



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all 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 2016-04 Where more than one informational or directional sign provides the same information and is located in the same area, do both signs need to comply with 216.3? Will one compliant sign provide equivalent facilitation?

Summary: There are some informational signs such as “*Fire Extinguisher Inside*” that are mounted over doors and protrude from the wall. Section 703.5.5 requires signs that are mounted between 70 and 120 inches have text that is a minimum of 2 inches high when viewed from less than 180 inches away. This can result in very large signs that protrude farther than intended from the wall over doorways. While not a protruding object, the signs are required to be custom fabricated as the standard signs do not comply with section 703.5.5. Many of these signs and their mounting locations are required by code so they cannot be lowered or moved to another location. Department/agencies and consultants have asked if they could add a second sign with the same information that is mounted below the non-compliant sign as equivalent facilitation. This second sign would comply with the requirements of section 216.3 and 703.

The ADAAG does not provide an exception or discuss redundant signs in section 216. Neither the DOJ nor the Access Board will make a determination if something provides equivalent facilitation. The ADAAG states that the covered entity is responsible to demonstrate equivalent facilitation should a challenge be filed.

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

ADAAG 216.3 Directional and Informational Signs

Where an informational or directional sign is required by an administrative authority in existing buildings or portables with design constraints that preclude the installation of a sign complying with 216.3, a second sign complying with 216.3 that provides the same information and is located in the same general area may be provided.

[Rul: 01/26/17] (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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