

DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

NOTICE OF MEETING

Disability and Communication Access Board

Standing Committee on Facility Access Meeting

March 9, 2023

10:00 a.m. – 11:30 a.m.

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/98175105837>

Meeting ID: 981 7510 5837

To join by phone

Dial 1 253 215 8782 and enter Meeting ID: 981 7510 5837

Public Testimony

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

- A. This meeting is being recorded.
- B. A quorum of Committee members is required to be visible on screen.
- C. Raise hand to speak unless called upon.
- D. Identify yourself before speaking.

II. Introductions

III. Statement from Public and Written Testimonies Submitted

IV. Approval of Meeting Minutes of November 2, 2022

V. New Business

- A. Interpretive Opinion DCAB 2023-01 Towel Bars or Rings at Clear Floor Space



APPLICATION FORM

DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118, Honolulu, HI 96813 V: (808) 586-8121 Fax: (808) 586-8129

Date: March xx, 2023

Applicant Information

Company: Disability and Communication Access Board
 Address: 1010 Richards Street, Room 118
 City: Honolulu State: Hawaii Zip: 96813
 Contact: Rodney Kanno Phone: 808-586-8121
 Title: Facility Access Specialist Fax: 808-586-8129

☐ Site Specific Alternate Design ☒ Interpretive Opinion ☐ Design Specification (choose one):
☒ ADOPTION ☐ AMENDMENT ☐ REPEAL

Guidelines: ADAAG Section(s) 604.3.2 & 608.2

Description: ADAAG 604.3.2 lists specific elements that are permitted to overlap the accessible water closet clearance which includes coat hooks and shelves, ADAAG 607.2 & 608.2 contains no exceptions. Can a towel bar/ring, which serves the same function as a coat hook or shelf be permitted to overlap the water closet clearance? Can a towel bar/ring be permitted to overlap the required bathtub/shower clearance?

Site Specific Alternate Design

Project Title: _____
 Job No.: _____ T.M.K.: _____
 Agency: _____
 Address: _____ County: _____
 Contact: _____ Phone: _____
 Title: _____ Fax: _____

I hereby certify that all statements in this application are true and correct to the best of my knowledge, and I agree and understand that any misstatements of material facts herein may be grounds for *site specific alternate design* denial. I understand that all costs related to the processing of this application for a site specific alternate design by the Disability and Communication Access Board (DCAB), including processing fees, proceeding costs and legal notice publications, will be billed directly to me. In addition, I agree to submit all public notices to the DCAB for review, approval and filing for publication. Further, I understand that all materials filed with or presented to the DCAB will be retained and will be considered public documents under HRS §92F and shall be available for inspection by the public during public hearing as well as after a final decision is made.

Signature: _____ Date: _____

DOCKET NO: DCAB 2023-01

ADAAG 604.3.2 lists specific elements that are permitted to overlap the accessible water closet clearance which includes coat hooks and shelves, ADAAG 607.2 & 608.2 contains no exceptions. Can a towel bar/ring, which serves the same function as a coat hook or shelf be permitted to overlap the water closet clearance? Can a towel bar/ring be permitted to overlap the required bathtub/shower clearance?

BACKGROUND:

In bathrooms/restrooms, lavatories are typically located adjacent to the water closet, and a towel bar/ring is commonly provided between the water closet and the lavatory so the user of the lavatory can easily wipe/dry their hands after washing. Likewise, a towel bar/ring is commonly provided directly outside of a shower so a user can easily wipe/dry themselves after showering. Locating a towel bar/ring adjacent to lavatories and showers provides user convenience and minimizes water accumulation on floors.

ANALYSIS: (For more background information see ATTACHED “Supporting Research”.)

ADA compliant bathrooms have numerous clear floor space requirements at all plumbing fixtures and doors. Unless there is an exception that permits an element to be within the clear floor space, the clear floor space needs to be clear of any obstructions and typically extends upwards to the 80-inch mark. Therefore the installation of toilet accessories can be a challenge. At accessible water closets, the ADAAG 604.3.2 permits specific items to overlap the water closet clearance, Towel bar/rings are not permitted, but coat hooks and shelves are. At accessible bathtub and roll-in showers, (ADAAG 607.2), the exception in ADAAG 608.2.2.1 permits a lavatory to overlap the bathtub or shower clearance. At transfer showers, unfortunately no items are permitted to overlap the clearance.

Since towel bars/rings are typically located directly adjacent to shower and bathing facilities it may be considered detrimental to the use of the element to provide the towel bar/ring in a location further away. Towel bars/rings can also be considered storage elements and provide a similar function to coat hooks and shelves that are permitted in ADAAG 604.3.2 to overlap the water closet clearance.

RECOMMENDED RULING – 2023-01 Towel Bars or Rings at Clear Floor Space

ADAAG Section 604.3.2 Overlap, 607.2 Clearance and 608.2 Size and Clearances for Shower Compartments

Where towel bars/rings are provided, the towel bar/ring shall comply with ADAAG Section 225.2. Towel bars/rings may overlap the required clear floor space at water closets, bathtubs, and showers when ALL the following conditions are met:

- 1) The towel bar/ring protrudes from the face of the wall 4-inches or less.
- 2) The lowest part of the towel bar/ring is no less than 33-inches above the finish floor.
- 3) The towel bar/ring does not protrude into the clearance for any grab bar.

[Ruling: xx/xx/2023] (Auth and Imp: HRS §103-50)

SUPPORTING RESEARCH:

The 2004 ADAAG Chapters 1 through 10 of the Americans with Disabilities Act, Architectural Barriers Act, Accessibility Guidelines, published by the U.S. Access Board, were adopted by DCAB. The guidelines contain scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities. These scoping and technical requirements are to be applied during the design, construction, and alteration of such buildings and facilities.

