

**ALTERATIONS REQUIREMENTS
PATH OF TRAVEL REQUIREMENT**

The 2004 ADAAG 202.4 Alterations Affecting Primary Function Areas. In addition to the requirements of 202.3, an alteration that affects or could affect the usability of or access to an area containing a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area, including the restrooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities, unless such alterations are disproportionate to the overall alterations in terms of cost and scope as determined under criteria established by the Attorney General. In existing transportation facilities, an area of primary function shall be as defined under regulations published by the Secretary of the Department of Transportation or the Attorney General. EXCEPTION: Residential dwelling units shall not be required to comply with 202.4.

Advisory 202.4 Alterations Affecting Primary Function Areas. An area of a building or facility containing a major activity for which the building or facility is intended is a primary function area. Department of Justice ADA regulations state, "Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area." (28 CFR 36.403 (f)(1)). See also Department of Transportation ADA regulations, which use similar concepts in the context of public sector transportation facilities (49 CFR 37.43 (e)(1)).

There can be multiple areas containing a primary function in a single building. Primary function areas are not limited to public use areas. For example, both a bank lobby and the bank's employee areas such as the teller areas and walk-in safe are primary function areas.

Also, mixed use facilities may include numerous primary function areas for each use. Areas containing a primary function do not include: mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, or restrooms.

"PATH OF TRAVEL" STATEMENT Relating to a project under review for §103-50, HRS		
Project Name: _____		
Dept. Project Number: _____	DCAB Project Number: _____(if applicable)	
<i>The Disability and Communication Access Board, under 103-50 HRS does not review plans for the requirements for an "accessible path of travel" as we do not conduct a financial analysis of the project. However, we are informing all State and county government entities of their obligation to comply with this requirement.</i>		
State and county departments or agencies shall acknowledge their understanding of this obligation prior to receiving a completed final document review by the Board. This acknowledgement may be met by the signature of the Director, or his or her designee, of the State or county department overseeing the project.		
_____ Department/Agency		
_____ Name (Print) of Director, Title	_____ Signature	_____ Date