



Report of Activities

on

Hawaii Revised Statutes §103-50 Relating to Accessibility for Persons with Disabilities

July 1, 2007 - June 30, 2008

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Governor

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Director of Health

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I. Overview

Hawaii Revised Statutes (HRS) §103-50 states that all plans and specifications for the construction of public buildings, facilities, and sites by the State or any county shall be prepared so that the buildings, facilities, and sites are accessible to and usable by persons with disabilities.

Public buildings, facilities, and sites means buildings, facilities, and sites that 1) are designed, constructed, purchased or leased with the use of State or county funds; 2) house State or county programs, services, or activities that are intended to be accessed by the general public; or 3) buildings, facilities, or sites to be transferred to the State or a county.

HRS §103-50 states that all agencies of the State and counties shall seek the advice and recommendations from the Disability and Communication Access Board (DCAB) on all plans and specifications to ensure access. The design standards to ensure that all buildings, facilities, and sites are accessible to and usable by persons with disabilities are the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the requirements of the Federal Fair Housing Amendments Act. In addition, DCAB has the authority to adopt or develop design guidelines for items not covered in the ADAAG in order to provide greater accessibility for persons with disabilities.

The Facility Access Unit is responsible for implementing HRS §103-50. The purpose of the Facility Access Unit is to:

- 1) Review all construction documents of State and county construction projects, i.e., preliminary and final drawings and specifications, to determine their accessibility and conformance to the ADAAG, and supplementary guidelines and standards established or adopted by DCAB.
- 2) Provide technical assistance to the Standing Committee on Facility Access who issues interpretive opinions on State of Hawaii accessibility design guidelines, as requested, for the purpose of clarifying accessible design requirements for State and county construction projects.
- 3) Provide technical assistance to the Standing Committee on Facility Access who approves through public hearing, site-specific alternate designs that provide an equal or greater degree of accessibility for public buildings, facilities, and sites for persons with disabilities.
- 4) Provide technical review and input in construction planning efforts in the development phase (i.e., urban or project master plans) of projects to ensure that accessibility and compliance with HRS §103-50 is taken into account in the earliest stages of the project.
- 5) Provide technical assistance to State and county departments on how to survey their own sites or a potential site for accessibility.

- 6) Assist State and county departments regarding the design of buildings, facilities, and sites which must be programmatically accessible but do not have technical specifications covered by the HRS §103-50 review process (e.g., recreational facilities, play areas).
- 7) Provide technical information to design professions on the requirements of the ADAAG and other relevant design codes through responding to questions on design via faxes or phone inquiries.
- 8) Conduct or coordinate workshops and training sessions, including DCAB's Disability Access Conference, for 1) public works personnel, 2) the building and design community, and 3) user agencies on design standards, human factor requirements for persons with disabilities, access laws, and exemplary design.
- 9) Prepare a periodic "Access E-Bulletin" to inform design professionals and State and county managers of the latest information on accessibility design standards and guidelines.
- 10) Coordinate DCAB's Accessible Design Awards.
- 11) Provide policy guidelines to State and local government to recommend adherence to proposed or interim amendments to the ADAAG.
- 12) Continue efforts to incorporate accessibility design requirements into all applicable county codes and standards, most specifically the Statewide Model Building Code.
- 13) Conduct a comparative analysis of the revised ADAAG with current guidelines used for the HRS §103-50 review process.

II. Document Reviews as Required Under HRS §103-50

Document reviews of State and county projects form the primary core of the work of the Facility Access Unit staff. The following information is a compilation of document reviews completed by the Facility Access Unit staff for the fiscal years 1998-1999 through 2007-2008.

Fiscal Year	07-08	06-07	05-06	04-05	03-04	02-03	01-02	00-01	99-00	98-99
Total	1,134	1,063	1,193	1,339	1,537	1,285	1,529	1,287	1,045	1,141
Reviews										
Unduplicated	656	634	718	676	828	679	831	768	659	672
Resubmittals	478	429	475	663	709	606	698	519	386	469

The total number of document reviews for FY 2007-2008 was 1,134. This was an increase of approximately 7% when compared to FY 2006-2007. The total number of unduplicated or new submittals for FY 2007-2008 was 656. This was an increase of approximately 3% when compared to FY 2006-2007. The total number of resubmittals for FY 2007-2008 was 478. This was an increase of approximately 11% when compared to FY 2006-2007. The Facility Access Unit was required to work overtime in FY 2007-2008 to address the increase in submittals.

Further details on the unduplicated (656) document reviews for FY 2007-2008 are reflected in Tables 1, 2, and 3.

