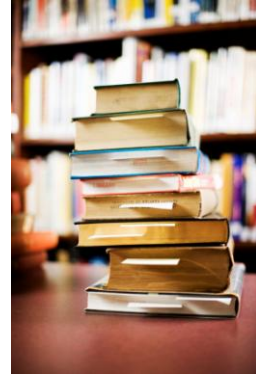
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## Referenced Standards



- 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 Depositories, 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

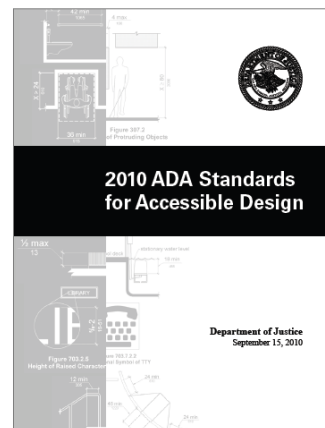
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## DOJ's Standards



- Includes regulatory provisions for both Title II and Title III



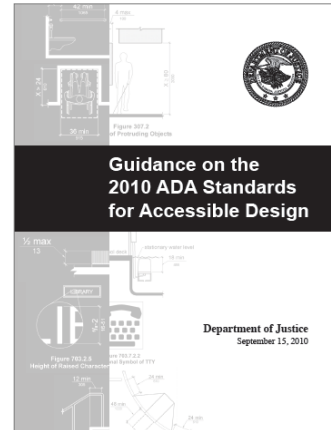
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## DOJ's Guidance



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



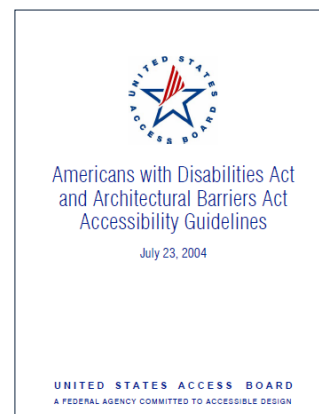
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## Access Board's 2004 Guidelines



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



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## Where Is All This?



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

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## Questions?



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## Contact Us

- **ADA questions**
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