DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2012-01 Are electric vehicle (EV) charging stations required to be accessible? If they are required to be accessible, what are the scoping and technical requirements for 'Accessible EV Charging Stations'?**

Summary: While the ADAAG does not contain any specific reference to EV charging stations, the overall premise of the ADAAG is that new and altered buildings, facilities and sites must be accessible and usable by persons with disabilities. In addition, under Title II of the ADA, state and local governments have a "program access" obligation to not discriminate on the basis of a disability. When state and county entities provide EV charging stations, they are offering a program, service or activity and therefore, the program, service or activity is required under the ADA to be accessible to persons with disabilities. Based on the broad nondiscrimination requirement of the ADA, EV charging stations must be accessible to and usable by a person with a disability. These EV charging stations however, must not displace or replace any accessible parking stalls required be ADAAG 208.1.

Where there is not a specific scoping for an element, the Department of Justice requires a reasonable number, 5%, not less than one of each type, to be accessible. The stall size should be consistent with the ADAAG requirement for accessible parking stalls since the size of EV vehicles are the same as non-EV vehicles. ADAAG requires an accessible parking stall to be 96 inches wide minimum and each stall is required to be served by an access aisle that is 60 inches wide minimum. The size of an EV parking stall must also be wide enough to provide an accessible route around the vehicle. The minimum width of an accessible route is 36 inches. Given the size of the vehicle stall, access aisle and accessible route, the minimum size of an EV parking stall would be 192 inches (16 feet), similar to the space required for an accessible van. It is recommended that an access aisle not be marked given that the charging inlet location varies from vehicle to vehicle. These inlet locations can be located on either side or in some cases on the front or rear of a vehicle. By not striping the access aisle and providing a "large stall" that consists of the stall and access aisle combined, allows a vehicle to pull up and park to either side of the parking space to best accommodate the location of the charging inlet on the vehicle.

The EV charging equipment is an operable device that is required to comply with ADAAG 309 Operable Parts. Turning space is necessary at the EV charging equipment to allow someone in a wheelchair to turn around and return to the car with the charging equipment. Similarly, when charging is completed, someone will need to take the charging device back to the charging station, turn around and go back to their vehicle.

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG Section 309 Operable Parts and 502 Parking Spaces

Where EV charging stations are provided, 5%, but not less than one of each type of EV station shall be accessible.

An accessible parking stall at an EV charging station shall be 192 inches wide minimum. The parking stalls at accessible EV charging stations shall comply with ADAAG Section 302; changes in level are not permitted. Slopes within the accessible stalls shall not exceed 1:48 in any direction. Parking spaces shall be designed so that cars, when parked, cannot obstruct the required clear width of adjacent accessible routes.

The EV charging equipment shall comply with ADAAG Section 309 operable parts. Turning space complying with ADAAG 304.3 shall be provided at the EV charging equipment.

An accessible route shall be provided from an accessible EV parking stall to the accessible EV charging equipment. An accessible EV charging station shall connect to an accessible route and shall comply with ADAAG 206.2.2. Accessible routes shall comply with ADAAG Chapter 4.

[Rul: 08/15/12] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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