- Table 1 indicates the number of unduplicated (656) document reviews by the agency overseeing the project. As indicated in Table 1, the State Department of Education (DOE) submitted the greatest number of projects, followed by the State Department of Accounting and General Services (DAGS), and the City and County of Honolulu's Department of Planning and Permitting. The majority of projects submitted by the Counties of Maui, Hawaii, and Kauai were from the Departments of Public Works. The DAGS and City and County of Honolulu Department of Planning and Permitting accounted for the largest increase in unduplicated or new submittals. The DOE accounted for the largest decrease in unduplicated or new submittals, followed by the County of Kauai Department of Public Works.
- Table 2 indicates the number of unduplicated (656) document reviews by type of facility. Public school and public right-of-way projects account for the greatest number of document reviews followed by park projects.
- Table 3 shows the number of the unduplicated (656) document reviews by location or island. The Islands of Maui, Lanai, and Molokai, and Kauai experienced a decrease in the number of unduplicated document reviews during FY 2007-2008 compared to the previous fiscal year. The Island of Kauai experienced the greatest relative decrease in document reviews of approximately 42%. The Islands of Maui, Lanai, and Molokai experienced a relative decrease of approximately 10% in the number of unduplicated document reviews during FY 2007-2008 compared to the previous fiscal year. The Island of Hawaii experienced an increase of approximately 6% and Oahu experienced an increase of approximately 13% in the number of unduplicated document reviews during FY 2007-2008 compared to the previous fiscal year. As expected, the predominant numbers of document reviews were for facilities located on the Island of Oahu.

III. Interpretive Opinions and Site Specific Alternate Designs

Five (5) requests for an interpretive opinion were received, and three (3) interpretive opinions were issued in FY 2007-2008 by the Standing Committee on Facility Access:

- DCAB 2007-01 relating to the height of reception counters.
- DCAB 2008-01 relating to location of the clear floor space of a transfer shower in alterations with pre-existing conditions.
- DCAB 2008-02 relating to the use of engineered wood fiber as an accessible surface and the submittal of an engineered wood fiber maintenance statement.

The "Summary of Interpretive Opinions" was updated to incorporate current interpretive opinions and posted on the DCAB web site.

No site-specific alternate design requests were received in FY 2007-2008.

IV. Training and In-Service Workshops

The Facility Access Unit staff conducted or coordinated the following training and in-service workshops in FY 2007-2008:

- 2007 Disability Access Conference “Design for All” on September 6, 2007. The conference had over 240 attendees who participated in a morning keynote address conducted by Dr. Edward Steinfeld, Professor of Architecture at the New York State University in Buffalo and the Director of the Center for Inclusive Design and Environmental Access, an afternoon message from Governor Linda Lingle and Dr. Chiyome Leinaala Fukino, Director of the Department of Health, an afternoon keynote address conducted by Russ Saito, Comptroller and Director of the Department of Accounting and General Services, and sixteen (16) concurrent workshops conducted by mainland and local speakers.
- An accessibility codes workshop/training for the 2007 Disability Access Conference “Design for All” on September 6, 2007.
- A general ADAAG workshop/training session for the City and County of Honolulu.
- Two (2) public rights-of-way workshops/training sessions for the 2008 American Council of Engineering Companies of Hawaii State Agencies Symposium on February 28, 2008.
- A public rights-of-way and site design workshop/training session for The Limtiaco Consulting Group.
- A housing accessibility workshop for the Building Industry Association’s “Remodel It Right Expo” on August 2 and 3, 2008. Created a “Modify Your Home for Accessibility” fact sheet that was distributed at the workshop.

Thirteen (13) modules on accessible design are being placed into the ADA Curriculum for State and county government entities with the following modules completed: 1) Introduction to the ADAAG, 2) Intermediate ADAAG, and 3) Public Rights-of-Way and Site Design.

V. Technical Assistance on Design

The Facility Access Unit provides consultation and technical assistance to design professionals in both the public and private sector in order to provide guidance on how to make buildings, facilities, and sites accessible to persons with disabilities.

In FY 2007-2008, the Facility Access Unit fielded approximately 1,200 requests for technical assistance in areas concerning the design standards for HRS §103-50, the ADAAG, and the Final Fair Housing Accessibility Guidelines. Technical assistance was provided primarily through responses to fax and telephone inquiries.

The “Access Bulletin” was converted to an electronic format, which is distributed via email. In order to assist the design profession, DCAB completed “Access E-Bulletin” Numbers 1, 2, 3, 4, 5, 6, and 7. The “Access E-Bulletin” includes a summary of recent interpretive opinions and information regarding accessibility issues of importance to the design community and State and county project managers.

VI. Master Plan Reviews and Related Activities

In an effort to provide assistance to agencies in identifying architectural barriers, the Facility Access Unit staff completed the following:

- Reviewed and provided written comment on five (5) master plans to ensure that the overall design concept incorporates accessibility requirements: 1) Draft Environmental Assessment for the proposed Hale Wai Vista Affordable Housing Project in Waianae, 2) Kahului Commercial Harbor 2030 Master Plan and Draft Environmental Impact Statement, 3) Proposed Lahaina Small Boat Harbor Ferry Pier Improvements Draft Environmental Impact Statement, 4) Oahu Metropolitan Plan Organization's FY 2008-2009 Transportation Improvement Program, and 5) Ward Neighborhood Master Plan.
- Participated in Department of Health's meeting on State and Healthy Community Environments and subsequent working group meetings on the Built Environment to provide continuing input on accessible design in the earliest stages of community planning.
- Participated in a Department of Health meeting on the Honolulu Bicycle Master Plan.