103 Equivalent Facilitation

Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

The 2004 ADAAG contains “advisory” information that is meant to assist in the use of its ADA/ABA AG. It explains some of the basic considerations for accessible design and clarifies specific ADAAG provisions in an effort to address frequently asked questions. Advisory information is provided in the form of recommendations that are optional and go beyond the minimum required by ADAAG.

Advisory 103 Equivalent Facilitation. The responsibility for demonstrating equivalent facilitation in the event of a challenge rests with the covered entity. With the exception of transit facilities, which are covered by regulations issued by the Department of Transportation, there is no process for certifying that an alternative design provides equivalent facilitation.

2010 ADA Standards:

225 Storage

225.1 General. Storage facilities shall comply with 225.

225.2 Storage. Where storage is provided in accessible spaces, at least one of each type shall comply with 811.

Advisory 225.2 Storage. Types of storage include, but are not limited to, closets, cabinets, shelves, clothes rods, hooks, and drawers. Where provided, at least one of each type of storage must be within the reach ranges specified in 308; however, it is permissible to install additional storage outside the reach ranges.

225.2.1 Lockers. Where lockers are provided, at least 5 percent, but no fewer than one of each type, shall comply with 811.

Advisory 225.2.1 Lockers. Different types of lockers may include full-size and half-size lockers, as well as those specifically designed for storage of various sports equipment.

225.2.2 Self-Service Shelving. Self-service shelves shall be located on an accessible route complying with 402. Self-service shelving shall not be required to comply with 308.

Advisory 225.2.2 Self-Service Shelving. Self-service shelves include, but are not limited to, library, store, or post office shelves.

225.3 Self-Service Storage Facilities. Self-service storage facilities shall provide individual self-service storage spaces complying with these requirements in accordance with Table 225.3.

Table 225.3 Self-Service Storage Facilities	
Total Spaces in Facility	Minimum Number of Spaces Required to be Accessible
1 to 200	5 percent, but no fewer than 1
201 and over	10, plus 2 percent of total number of units over 200

Advisory 225.3 Self-Service Storage Facilities. Although there are no technical requirements that are unique to self-service storage facilities, elements and spaces provided in facilities containing self-service storage spaces

required to comply with these requirements must comply with this document where applicable. For example: the number of storage spaces required to comply with these requirements must provide Accessible Routes complying with Section 206; Accessible Means of Egress complying with Section 207; Parking Spaces complying with Section 208; and, where provided, other public use or common use elements and facilities such as toilet rooms, drinking fountains, and telephones must comply with the applicable requirements of this document.

225.3.1 Dispersion. Individual self-service storage spaces shall be dispersed throughout the various classes of spaces provided. Where more classes of spaces are provided than the number required to be accessible, the number of spaces shall not be required to exceed that required by Table 225.3. Self-service storage spaces complying with Table 225.3 shall not be required to be dispersed among buildings in a multi-building facility.

305 Clear Floor or Ground Space

305.1 General. Clear floor or ground space shall comply with 305.

305.2 Floor or Ground Surfaces. Floor or ground surfaces of a clear floor or ground space shall comply with 302. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

305.3 Size. The clear floor or ground space shall be 30 inches (760 mm) minimum by 48 inches (1220 mm) minimum.

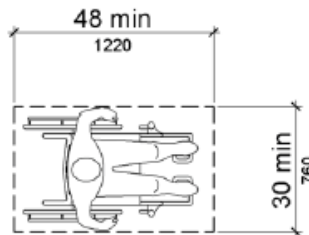


Figure 305.3 Clear Floor or Ground Space

305.4 Knee and Toe Clearance. Unless otherwise specified, clear floor or ground space shall be permitted to include knee and toe clearance complying with 306.

305.5 Position. Unless otherwise specified, clear floor or ground space shall be positioned for either forward or parallel approach to an element.

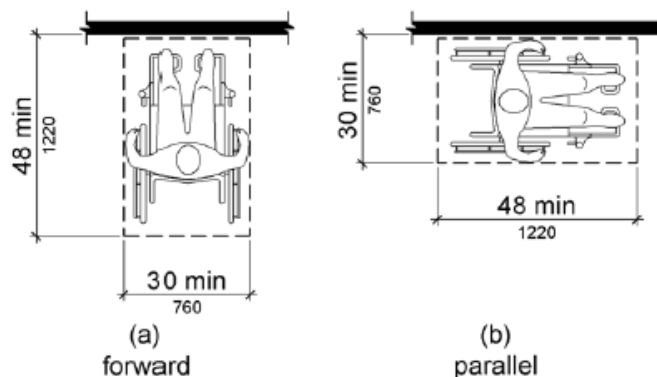


Figure 305.5 Position of Clear Floor or Ground Space

305.6 Approach. One full unobstructed side of the clear floor or ground space shall adjoin an accessible route or adjoin another clear floor or ground space.

305.7 Maneuvering Clearance. Where a clear floor or ground space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearance shall be provided in accordance with 305.7.1 and 305.7.2.

305.7.1 Forward Approach. Alcoves shall be 36 inches (915 mm) wide minimum where the depth exceeds 24 inches (610 mm).

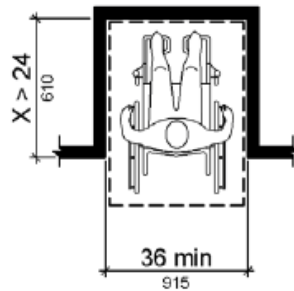


Figure 305.7.1 Maneuvering Clearance in an Alcove, Forward Approach

305.7.2 Parallel Approach. Alcoves shall be 60 inches (1525 mm) wide minimum where the depth exceeds 15 inches (380 mm).

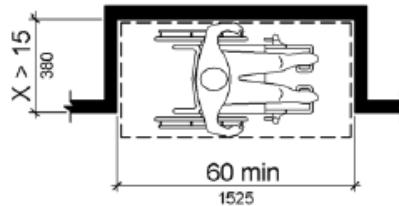


Figure 305.7.2 Maneuvering Clearance in an Alcove, Parallel Approach

306 Knee and Toe Clearance

306.1 General. Where space beneath an element is included as part of clear floor or ground space or turning space, the space shall comply with 306. Additional space shall not be prohibited beneath an element but shall not be considered as part of the clear floor or ground space or turning space.

