

Section 103-50 Hawaii Revised Statutes
REPORT OF ACTIVITIES

Relating to Facility Access for Persons with Disabilities
July 1, 2014 through June 30, 2015

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General Overview

Ensuring ‘**facility access**’ through the design and construction of buildings, facilities, and sites that are free of barriers, is vital for the maximum inclusion of persons with disabilities in society. Section 103-50, Hawaii Revised Statutes (HRS) requires all plans and specifications for the construction of public buildings, facilities, and sites to be prepared so that public buildings, facilities, and sites are accessible to and usable by persons with disabilities. The Disability and Communication Access Board’s (DCAB) Standing Committee on Facility Access and Facility Access Unit are responsible for implementing §103-50, HRS.

The Standing Committee on Facility Access is comprised of the following four (4) members of DCAB:

Lance Kaneshiro, Chairperson
Anthony Riecke-Gonzales
Robin Inaba
Michael Okamoto

Activities of this Committee include, but are not limited to:

- Establishing accessibility guidelines for the design of public buildings, facilities, and sites.
- Issuing interpretive opinions to clarify accessibility guidelines.
- Approving site specific alternate designs where an alternate design provides equal or greater access.

The Facility Access Unit is comprised of six (6) staff that are managed by DCAB’s Executive Director.

Francine Wai, Executive Director
Mona Higa, Facility Access Coordinator
Duane Buote, Facility Access Specialist
David Poe, Facility Access Specialist
Nyree Oshiro, Facility Access Specialist (to 8/8/14)
Rodney Kanno, Facility Access Specialist
Eric Isidro, Facility Access Specialist (from 1/7/15)
Laurie Palenske, Facility Access Support Specialist

This Report highlights key facility access accomplishments for the fiscal year July 1, 2014 to June 30, 2015.

FAU Access Unit Activities

Activities of the FAU include, but are not limited to:

- Review of plans of plans and specifications of public buildings, facilities, and sites.
- Research and develop recommendations on requests for Interpretive Opinions.
- Research and develop recommendations on requests for Site Specific Alternate Designs.
- Review master plans of public buildings, facilities, and sites.
- Monitor projects that have not been submitted as required by §103-50, HRS.
- Provide general technical assistance to State and county agencies, design professionals and the general public.
- Conduct and coordinate workshops and training sessions.
- Prepare and distribute editions of DCAB's "Access E-Bulletin."
- Monitor and provide testimony on issues regarding access for persons with disabilities.
- Review, analyze and provide comments on codes, guidelines or standards regarding access for persons with disabilities.
- Staff the Outdoor Developed Areas Accessibility Guidelines (ODAAG) Working Group to develop accessibility guidelines for Outdoor Developed Areas.

Plan Reviews

SECTION 103-50, HAWAII REVISED STATUTES

Plan reviews form the primary core of the work for DCAB's Facility Access Unit. Section 103-50, HRS requires all State and county agencies to seek the advice and recommendation of DCAB prior to commencing with construction to ensure public buildings, facilities, and sites are designed to be accessible by persons with disabilities. Advice and recommendations are provided by means of a comprehensive and technical plan review to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Fair Housing Accessibility Guidelines (FHAG) and DCAB Interpretive Opinions, as adopted and amended by DCAB.

Section 103-50, HRS was amended by Act 45 this legislative session and defines public buildings, facilities, and sites and the infrastructure thereof as: 1) are designed, constructed, purchased or leased with the use of State or county funds or federal funds administered by the State or a county, 2) house State or county programs, services, or activities that are intended to be accessed by the general public, or 3) are places of public accommodation or commercial facilities under the Americans with Disabilities Act, title 28 Code of Federal Regulations part 36, and are constructed on State or county lands, or 4) are constructed on lands that will be transferred to the State or a county upon completion of construction.

DOCUMENT REVIEWS CONDUCTED

The following chart is a compilation of plan reviews completed by the Facility Access Unit for fiscal year 2014-2015 with a comparison to the prior two years.

