



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all public buildings, facilities and sites constructed by, or on behalf of the State or any county, shall conform to the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-216, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2012-02 Is a security barrier that is locked in the open position during a facility's hours of operation required to comply with ADAAG section 206.5 and 404?**

Summary: The Merriam Webster's Collegiate Dictionary defines a **'barrier'** as: *"something material that blocks or is intended to block passage"*.

There are doors or gates that are not intended to be operable doors or gates for user passage; these doors or gates are actually barriers preventing access and as such can be defined as a "barrier". Typically they secure an area, facility or building during non-operational hours to prevent or restrict access and thereby close off the pedestrian route to an area, room or space so that there is no longer an accessible route. The ADAAG only requires doors and gates intended for user passage and located on an accessible route to be accessible. Security barriers are not addressed by the ADAAG, and as such are not required to be accessible.

One example of barriers that meet this definition is the barrier sometimes found at a comfort station at a park. A gate secures the entrance to the toilet rooms when the facility is closed. When the facility is open, these security gates or barriers are opened and secured in the open position. The public is not meant to open or operate the gate or barrier. Operation of these security elements will be by park staff only.

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

ADAAG Section 206.5 and 404 Doors, Doorways and Gates.

Security barriers that are locked in the open position during a facility's hours of operation and locked in the closed position when the facility is closed are not required to comply with ADAAG 206.5 and 404.

[Rul: 01/21/2016] (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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