Advisory 306.1 General. Clearances are measured in relation to the usable clear floor space, not necessarily to the vertical support for an element. When determining clearance under an object for required turning or maneuvering space, care should be taken to ensure the space is clear of any obstructions.

306.2 Toe Clearance.

306.2.1 General. Space under an element between the finish floor or ground and 9 inches (230 mm) above the finish floor or ground shall be considered toe clearance and shall comply with 306.2.

306.2.2 Maximum Depth. Toe clearance shall extend 25 inches (635 mm) maximum under an element.

306.2.3 Minimum Required Depth. Where toe clearance is required at an element as part of a clear floor space, the toe clearance shall extend 17 inches (430 mm) minimum under the element.

306.2.4 Additional Clearance. Space extending greater than 6 inches (150 mm) beyond the available knee clearance at 9 inches (230 mm) above the finish floor or ground shall not be considered toe clearance.

306.2.5 Width. Toe clearance shall be 30 inches (760 mm) wide minimum.

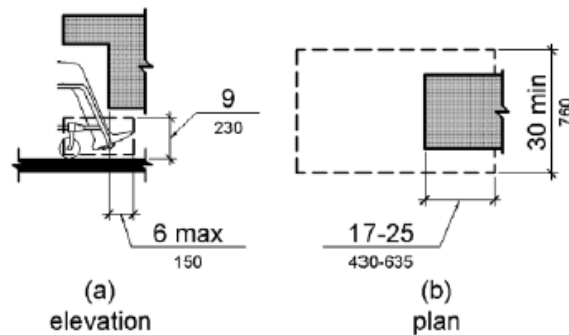


Figure 306.2 Toe Clearance

306.3 Knee Clearance.

306.3.1 General. Space under an element between 9 inches (230 mm) and 27 inches (685 mm) above the finish floor or ground shall be considered knee clearance and shall comply with 306.3.

306.3.2 Maximum Depth. Knee clearance shall extend 25 inches (635 mm) maximum under an element at 9 inches (230 mm) above the finish floor or ground.

306.3.3 Minimum Required Depth. Where knee clearance is required under an element as part of a clear floor space, the knee clearance shall be 11 inches (280 mm) deep minimum at 9 inches (230 mm) above the finish floor or ground, and 8 inches (205 mm) deep minimum at 27 inches (685 mm) above the finish floor or ground.

306.3.4 Clearance Reduction. Between 9 inches (230 mm) and 27 inches (685 mm) above the finish floor or ground, the knee clearance shall be permitted to reduce at a rate of 1 inch (25 mm) in depth for each 6 inches (150 mm) in height.

306.3.5 Width. Knee clearance shall be 30 inches (760 mm) wide minimum.

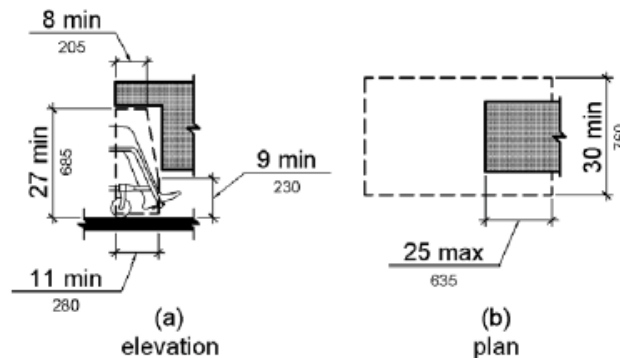


Figure 306.3 Knee Clearance

308 Reach Ranges

308.1 General. Reach ranges shall comply with 308.

Advisory 308.1 General. The following table provides guidance on reach ranges for children according to age where building elements such as coat hooks, lockers, or operable parts are designed for use primarily by children. These dimensions apply to either forward or side reaches. Accessible elements and operable parts designed for adult use or children over age 12 can be located outside these ranges but must be within the adult reach ranges required by 308.

Children's Reach Ranges	
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Forward or Side Reach	Ages 3 and 4	Ages 5 through 8	Ages 9 through 12
High (maximum)	36 in (915 mm)	40 in (1015 mm)	44 in (1120 mm)
Low (minimum)	20 in (510 mm)	18 in (455 mm)	16 in (405 mm)

308.2 Forward Reach.

308.2.1 Unobstructed. Where a forward reach is unobstructed, the high forward reach shall be 48 inches (1220 mm) maximum and the low forward reach shall be 15 inches (380 mm) minimum above the finish floor or ground.

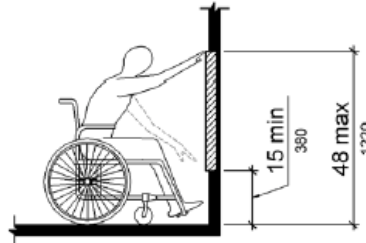


Figure 308.2.1 Unobstructed Forward Reach

308.2.2 Obstructed High Reach. Where a high forward reach is over an obstruction, the clear floor space shall extend beneath the element for a distance not less than the required reach depth over the obstruction. The high forward reach shall be 48 inches (1220 mm) maximum where the reach depth is 20 inches (510 mm) maximum. Where the reach depth exceeds 20 inches (510 mm), the high forward reach shall be 44 inches (1120 mm) maximum and the reach depth shall be 25 inches (635 mm) maximum.

