

**Section 103-50  
Hawaii Revised Statutes**

# **REPORT OF ACTIVITIES**

**Relating to Facility Access  
for Persons with Disabilities  
July 1, 2019 through June 30, 2020**

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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 (FAU) are responsible for implementing §103-50, HRS.

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

**Marie Kimmey, Chairperson**  
**Ronald Awa**  
**William Bow**  
**Scott Fleming**

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 FAU is comprised of eight staff that are managed by DCAB’s Executive Director.

**Francine Wai, Executive Director (through Oct 2019)**  
**Kirby Shaw, Executive Director (from Nov 2019 to present)**  
**Duane Buote, Facility Access Coordinator**  
**David Poe, Facility Access Specialist II**  
**Rodney Kanno, Facility Access Specialist II**  
**Eric Isidro, Facility Access Specialist II**  
**Alan Tarumoto, Facility Access Specialist II**  
**Glenn Arakaki, Facility Access Specialist II**  
**Laurie Palenske, Facility Access Specialist I**  
**Mylynne Simon, Office Assistant**

*This Report highlights key facility access accomplishments for the fiscal year July 1, 2019 to June 30, 2020.*

# FACILITY ACCESS UNIT ACTIVITIES

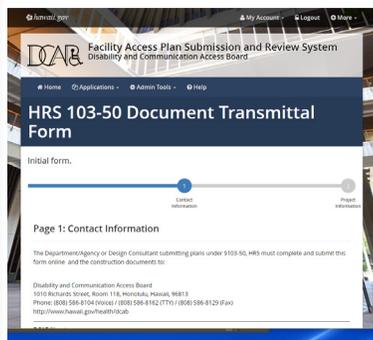
Activities of the FAU include, but are not limited to:

- Review 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 under §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.



## PLAN REVIEWS

### SECTION 103-50, HAWAII REVISED STATUTES



Plan reviews form the primary core of the work for DCAB's FAU. 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 to 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, the Fair Housing Accessibility Guidelines and DCAB Interpretive Opinions, as adopted and amended by DCAB.

Public buildings, facilities, and sites and the infrastructure thereof that: 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.

# PLAN REVIEWS

## DOCUMENT REVIEWS CONDUCTED

The following chart is a compilation of plan reviews completed by the FAU for fiscal year 2019-2020 with a comparison to the prior two years.

<b>Fiscal Year</b>	<b>2019-2020</b>	2018-2019	2017-2018
<b>Total Reviews</b>	<b>1,443</b>	1,086	1,290
<b>New Submittals</b>	<b>676</b>	598	842
<b>Resubmittals</b>	<b>767</b>	488	448

The total number of plan reviews conducted in fiscal year 2019-2020 was 1443. The total number of new submittals conducted in fiscal year 2019-2020 was six hundred seventy-six (676). A new submittal is when plans and specifications are first submitted to DCAB for review.

The total number of resubmittals conducted in fiscal year 2019-2020 was seven hundred sixty-seven (767). 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 FAU in fiscal year 2019-2020 are reflected in Tables 1, 2, and 3.

- Table 1 shows the number of new submittals by department/agency overseeing the project. The State of Hawaii-Department of Education, the State of Hawaii-Department of Transportation, and the City and County of Honolulu-Department of Design and Construction submitted the greatest number of new submittals.
- Table 2 shows the number of new submittals by type of facility. Schools and Streets, Roads, Sidewalks, Malls 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.

## FEE FOR 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, 2019 to June 30, 2020, DCAB collected \$1,197,455.93 under §103-50, HRS, from the 1,443 State and County construction document reviews. It should be noted that resubmittals do not involve a review fee.

**TABLE 1: Facilities Reviewed by Department/Agency (New Submittals)  
Fiscal Year 2019-2020**

<b>State of Hawaii</b>	
Department of Agriculture	3
Department of Accounting and General Services	46
Department of Land and Natural Resources	11
Department of Transportation	76
Department of Defense	1
Department of Education	125
Department of Public Safety	2
Dept of Hawaiian Home Lands	22
Hawaii Health System Corporation (HHSC)	10
Hawaii Public Housing Authority	5
Housing Finance and Development Corporation (HFDC)	11
Housing and Community Development Corp of Hawaii (HCDC)	2
Judiciary	4
Office of Community Services	1
University of Hawaii at Manoa & Hilo	27
University of Hawaii, Community Colleges	30
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<b>Sub-Total</b>	<b>376</b>
<b>City and County of Honolulu</b>	
Board of Water Supply	3
Department of Community Services	3
Department of Environmental Services / Public Lands Development Corporation	15
Department of Design and Construction	71
Department of Facilities Maintenance	3
Department of Planning and Permitting	56
Department of Transportation Services	5
Department of Parks and Recreation	1
Department of Public Works	1
Honolulu Authority for Rapid Transportation	28
Office of Strategic Development	4
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<b>Sub-Total</b>	<b>190</b>
<b>County of Maui</b>	
Community Development Block Grant	1
Department of Management	2
Department of Transportation	2
Department of Water Supply	5
Development Services Administration	5
Department of Parks and Recreation	15
Department of Planning Department	1
Department of Public Works	21
Fire Department	1
Wastewater Reclamation Division	2
	<hr/>
<b>Sub-Total</b>	<b>55</b>
<b>County of Hawaii</b>	
Department of Agriculture	1
Department of Parks and Recreation	17
Department of Public Works	15
Environmental Management, Wastewater	3
Housing and Community Development	5
	<hr/>
<b>Sub-Total</b>	<b>41</b>
<b>County of Kauai</b>	
Department of Housing	1
Department of Parks and Recreation	4
Department of Public Works	9
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<b>Sub-Total</b>	<b>14</b>
<b>TOTAL</b>	<b>676</b>