Fiscal Year	2014-2015	2013-2014	2012-2013
Total Reviews	1178	1084	1012
New Submittals	656	662	555
Resubmittals	522	422	457

The total number of plan reviews conducted in fiscal year 2014-2015 was 1178. The total number of new submittals conducted in fiscal year 2014-2015 was 656. A new submittal is when plans and specifications are first submitted to DCAB for review. The total number of resubmittals conducted in fiscal year 2014-2015 was 522. A resubmittal is when revised plans and specifications are submitted to DCAB for an additional plan review.

Further details on new submittals that were reviewed by the Facility Access Unit in fiscal year 2014-2015 are reflected in Tables 1, 2, and 3.

- Table 1 shows the number of new submittals by department/agency overseeing the project. The State Department of Education submitted the greatest number of projects, followed by the State Department of Transportation and the County of Hawaii, Department of Public Works and City and County of Honolulu, Department of Design and Construction.
- Table 2 shows the number of new submittals by type of facility. Public right-of-way and school projects account for the greatest number of reviews.
- Table 3 shows the number of new submittals by location. Similar to previous fiscal years, the predominant number of document reviews was for facilities located on Oahu.

**Table 1: Facilities Reviewed by Department/Agency (New Submittals)
Fiscal Year 2014-2015**

State of Hawaii

Department of Accounting and General Services	26
Department of Agriculture	17
Department of Business, Economic Development, and Tourism	2
Department of Defense	6
Department of Education	97
Department of Hawaiian Home Lands	16
Department of Human Services	1
Department of Labor and Industrial Relations	2
Department of Land and Natural Resources	18

Department of Transportation	91
Hawaii Community Development Authority	2
Hawaii Health Systems Corporation	5
Hawaii Housing and Finance Development Corporation	4
Hawaii Public Housing Authority	6
Office of Community Services	1
Judiciary	1
University of Hawaii at Manoa and Hilo	21
University of Hawaii, Community Colleges	<u>16</u>
Sub-Total	332

City and County of Honolulu

Board of Water Supply	24
Department of Community Services	11
Department of Design and Construction	69
Department of Environmental Services	5
Department of Parks and Recreation	3
Department of Planning and Permitting	38
Department of Transportation Services	8
Honolulu Authority for Rapid Transportation	1
Office of Prosecuting Attorney	<u>1</u>
Sub-Total	160

County of Maui

Department of Environmental Management, Wastewater	4
Department of Finance	1
Department of Housing and Community Development	2
Department of Human Concerns	1
Department of Management	1
Department of Parks and Recreation	7
Department of Public Works	28
Department of Transportation	1
Department of Water Supply	8
Fire Department	<u>1</u>
Sub-Total	54

County of Hawaii

Department of Parks and Recreation	16
Department of Public Works	72
Department of Water Supply	2
Office of Housing and Community Development	1

Department of Agriculture	<u>1</u>
Sub-Total	92

County of Kauai

Department of Parks and Recreation	2
Department of Public Works	15
Department of Water Supply	1
Sub-Total	<u>18</u>
TOTAL	656

**Table 2: Documents Reviewed by Type of Facility (New Submittals)
Fiscal Year 2014-2015**

Airport Facility	35
Animal Shelter	1
Bus or Mass Transit Terminal/Guideway Station	7
Cemetery/Memorial	2
Community/Cultural Center	8
Correctional Facility	4
Convention Center	1
Court	1
Dike/Dam	4
Film Studio	1
Fire Station	4
General Sitework (i.e., landscape, slope stabilization, etc.)	17
Golf Course/Facility	1
Harbor/Boat/Dock	13
Health Clinic	1
Highway/Tunnel/Bridge	38
Hospital/Medical Care Facility	13
Hotel	5
Housing - Apartment or Condominium – General	18
Housing – Dormitory	1
Housing - Group Home or other Community Care Facility	4
Housing – Residential	1
Infrastructure (i.e., mass grading, sitework, utilities)	7
Laboratory/Research Facility	1
Military	4
Observatory/Facility	6
Office	34
Park/Gym	57
Parking/Maintenance Facility	5