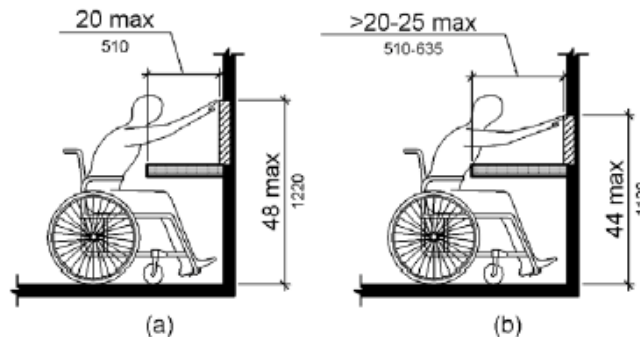


Figure 308.2.2 Obstructed High Forward Reach

308.3 Side Reach.

308.3.1 Unobstructed. Where a clear floor or ground space allows a parallel approach to an element and the side reach is unobstructed, the high side reach shall be 48 inches (1220 mm) maximum and the low side reach shall be 15 inches (380 mm) minimum above the finish floor or ground.

EXCEPTIONS:

1. An obstruction shall be permitted between the clear floor or ground space and the element where the depth of the obstruction is 10 inches (255 mm) maximum.
2. Operable parts of fuel dispensers shall be permitted to be 54 inches (1370 mm) maximum measured from the surface of the vehicular way where fuel dispensers are installed on existing curbs.

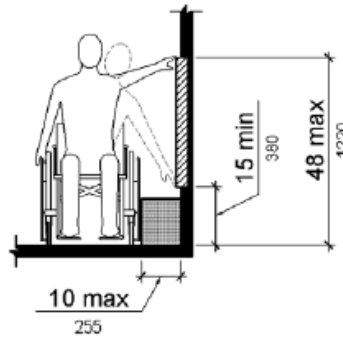


Figure 308.3.1 Unobstructed Side Reach

308.3.2 Obstructed High Reach. Where a clear floor or ground space allows a parallel approach to an element and the high side reach is over an obstruction, the height of the obstruction shall be 34 inches (865 mm) maximum and the depth of the obstruction shall be 24 inches (610 mm) maximum. The high side reach shall be 48 inches (1220 mm) maximum for a reach depth of 10 inches (255 mm) maximum. Where the reach depth exceeds 10 inches (255 mm), the high side reach shall be 46 inches (1170 mm) maximum for a reach depth of 24 inches (610 mm) maximum.

EXCEPTIONS:

1. The top of washing machines and clothes dryers shall be permitted to be 36 inches (915 mm) maximum above the finish floor.
2. Operable parts of fuel dispensers shall be permitted to be 54 inches (1370 mm) maximum measured from the surface of the vehicular way where fuel dispensers are installed on existing curbs.

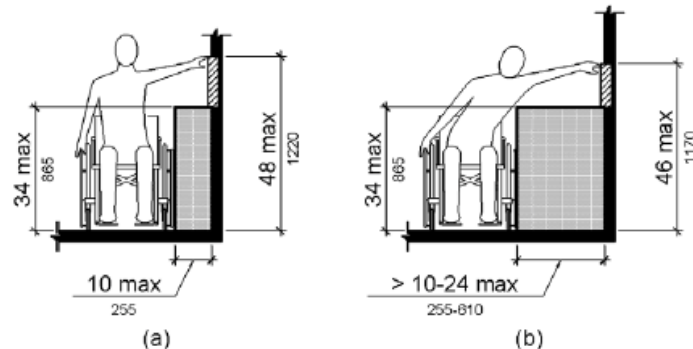


Figure 308.3.2 Obstructed High Side Reach

309 Operable Parts

309.1 General. Operable parts shall comply with 309.

309.2 Clear Floor Space. A clear floor or ground space complying with 305 shall be provided.

309.3 Height. Operable parts shall be placed within one or more of the reach ranges specified in 308.

309.4 Operation. Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum.

EXCEPTION: Gas pump nozzles shall not be required to provide operable parts that have an activating force of 5 pounds (22.2 N) maximum.

604 Water Closets and Toilet Compartments

604.1 General. Water closets and toilet compartments shall comply with 604.2 through 604.8.

EXCEPTION: Water closets and toilet compartments for children's use shall be permitted to comply with 604.9.

604.2 Location. The water closet shall be positioned with a wall or partition to the rear and to one side. The centerline of the water closet shall be 16 inches (405 mm) minimum to 18 inches (455 mm) maximum from the side wall or partition, except that the water closet shall be 17 inches (430 mm) minimum and 19 inches (485 mm) maximum from the side wall or partition in the ambulatory accessible toilet compartment specified in 604.8.2. Water closets shall be arranged for a left-hand or right-hand approach.

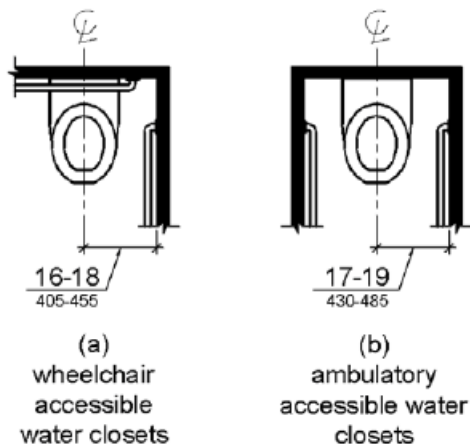


Figure 604.2 Water Closet Location

604.3 Clearance. Clearances around water closets and in toilet compartments shall comply with 604.3.

604.3.1 Size. Clearance around a water closet shall be 60 inches (1525 mm) minimum measured perpendicular from the side wall and 56 inches (1420 mm) minimum measured perpendicular from the rear wall.