**TABLE 2: Documents Reviewed by Type of Facility (New Submittals)  
Fiscal Year 2019-2020**

Airport Facility	30
Animal Shelter/Zoo	6
Bus or Mass Transit Terminal/Guideway Station	6
Cemetery/Memorial	1
Civil Defense Facility/Disaster	2
Community/Cultural Center	8
Correctional Facility	7
Court	5
Dikes/Dams	2
Fire Station	6
Firing Range	3
Food Processing	1
General Sitework (i.e. landscape, slope stabilization, stream bank, leachfield)	6
Golf Course/Facility	3
Harbor/Boat/Docks	32
Health Clinic	2
Highways/Tunnels/Bridges	22
Hospital/Medical Care Facility	9
Hotel	1
Housing - Apartments or Condominiums - General	16
Housing - Apts or Condos-Specialized Elderly/Handicapped	3
Housing - Dormitory	2
Housing - Emergency Shelters	4
Housing - Homeless Shelters	4
Housing - Residential	8
Housing - Group Home/or other Community Care Facilities	4
Infrastructure (i.e., mass grading, sitework, utilities)	25
Laboratory	1
Library (not at a school)	9
Military Facility	2
Observatory/Facilities	2
Office	40
Park/Gym	51
Parking/Maintenance Facility	14
Plant Nursery	1
Police Station	8
Post Office	1
Restaurant/Cafeteria (not at a school)	2
Sanitary Landfill	1
School - Cafeteria	5
School - Classroom	46
School - General	96
School - Gymnasium	4
School - Library	5
School - Track and Field/Courts/Playcourt	14
School - Vocational or Trade Shop	2
Shopping Complex/Retail	12
Stadium or Auditorium (not at a school)	4
Streets/Sidewalk/Mall	85
Warehouse/Storage Facility	4
Wastewater or other Treatment Facility	15
Water Pump Station/Water Piping	34
<b>TOTAL</b>	<b>676</b>

**TABLE 3: Documents Reviewed by Location of Facility (New Submittals)  
Fiscal Year 2019-2020**

Oahu	395
Maui, Molokai & Lanai	108
Kauai	36
Hawaii	137
<b>TOTAL</b>	<b>676</b>

# ON-LINE FACILITY ACCESS PLAN SUBMISSION AND REVIEW SYSTEM

- The FAU contracted and worked with Hawaii Information Consortium (HIC) to develop a web-based document review system which uses ehawaii.gov accounts to log into the system. It is titled the “Facility Access Plan Submission and Review System.” The online review system has been in use for over a year and has shown improved efficiency for the document review process.
- The FAU benefits from the online system by combining the three separate processes into one database. The online system is much more efficient, eliminating the need for redundant data entry. Since the new system is a web-based database, the central storage of data makes it easier for staff to find and track data and also eliminates the need for physical storage of project files.
- The FAU uses software that allows the reviewer the ability to take measurements from PDF drawings. Hard copy drawings are no longer required to be submitted for review, which can add up to a substantial cost savings for the submitter.
- The Facility Access Plan Submission and Review System gives submitters the ability to look at all projects they have submitted and check the status of projects or retrieve final review letters. The submitter now has the option to pay the review fee by credit card.