Police Station	7
Restaurant/Cafeteria (Not at a School)	1
Sanitary Landfill	2
School – Auditorium	1
School – Cafeteria	4
School – Classroom	9
School – General	116
School – Gymnasium	1
School - Track and Field	3
School - Vocational or Trade Shop	1
Shopping Complex	2
Stadium or Auditorium (Not at a School)	3
Street/Sidewalk (Public Right-of-Way)	153
Trails/Wilderness/Campsite	2
Warehouse/Storage Facility	5
Wastewater or other Treatment Facility	8
Water Pump Station/Water Piping/Water Main/Wells	<u>44</u>
TOTAL	656

**Table 3: Documents Reviewed by Location of Facility (New Submittals)
Fiscal Year 2014-2015**

Oahu	351
Maui, Molokai & Lanai	103
Kauai	49
Hawaii	<u>153</u>
TOTAL	656

Fee for the Review of Plans and Specifications

Effective January 1, 2013, DCAB initiated a fee for the review of plans and specifications subject to §103-50, HRS. During the period covering this fiscal year, July 1, 2014 - June 30, 2015, DCAB collected \$907,273 under §103-50, HRS from the 656 new submittals reviewed.

Interpretive Opinions

Section 103-50, HRS authorizes DCAB to issue interpretive opinions. An interpretive opinion clarifies an accessibility guideline and is then applicable to projects covered by §103-50, HRS. The Standing Committee on Facility Access ruled on six (6) interpretive opinions in fiscal year 2014-2015, which were subsequently ratified by DCAB.

- DCAB 2011-01: Street Parking AMENDED

- DCAB 2011-03: Outdoor Rinsing Showers AMENDED
- DCAB 2014-03: Operable Windows
- DCAB 2014-04: Accessible Means of Egress
- DCAB 2014-05: Definition of Parking Facilities
- DCAB 2015-01: Accessible Toilet Stall Toe Clearance

Master Plan Reviews and Related Activities

In an effort to provide assistance to the State and counties to ensure that accessibility compliance is acknowledged at the earliest phase of project conceptualization or planning, DCAB staff reviewed and commented on six (6) master plans as follows:

- UH Manoa Signage Master Plan, 2nd submittal
- UH Manoa Shidler Building – Various proposals for accessible routes
- University of Hawaii’s (UH) Lyon Arboretum, Various Health and Safety Improvements
- 803 Waimanu Draft Environmental Assessment
- Kapiolani Residence Draft Environmental Assessment
- Kapolei Mixed-Use Development Draft Environmental Assessment

Monitoring Projects not Submitted to DCAB

DCAB monitors projects that have been published as starting construction or that are in the bid process but have not been submitted for review as required by §103-50, HRS. For the fiscal year 2014-2015 DCAB notified ADA Coordinators or department/agency representatives that two-hundred forty-two (242) of their projects were not submitted for review as required by §103-50, HRS. DCAB received one-hundred thirty (130) responses from the department/agencies regarding the status of their projects and forty-eight (48) projects were subsequently submitted for review.

Policy Guidance

- DCAB requested and received written clarification from the Department of the Attorney General that private projects constructed on State or county lands are covered by §103-50, HRS.
- As a result of the above legal opinion, DCAB initiated Senate Bill 1115, which was passed as Act 45, revising §103-50, HRS. The definition of “public buildings, facilities, and sites” was amended to cover only those private projects that are covered by ADA Title III or that are transferred to the State or counties.

Code Analysis

DCAB conducted the following activities in fiscal year 2014-2015 to harmonize accessibility

codes, guidelines, and standards:

- Reviewed the second public draft of the Proposed Changes to the International Code Council's ANSI A117.1 Standards for Accessible and Usable Buildings and Facilities.
- Monitored progress of the International Code Council's proposed changes to ANSI A117.1 Standards for Accessible and Usable Buildings and Facilities.
- Completed an analysis of Section 1007 of the 2006 International Building Code (IBC), to see if it was equivalent to or more stringent than the 2003 IBC Section 1007 that is referenced in the 2010 ADA Standards for Accessible Design.