VII. Code Review/Analysis and Legislation

In an effort to harmonize accessibility codes, guidelines, and standards and support the design and construction of accessible buildings, facilities, and sites the following activities were conducted in FY 2007-2008:

- Reviewed and analyzed the International Building Code 2006 for the City and County of Honolulu and submitted recommended amendments to the City and County of Honolulu.
- Reviewed and analyzed the International Building Code 2006 and International Residential Code for One- and Two-Family Dwellings 2006 for the City and County of Honolulu and State Building Code Council and submitted recommended amendments to the State Building Code Council.
- Reviewed and analyzed the International Code Council/American National Standards Institute A117.1-2008 First Public Comment Draft and Second Public Comment Draft and submitted comments to the International Code Council.
- Conducted an analysis of the U.S. Access Board's Notice of Proposed Rulemaking for the Architectural Barriers Act Accessibility Guidelines for Outdoor Developed Areas dated June 20, 2007 and send comments to the U.S. Access Board.
- Conducted an analysis and prepared DCAB testimony on two (2) code/zoning/access bills at the County level.
- Took DCAB position and provided DCAB testimony on two (2) resolutions on the State level about the statewide building code accessibility provisions and universal design in real estate construction.

VIII. Other Activities

In an effort to further the cause of accessibility in buildings, facilities, sites, and transportation vehicles/vessels and to ensure equal access for persons with disabilities, a number of other activities were conducted. While not directly a component of HRS §103-50, these activities were related to accessibility concerns:

- Responded to five (5) requests for technical assistance on how to conduct an accessibility survey on existing facilities from the Department of Education for the Waimea High School Architectural Barrier Removal Project and County of Kauai for various bridges.
- Coordinated the 2007 Accessible Design Awards and posted the 2007 Accessible Design Awards winners on the DCAB web site.
- Participated in the National Center on Accessibility's survey of accessible recreational facilities.
- Was interviewed for an in-depth article on DCAB for the Building Industry Association magazine.
- Attended the Designing Safe, Accessible Pedestrian Facilities training workshops which were conducted by the University of California Berkeley, Institute of Transportation Studies in San Diego, California.

Table 1
Facilities Reviewed by Project Department
(Unduplicated Count)
FY 2007-2008

State of Hawaii		
Department of Accounting and General Services		78
Department of Transportation		67
Department of Land and Natural Resources		13
University of Hawaii at Manoa and Hilo		25
University of Hawaii, Community Colleges		26
Department of Defense		1
Department of Human Services		1
Department of Public Safety		3
Hawaii Community Development Authority		1
Department of Hawaiian Home Lands		3
Department of Education		125
Hawaii Public Housing Authority		5
Hawaii Housing Finance and Development Corporation		6
Hawaii Health System Corporation		3
	Sub-Total	357
City and County of Honolulu		
Board of Water Supply		9
Department of Design and Construction		65
Department of Planning and Permitting		75
Department of Wastewater Management		5
Department of Community Services		5
Department of Enterprise Services		1
	Sub-Total	160160
County of Maui		
Public Works		23
Parks and Recreation		7
Wastewater		4
Housing and Community Development		3
Department of Water		2
Department of Human Concerns		3
Fire Department		3
Police Department		2
	Sub-Total	47
County of Hawaii		
Public Works		52
Parks and Recreation		14
Department of Water		6
	Sub-Total	72
County of Kauai		
Public Works		16
Parks and Recreation		3
Department of Water		1
	Sub-Total	20
TOTAL		656

Table 2
Facilities Reviewed by Type of Facility
(Unduplicated Count)
FY 2007-2008

Facility Type	
Office	40
School - General	182
School - Classroom	1
School – Library	2
Library (not at a school)	13
Laboratory/Research Facility	1
Hospital/Medical Care Facility	17
Health Clinic	7
Wastewater or other Treatment Facility	30
Water Pump Station/Water Piping/Water Main/Wells	24
Court	1
Correctional Facility	4
Police Station	6
Fire Station	5
Golf Course/Facility	2
Park/Gym	55
Warehouse/Storage Facility	10
Stadium or Auditorium (not at a school)	3
Trails/Wilderness/Campsite	1
Community/Cultural Center	8
Cemetery/Memorial	3
Museum	1
Observatory/Facilities	1
Airport Facility	36
Harbor/Boat/Docks	11
Parking/Maintenance Facility	4
Streets/Sidewalk/Mall	149
Highways/Tunnels/Bridges	20
Dikes/Dams	1
Housing - Apartment or Condominium - General	8
Housing - Apartment or Condo - Specialized Elderly/Handicapped	5
Housing - Group Home or other Community Care Facilities	1
Housing - Emergency Shelter	1
Housing - Homeless Shelter	3
TOTAL	656

Table 3
Facilities Reviewed by Location of Facility
(Unduplicated Count)
FY 2007-2008

Facility Location

Oahu	386
Maui, Lanai, and Molokai	82
Kauai	39
Hawaii	149
TOTAL	656



HAWAII STATE
DEPARTMENT
OF HEALTH

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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4616 (V/TTY) within 180 days of a problem.