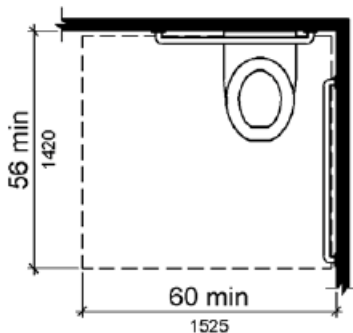


Figure 604.3.1 Size of Clearance at Water Closets

604.3.2 Overlap. The required clearance around the water closet shall be permitted to overlap the water closet, associated grab bars, dispensers, sanitary napkin disposal units, coat hooks, shelves, accessible routes, clear floor space and clearances required at other fixtures, and the turning space. No other fixtures or obstructions shall be located within the required water closet clearance.

EXCEPTION: In residential dwelling units, a lavatory complying with 606 shall be permitted on the rear wall 18 inches (455 mm) minimum from the water closet centerline where the clearance at the water closet is 66 inches (1675 mm) minimum measured perpendicular from the rear wall.

Advisory 604.3.2 Overlap. When the door to the toilet room is placed directly in front of the water closet, the water closet cannot overlap the required maneuvering clearance for the door inside the room.

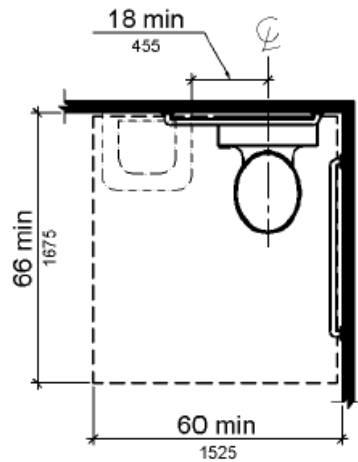


Figure 604.3.2 (Exception) Overlap of Water Closet Clearance in Residential Dwelling Units

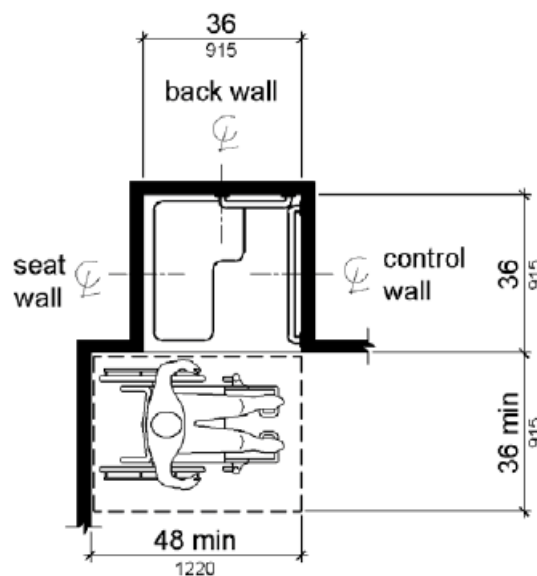
608 Shower Compartments

608.1 General. Shower compartments shall comply with 608.

Advisory 608.1 General. Shower stalls that are 60 inches (1525 mm) wide and have no curb may increase the usability of a bathroom because the shower area provides additional maneuvering space.

608.2 Size and Clearances for Shower Compartments. Shower compartments shall have sizes and clearances complying with 608.2.

608.2.1 Transfer Type Shower Compartments. Transfer type shower compartments shall be 36 inches (915 mm) by 36 inches (915 mm) clear inside dimensions measured at the center points of opposing sides and shall have a 36 inch (915 mm) wide minimum entry on the face of the shower compartment. Clearance of 36 inches (915 mm) wide minimum by 48 inches (1220 mm) long minimum measured from the control wall shall be provided.



Note: inside finished dimensions measured at the center points of opposing sides

Figure 608.2.1 Transfer Type Shower Compartment Size and Clearance

608.2.2 Standard Roll-In Type Shower Compartments. Standard roll-in type shower compartments shall be 30 inches (760 mm) wide minimum by 60 inches (1525 mm) deep minimum clear inside dimensions measured at center points of opposing sides and shall have a 60 inches (1525 mm) wide minimum entry on the face of the shower compartment.

608.2.2.1 Clearance. A 30 inch (760 mm) wide minimum by 60 inch (1525 mm) long minimum clearance shall be provided adjacent to the open face of the shower compartment.

EXCEPTION: A lavatory complying with 606 shall be permitted on one 30 inch (760 mm) wide minimum side of the clearance provided that it is not on the side of the clearance adjacent to the controls or, where provided, not on the side of the clearance adjacent to the shower seat.

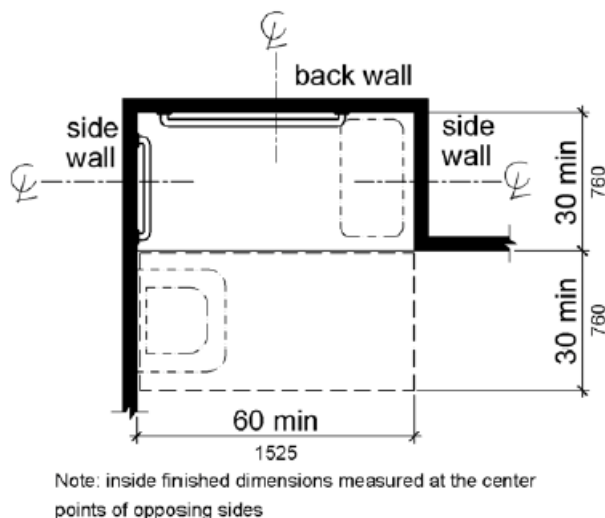


Figure 608.2.2 Standard Roll-In Type Shower Compartment Size and Clearance

608.2.3 Alternate Roll-In Type Shower Compartments. Alternate roll-in type shower compartments shall be 36 inches (915 mm) wide and 60 inches (1525 mm) deep minimum clear inside dimensions measured at center points of opposing sides. A 36 inch (915 mm) wide minimum entry shall be provided at one end of the long side of the compartment.