## POLICY GUIDANCE AND MONITORING ACCESSIBILITY GUIDELINES

The FAU monitors and provides DCAB testimony to ensure that applicable codes incorporate or reference the Americans with Disabilities Act Accessibility Guidelines, The Fair Housing Act Accessibility Guidelines, the Hawaii Outdoor Developed Areas Accessibility Guidelines, or other draft interim guidelines of the U.S. Access Board as best practices. DCAB provided testimony as follows:

- Reviewed the proposed adoption of the International Building Code 2012 Edition (2012 IBC) by the City and County of Honolulu. With regard to the Chapter 11 accessibility section, and DCAB found the proposal is consistent with the adoption of the previous version of the IBC used by the Building Department.
- DCAB submitted testimony on SB 2080 in support of installing emergency evacuation chairs in State buildings, but opposed inclusion of the Disability and Communication Access Board as an entity to provide training and informational material, because DCAB does not have the expertise on the use or placement of emergency evacuation chairs. Instead, DCAB recommends having the selected manufacturer of the emergency evacuation chair provide the necessary information and training.
- DCAB submitted testimony in opposition to SB 3103 due to a provision that provided an exemption of Chapter 103, HRS which included DCAB’s plan review process. The exemption was subsequently removed from SB 3103.

# TECHNICAL ASSISTANCE ON DESIGN

The FAU 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 for persons with disabilities. In fiscal year 2019-2020, the FAU fielded three hundred ninety-nine (399) requests for general technical assistance in areas concerning the design standards for §103-50, HRS, the Americans with Disabilities Act Accessibility Guidelines, the Fair Housing Accessibility Guidelines and other accessibility guidelines. Technical assistance was provided through meetings, telephone calls, faxes, and email inquiries.



Significant individualized technical assistance was provided on the following projects:

- Aloha Waikiki Mini Park
- 902 Alder Street Affordable Rental Housing & Juvenile Services Center Shelter
- Sand Island WWTP Maintenance Building, Septage, and Site Improvements (MBSSI)

## MONITOR 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 2019-2020 DCAB notified ADA Coordinators or department/agency representatives that forty-four (44) of their projects were not submitted for review as required by §103-50, HRS. DCAB received forty (40) responses from the department/agencies regarding the status of their projects and twenty-five (25) projects were subsequently submitted for review.

## ACCESS E-BULLETIN

To assist the design profession, the FAU prepared and distributed fifteen (15) "Access E-Bulletins" in fiscal year 2019-2020 to approximately eight hundred fifty-four (854) subscribers. The "Access E-Bulletin" includes information on new DCAB Interpretive Opinions, training sessions and webinars, and important information about accessibility and facility access.



# SITE SPECIFIC ALTERNATE DESIGN (SSAD)

Section 103-50, HRS, authorizes DCAB to rule on Site Specific Alternate Designs. A site specific alternate design departs from particular scoping or technical provisions of the 2004 Americans with Disabilities Act Accessibility Guidelines. The SSAD provides substantially equivalent or greater access for persons with disabilities but only applies to the specific State or County project for which the design was submitted.

- No requests for SSAD were submitted in fiscal year 2019-2020.

## DESIGN SEMINARS AND TRAINING

The FAU coordinated and conducted 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 2019-2020:



### **Conference:**

- The FAU planned the 2020 Disability Access Conference which was scheduled for June 2, 2020. The conference was cancelled due to restrictions related to the COVID-19 pandemic and the Governor's emergency proclamation.

### **Workshop/Trainings:**

- Coordinated and presented eleven (11) training workshops on Basic ADAAG Training intended to prepare individuals with limited knowledge of accessibility requirements to enable the Annual Design Conference to offer sessions on advanced topics (note: Four (4) of the workshops were held on the neighbor islands pre-COVID-19 in an effort to reach out beyond Oahu).

### **U.S. Access Board Webinars:**

- Accessible Transient Lodging
- Accessible Education Facilities
- Accessible Toilet Rooms
- Accessible Bathing Facilities
- Leased Facilities
- Accessible Restaurants and Bars
- Using the ADA & ABA Standards: Chapter 1 - Application and Administration
- Using the ADA & ABA Standards: Chapter 2 Scoping – New Construction
- Using the ADA & ABA Standards: Chapter 2 Scoping – Alterations
- Using the ADA & ABA Standards: Chapter 3 Building Blocks
- Using the ADA & ABA Standards: Chapter 4 Accessible Routes

# INTERPRETIVE OPINION

Section 103-50, HRS, authorizes DCAB to issue interpretive opinions. An Interpretive Opinion clarifies an accessibility guideline, which then becomes applicable to all projects covered by §103-50, HRS. The Standing Committee on Facility Access took action on the following in fiscal year 2019-2020.

## New Interpretive Opinion:

- DCAB 2011-01 Street Parking Amendment

## 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.

- No master plans were submitted for review in FY 2019-2020

DCAB provided letters to offer support in early stages of planning and design for the following projects:

- Waikiki Beach Pavilions
- UH Maui College Emergency Housing
- Sea Life Park Improvements
- Department of Education Job Order Contracting
- Aloha Stadium Redevelopment Plan
- HHFDC Affordable Housing
- Affordable Housing for Abused Persons



Posted four (4) quarterly listings of projects reviewed by the FAU staff on the DCAB website.