Monitoring Accessibility Guidelines

DCAB monitors the development of new or updated accessibility guidelines to further the cause of providing access to and within buildings, facilities, and sites, and to ensure technical assistance is consistent with the latest design guidelines and concepts regarding accessibility.

- Reviewed the Federal Transit Authority's November 2014 Draft ADA Circular for Transportation Facilities.

Design Workshops and Training

The Facility Access Unit conducted and coordinated workshops and training sessions that focused on accessibility guidelines and standards, human factor requirements for persons with disabilities and laws related to accessibility. The following trainings and workshops were conducted or coordinated for various State and county department/agency personnel, the architectural and engineering community, and user groups in fiscal year 2014-2015:

- Planned and hosted a one-day training for two hundred six (206) people on "Access Routes and Accessible Means of Egress" at the Neal Blaisdell Center. Speakers were Scott Windley of the U.S. Access Board and Kimberly Paarlberg of the International Code Council.
- Participated in eleven (11) webinars conducted by the ADA National Network and the U.S. Access Board on the ADA Accessibility Guidelines and the ABA Outdoor Developed Areas Accessibility Guidelines.
- Conducted one (1) 2-hour presentation to AIA Honolulu members on Accessible Residential Design.
- Participated as presenters in three (3) training sessions at the 2015 Department of Transportation Civil Rights Symposium on: 1) Accessible Transportation Facilities, 2) Accessible Public Rights-of-Way, 3) Surveying Facilities for Compliance with the ADA.
- Conducted one (1) all-day training for the County of Kauai on the 2010 ADA Standards on "Providing Access to Public Spaces."

- Conducted one (1) all-day training for the County of Maui on the 2010 ADA Standards on “Providing Access to Public Spaces.”

Outdoor Developed Areas Accessibility Guidelines Working Group

DCAB staffed a Working Group to review the federal Outdoor Developed Areas Accessibility Guidelines and determine whether any portion of the guidelines should be proposed for adoption by the State for projects covered by §103-50, HRS. The Working Group completed its final recommendations that will form the basis for DCAB’s proposed outdoor developed areas accessibility guidelines for projects covered by §103-50, HRS.

Technical Assistance on Design

The Facility Access Unit provides technical assistance to design professionals in both the public and private sectors in order to provide guidance on how to make buildings, facilities, and sites accessible to persons with disabilities. In fiscal year 2014-2015, the Facility Access Unit fielded three-hundred ten (310) requests for technical assistance in areas concerning the design standards for §103-50, HRS, the ADAAG, the FHAG and other accessibility guidelines. Technical assistance was provided through meetings, telephone calls, faxes, and email inquiries.

Significant technical assistance was provided in fiscal year 2014-2015 to:

- City and County of Honolulu, Age-Friendly Cities Outdoor Spaces Working Group
- City and County of Honolulu, Department of Design and Construction regarding accessible drinking fountains at various parks
- City and County of Honolulu, Department of Transportation Services regarding the design of the King Street Bike Path
- City and County of Honolulu, Department of Transportation Services regarding on street parking along the King Street Bike Path
- City and County of Honolulu on preliminary plans for a Homeless Shelter at Sand Island
- Department of Education regarding their Career and Technical Education audits/surveys for Farrington and Ka u High Schools
- Department of Transportation, Airports Division on the Temporary Consolidated Rental Car Facility accessible pick-up area and Public Parking Structure accessible parking
- Department of Transportation on Honolulu International Airport and Kalaeloa Airports
- Hawaii Civil Rights Commission regarding accessibility of their office
- Hawaii Community Development Authority on the design of Micro-Units in Kakaako
- UH Manoa regarding alterations for the Lyon Arboretum trails

Access E-Bulletin

To assist the design profession, the Facility Access Unit prepared and distributed ten (10) “Access E-Bulletins” in fiscal year 2014-2015 to approximately six-hundred forty-six (646) subscribers. The “Access E-Bulletin” includes information on new DCAB Interpretive Opinions, training sessions and webinars, and important issues related to accessibility and facility access.

NONDISCRIMINATION STATEMENT: We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4614 (v/tty) within 180 days of a problem.