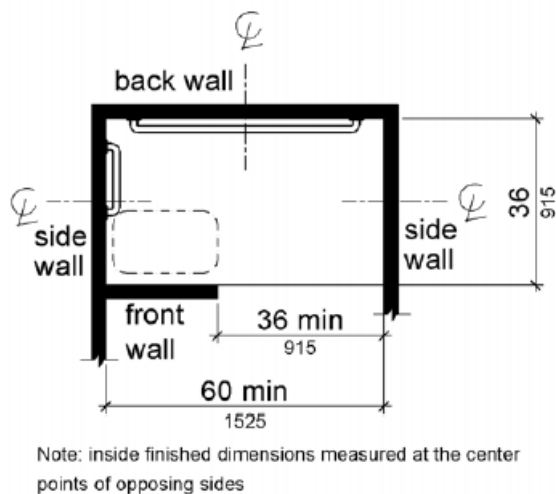


Figure 608.2.3 Alternate Roll-In Type Shower Compartment Size and Clearance

608.3 Grab Bars. Grab bars shall comply with 609 and shall be provided in accordance with 608.3. Where multiple grab bars are used, required horizontal grab bars shall be installed at the same height above the finish floor.
FAU Clarifications:

EXCEPTIONS:

1. Grab bars shall not be required to be installed in a shower located in a bathing facility for a single occupant accessed only through a private office, and not for common use or public use provided that reinforcement has been installed in walls and located so as to permit the installation of grab bars complying with 608.3.
2. In residential dwelling units, grab bars shall not be required to be installed in showers located in bathing facilities provided that reinforcement has been installed in walls and located so as to permit the installation of grab bars complying with 608.3.

608.3.1 Transfer Type Shower Compartments. In transfer type compartments, grab bars shall be provided across the control wall and back wall to a point 18 inches (455 mm) from the control wall.

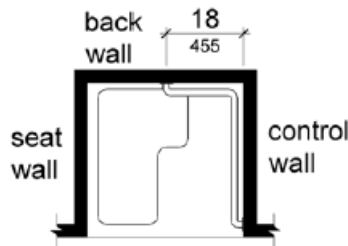


Figure 608.3.1 Grab Bars for Transfer Type Showers

608.3.2 Standard Roll-In Type Shower Compartments. Where a seat is provided in standard roll-in type shower compartments, grab bars shall be provided on the back wall and the side wall opposite the seat. Grab bars shall not be provided above the seat. Where a seat is not provided in standard roll-in type shower compartments, grab bars shall be provided on three walls. Grab bars shall be installed 6 inches (150 mm) maximum from adjacent walls.

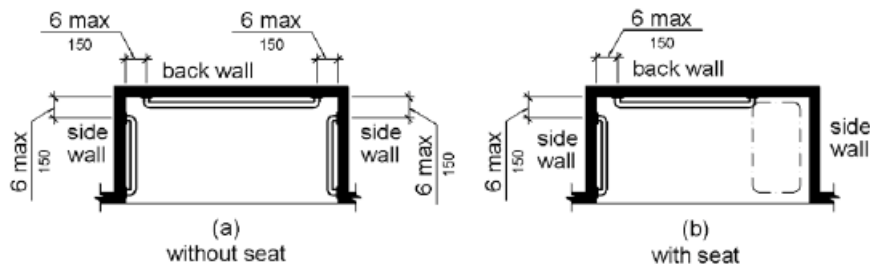


Figure 608.3.2 Grab Bars for Standard Roll-In Type Showers

608.3.3 Alternate Roll-In Type Shower Compartments. In alternate roll-in type shower compartments, grab bars shall be provided on the back wall and the side wall farthest from the compartment entry. Grab bars shall not be provided above the seat. Grab bars shall be installed 6 inches (150 mm) maximum from adjacent walls.

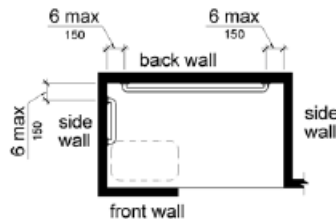


Figure 608.3.3 Grab Bars for Alternate Roll-In Type Showers

608.4 Seats. A folding or non-folding seat shall be provided in transfer type shower compartments. A folding seat shall be provided in roll-in type showers required in transient lodging guest rooms with mobility features complying with 806.2. Seats shall comply with 610.

EXCEPTION: In residential dwelling units, seats shall not be required in transfer type shower compartments provided that reinforcement has been installed in walls so as to permit the installation of seats complying with 608.4.

608.5 Controls. Controls, faucets, and shower spray units shall comply with 309.4.

608.5.1 Transfer Type Shower Compartments. In transfer type shower compartments, the controls, faucets, and shower spray unit shall be installed on the side wall opposite the seat 38 inches (965 mm) minimum and 48 inches (1220 mm) maximum above the shower floor and shall be located on the control wall 15 inches (380 mm) maximum from the centerline of the seat toward the shower opening.

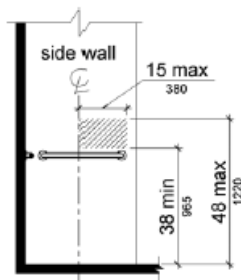


Figure 608.5.1 Transfer Type Shower Compartment Control Location

608.5.2 Standard Roll-In Type Shower Compartments. In standard roll-in type shower compartments, the controls, faucets, and shower spray unit shall be located above the grab bar, but no higher than 48 inches (1220 mm) above the shower floor. Where a seat is provided, the controls, faucets, and shower spray unit shall be installed on the back wall adjacent to the seat wall and shall be located 27 inches (685 mm) maximum from the seat wall.

