



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129

NOTICE OF MEETING

Disability and Communication Access Board

General Board Meeting

May 19, 2022

11:00 a.m. – 1:00 p.m.

AGENDA

The Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

Public In-Person Meeting Location

Kamamalu Building
1010 Richards Street, Room 118
Honolulu, HI 96813

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:
<https://zoom.us/j/97348078681> and enter Meeting ID: 973 4807 8681

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 973 4807 8681

Public Testimony

Testimony or comments presented by members of the public during Board meetings shall be limited to three minutes per agenda item. In compliance with the Americans with Disabilities Act, a reasonable amount of additional time shall be afforded to persons with a communication disability to present testimony or comments, if needed. Any person who needs additional time to present testimony or comments is encouraged to contact the DCAB office in advance of the meeting. This rule shall be placed at the beginning of all Board meeting agendas.

Members of the public may present comment or testimony during Board meetings on each agenda item. Public comment or testimony, if any, shall be presented on each agenda item before the Board deliberates on the item. After all public comment or testimony is presented, the Board shall deliberate on the agenda item without further comment or

testimony from the public unless further public comment or testimony is requested by the Board.

Written Testimony -To ensure the public as well as its board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one of the methods listed below:

- By email to: dcab@doh.hawaii.gov
- By U.S. Postal Mail:
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street,
Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

AGENDA

- I. Call to Order
Review Remote Meeting Procedures
- II. Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of General Board Meeting Minutes of March 17, 2022
- V. Executive Director's Report
 - Budget
Review of House Bill 1600 HD1 SD1 CD1, Relating to the State Budget
 - Personnel
Update on Planner and ADA Coordinator and Communication Access Specialist Positions
- VI. Committee Reports
 - A. Legislative Committee
Staff report of legislative activities
 - B. Standing Committee on Communication Access
Staff report of two communication access workshops for sign language interpreters held on March 26, 2022, and April 30, 2022
 - C. Standing Committee on Facility Access
Review of Standing Committee on Facility Access meeting on May 2, 2022
 - D. Standing Committee on Parking
Review of Standing Committee on Parking meeting on May 12, 2022

- E. Special Parent Information Network
Report of Special Parent Information Network activities.

VII. Old Business

- A. ADA Coordination – Update
Staff report on numbers of ADA technical assistance.
- B. Federal Communications Commission (FCC) Public Notice, DA 22-160, Consumer and Governmental Affairs Bureau Seeks Comment on the Accessibility of Communications Technologies for the 2022 Biennial Report Required by the Twenty-First Century Communications and Video Accessibility Act – Update

DCAB; in conjunction with the Department of Business, Economic Development and Tourism; and the Department of Health, Office of Planning, Policy, and Program Development; submitted comments to the FCC obtained from an online public survey of individuals with disabilities and a follow-up virtual community forum held on March 26, 2022.

VIII. New Business

- A. U.S. Department of Transportation – Notice of Proposed Rulemaking: Part 2 – To Require Airlines to Ensure That at Least One Lavatory on New Single-Aisle Aircraft with 125 or More Passenger Seats is Large Enough to Permit a Passenger with a Disability (with the Help of an Assistant if Necessary), to Approach, Enter, and Maneuver Within the Aircraft Lavatory, as Necessary, to Use All Lavatory Facilities by Means of the Aircrafts On-board Wheelchair - Staff Summary
- B. Appointment of Members to the Nominating Committee - Officers for FY 2022-2023
- C. Appointment of Committee Chairpersons for FY 2022-2023
- D. Board Meeting Schedule for FY 2022-2023

- IX. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

- X. Next Meeting

- IX. Adjournment

If you require an auxiliary aid or service for disability or other accommodation to participate in the meeting, please contact Cindy Omura at (808) 586-8121 or email, dcab@doh.hawaii.gov. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate formats.

The agenda and meeting materials for this meeting are also made available for inspection at the DCAB's office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on the DCAB website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING May 19, 2022

TOPIC: U.S. Department of Transportation – Notice of Proposed Rulemaking: Part 2 -To Require Airlines to Ensure That at Least One Lavatory on New Single-Aisle Aircraft with 125 or More Passenger Seats is Large Enough to Permit a Passenger with a Disability (with the Help of an Assistant if Necessary), to Approach, Enter, and Maneuver Within the Aircraft Lavatory, as Necessary, to Use All Lavatory Facilities and Leave by Means of the Aircrafts On-board Wheelchair

SUMMARY:

The U.S. Department of Transportation (DOT) issued Part 1 of the Notice of Proposed Rulemaking (NPRM) on January 6, 2020, which proposed various accessibility improvements for lavatories on single aisle aircraft and their on-board wheelchairs (OBW), but did not propose to expand the size of the lavatories. A final rule is expected to be issued shortly and will apply to new single aisle aircraft delivered three years after the final effective date of the rule. DOT is starting the process with Part 2 of the NPRM. Comments are due by May 27, 2022.

ANALYSIS:

Part 2 of the NPRM would require single aisle aircraft with 125 or more passenger seats to have a lavatory large enough to permit a qualified individual with a disability to approach the lavatory, enter, maneuver within as necessary to use all lavatory facilities, and leave by means of the aircraft's OBW. The lavatory would also be of sufficient size to permit an assistant to enter the lavatory along with the passenger to facilitate an assisted transfer between the OBW and the toilet. While the proposed rule does not explicitly state that the lavatory would need to be large enough to accommodate both individuals with the door closed, it does provide that the assisted transfer must take place within a closed space that affords persons using the OBW privacy equivalent to that afforded ambulatory users. The proposed rule would also require the lavatory to have certain accessible interior features. These features would be identical to those the DOT proposed in Part 1 of the NPRM.

Part 2 of the NPRM would apply to covered aircraft that are (1) ordered eighteen years after the effective date of the final rule; (2) delivered twenty years after the effective date of the final rule; or (3) of a new type-certificated design filed with the Federal Aviation Administration or a foreign carrier's aviation safety authority more than one year after the effective date of the final rule.

DOT specifically seeks comment on the costs, benefits, feasibility and compliance timeframes of this proposal.

STAFF RECOMMENDATION:

DCAB should support the proposed regulations but advocate for shorter compliance timelines. The current proposal is estimated to result in one quarter of all qualifying aircraft having accessible lavatories twenty five years after the effective date, one half of all qualifying aircraft having accessible lavatories after thirty years, and all aircraft after forty five years.