Advisory 608.5.2 Standard Roll-in Type Shower Compartments. In standard roll-in type showers without seats, the shower head and operable parts can be located on any of the three walls of the shower without adversely affecting accessibility.

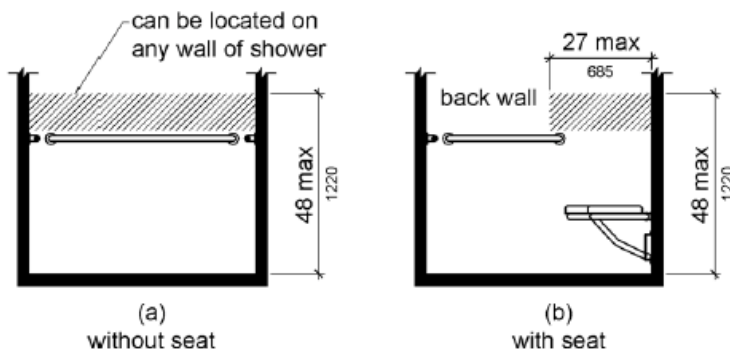


Figure 608.5.2 Standard Roll-In Type Shower Compartment Control Location

608.5.3 Alternate Roll-In Type Shower Compartments. In alternate roll-in type shower compartments, the controls, faucets, and shower spray unit shall be located above the grab bar, but no higher than 48 inches (1220 mm) above the shower floor. Where a seat is provided, the controls, faucets, and shower spray unit shall be located on the side wall adjacent to the seat 27 inches (685 mm) maximum from the side wall behind the seat or shall be located on the back wall opposite the seat 15 inches (380 mm) maximum, left or right, of the centerline of the seat. Where a seat is not provided, the controls, faucets, and shower spray unit shall be installed on the side wall farthest from the compartment entry.

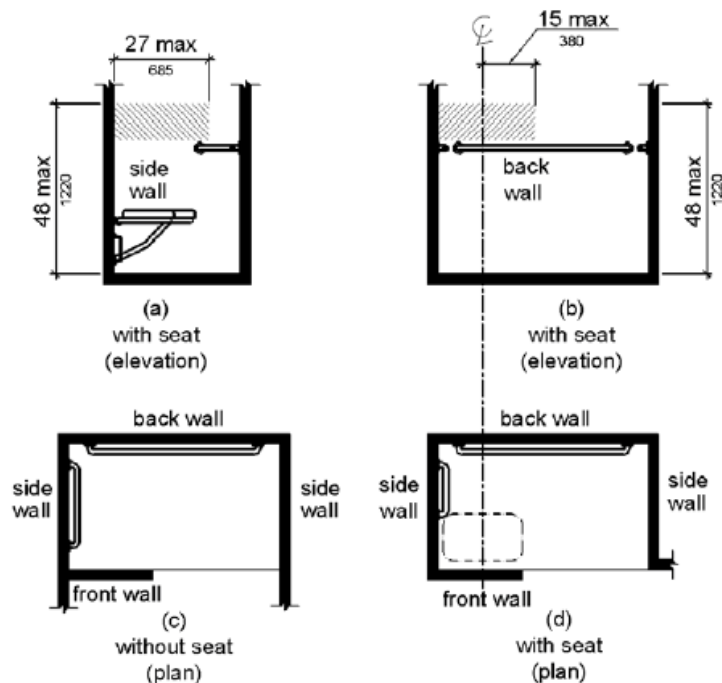


Figure 608.5.3 Alternate Roll-In Type Shower Compartment Control Location

608.6 Shower Spray Unit and Water. A shower spray unit with a hose 59 inches (1500 mm) long minimum that can be used both as a fixed-position shower head and as a hand-held shower shall be provided. The shower spray unit shall have an on/off control with a non-positive shut-off. If an adjustable-height shower head on a vertical bar is used, the bar shall be installed so as not to obstruct the use of grab bars. Shower spray units shall deliver water that is 120°F (49°C) maximum.

EXCEPTION: A fixed shower head located at 48 inches (1220 mm) maximum above the shower finish floor shall be permitted instead of a hand-held spray unit in facilities that are not medical care facilities, long-term care facilities, transient lodging guest rooms, or residential dwelling units.

Advisory 608.6 Shower Spray Unit and Water. Ensure that hand-held shower spray units are capable of delivering water pressure substantially equivalent to fixed shower heads.

608.7 Thresholds. Thresholds in roll-in type shower compartments shall be 1/2 inch (13 mm) high maximum in accordance with 303. In transfer type shower compartments, thresholds 1/2 inch (13 mm) high maximum shall be beveled, rounded, or vertical.

EXCEPTION: A threshold 2 inches (51 mm) high maximum shall be permitted in transfer type shower compartments in existing facilities where provision of a 1/2 inch (13 mm) high threshold would disturb the structural reinforcement of the floor slab.

608.8 Shower Enclosures. Enclosures for shower compartments shall not obstruct controls, faucets, and shower spray units or obstruct transfer from wheelchairs onto shower seats.

811 Storage

811.1 General. Storage shall comply with 811.

811.2 Clear Floor or Ground Space. A clear floor or ground space complying with 305 shall be provided.

811.3 Height. Storage elements shall comply with at least one of the reach ranges specified in 308.

811.4 Operable Parts. Operable parts shall comply with 309.

U.S. Access Board response: 01/31/2023: A towel bar overlapping the water closet clearance would rely on equivalent facilitation (103). It seems reasonable that a towel ring or hook serve a similar form and function, but it still does not technically meet the requirements in 604.3.2.

02/14/2023: Technically nothing is permitted to overlap the minimum clearance required at a roll-in shower – other than an entire sink. Therefore, you should rely on equivalent facilitation that providing a towel bar there provides, “substantially equivalent or greater accessibility and usability” compared to placing a lavatory there.

Department of Justice response: 1/31/2023: Towel bars are not permitted in a water closet clear floor space or a shower clear floor space even though it may provide the same function as a shelf or coat hook (might be equivalent facilitation). The only "bars" that are permitted in a water closet clearance are grab bars.

02/14/2023: Nothing is permitted to be within the minimum clearance at a roll-in shower or transfer shower, as any obstruction could interfere with transferring in/out of a shower. If someone wanted to install a towel bar/ring within the minimum required shower clearance, they would need to prove “substantially or greater accessibility and usability” is provided.

B. Report on plans for upcoming training for spring and 2023 Disability Access Conference.

VI. Open Forum

Public comment on issues not on the agenda, for consideration for Committee agenda at the next meeting.

VII. Announcement of Next Meeting

VIII. Adjournment

If you require an auxiliary aid or service for effective communication or other accommodation to participate in the meeting, please contact Cindy Omura at (808) 586-8121 or email, dcab@doh.hawaii.gov by Friday, March 6, 2023. Requests made as early as possible will allow adequate time to fulfil your request.

Upon request, this notice is available in alternate formats.

The agenda and meeting materials for this meeting is 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/>.



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES

Standing Committee on Facility Access Meeting

Location: Virtual Location Via Zoom
Date: March 9, 2023
Time: 10:00 a.m. – 11:30 a.m.

PRESENT: Marie Kimmey, Chairperson; Ron Awa, Teri Spinola-Campbell, Charlotte Townsend, Michael Nojima, Board Members; Duane Buote, Rodney Kanno, Staff

ABSENT: Scott Fleming, Board Member

- I. Committee Member Charlotte Townsend called the meeting to order at 10:08 a.m. and reviewed the Remote Meeting Procedures. Chairperson Marie Kimmey resolved technical issues and headed the meeting from the approval of meeting minutes.
- II. Staff and Board Members introduced themselves.
- III. No public statements or written testimony were submitted.
- IV. Members approved the meeting minutes of November 2, 2022 (M/S/P Awa/Nojima).
- V. New Business

A. Interpretive Opinion DCAB 2023-01 Towel Bars or Rings at Clear Floor Space

Duane Buote explained to the Committee members that the 2010 ADA Standards for Accessible Design includes allowances for the installation of a lavatory in the clear floor space at a shower or bathtub and various toilet accessories, and for shelves and coat hooks to overlap the toilet clear floor space. Towel bars or rings are not included in the items specified to overlap these clear floor spaces.

Duane Buote indicated that the potential problem is that in many bathing rooms the location of towel bars/rings in accessible bathing facilities could possibly end up being mounted in an undesirable location further away from the shower or bathtub.

The U.S. Access Board and the Department of Justice both indicated that the wording in the standards do not include any exceptions to allow the installation of a towel bar/ring in the clear floor space for accessible toilets, showers, or bathtubs. They also indicated that it is possible that it may be considered substantially equivalent to allow the mounting of a towel bar in the clear floor space.

Duane Buote explained to the Committee members that the staff recommendation would allow the installation of towel bars/rings to overlap the clear floor space at water closets, bathtubs, and showers when certain conditions are met.

Committee members discussed the federal agencies' responses and how to make the determination of equivalency. Duane Buote explained that the staff analysis looked at the other elements that are allowed to overlap the clear floor area and the similarities of those elements to towel bars/rings. Staff also looked at potential obstructions and elements that are allowed to be mounted in the clear floor area, which are clearly not considered obstructions, such as the rear grab bar at the water closet. Staff included conditions in the recommended ruling to help ensure the towel bar/ring would not obstruct the clear floor space.

Motion: The Committee approved the following ruling (M/S/P Awa/Townsend).

RULING – 2023-01 Towel Bars or Rings at Clear Floor Space

ADAAG Section 604.3.2 Overlap, 607.2 Clearance and 608.2 Size and Clearances for Shower Compartments

Where towel bars/rings are provided, the towel bar/ring shall comply with ADAAG Section 225.2. Towel bars/rings may overlap the required clear floor space at water closets, bathtubs, and showers when ALL the following conditions are met:

- 1) The towel bar/ring protrudes from the face of the wall 4-inches or less.
- 2) The lowest part of the towel bar/ring is no less than 33-inches above the finish floor.
- 3) The towel bar/ring does not protrude into the clearance for any grab bar.

[Ruling: 03/09/2023] (Auth and Imp: HRS §103-50)

B. **Report on plans for upcoming training for Spring and 2023 Disability Access Conference.**

Duane Buote informed the Committee members about the Facility Access Unit's Spring training schedule and plans for the 2023 Disability Access Conference.

The Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG) Zoom Training is scheduled for April 25, 2023, from 10:00 a.m. – 11:00 a.m.

The 2023 Disability Access Conference is expected to be held in the last week of June 2023. The sessions will focus on the Fair Housing Act requirements and will feature Rex Pace of the U.S. Department of Housing and Urban Development; Bill Hecker of Hecker Design, LLC – Accessibility Consulting; and John Torkelson of theACCESSpartnership, LP.

VI. **Open Forum**

Committee member Teri Spinola-Campbell asked a question about the best way to get a private business to comply with maintaining accessible features and to not block

accessible elements when they do not appear willing to comply after they are notified. Committee members and staff suggested possible options to pursue.

VII. Announcement of Next Meeting

The next meeting is TBD.

VIII. The meeting adjourned at 10:45 a.m.

Note: All votes were unanimous unless otherwise noted.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Duane Buote", with a stylized flourish at the end.

DUANE BUOTE