



Report of Activities

on

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

July 1, 2008 - June 30, 2009

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Governor

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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) 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.

- 7) 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.
- 8) 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.
- 9) Coordinate DCAB's Accessible Design Awards.
- 10) Provide policy guidelines to State and local government to recommend adherence to the proposed or interim amendments to the ADAAG.
- 11) Continue efforts to incorporate accessibility design requirements into all applicable county codes and standards, most specifically the Statewide Model Building Code.
- 12) 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 1999-2000 through 2008-2009.

Fiscal Year	08-09	07-08	06-07	05-06	04-05	03-04	02-03	01-02	00-01	99-00
Total	872	1,134	1,063	1,193	1,339	1,537	1,285	1,529	1,287	1,045
Reviews										
Unduplicated	463	656	634	718	676	828	679	831	768	659
Resubmittals	409	478	429	475	663	709	606	698	519	386

The total number of document reviews for FY 2008-2009 was 872. This was a decrease of approximately 23% when compared to FY 2007-2008. The total number of unduplicated or new submittals for FY 2008-2009 was 463. This was a decrease of approximately 29% when compared to FY 2007-2008. The total number of resubmittals for FY 2008-2009 was 409. This was a decrease of approximately 14% when compared to FY 2007-2008. The lower number of document reviews does not reflect less efficient document reviews, but reflects the fact that the Facility Access Unit was not required to work overtime in FY 2008-2009. The decrease in document reviews allowed the Facility Access Unit to redirect a portion of its resources to new or expanding activities and responsibilities, such as coordinate a series of home modification workshops for the 2009 "Making Life Accessibility Through Technology" Fair, prepare and distribute a monthly "Access E-Bulletin," implement and coordinate the Chaminade University School of Interior Design student design awards, and serve as members of the Investigative Committee on Accessibility for the Statewide Building Code Council.

Further details on the unduplicated (463) document reviews for FY 2008-2009 are reflected in Tables 1, 2, and 3.

- Table 1 indicates the number of unduplicated (463) 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 Department of Transportation, 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 Department of Land and Natural Resources and University of Hawaii Community Colleges 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 Department of Accounting and General Services.
- Table 2 indicates the number of unduplicated (463) document reviews by type of facility. Public right-of-way and school projects account for the greatest number of document reviews followed by park projects.
- Table 3 shows the number of the unduplicated (463) document reviews by location or island. The Islands of Oahu, Hawaii, Maui, Lanai, and Molokai experienced a decrease in the number of unduplicated document reviews during FY 2008-2009 compared to the previous fiscal year. The Island of Oahu experienced the greatest relative decrease in document reviews of approximately 39%. The Island of Hawaii experienced a relative decrease of approximately 32% and the Islands of Maui, Lanai, and Molokai experienced a relative decrease of approximately 2%. The Island of Kauai was the only location to experience an increase in the number of unduplicated document reviews during FY 2008-2009 compared to the previous fiscal year. The Island of Kauai experienced a relative increase of approximately 15%. 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 issued in FY 2008-2009 by the Standing Committee on Facility Access:

- DCAB 2008-05 relating to accessible routes to elements that are intended to be accessible to people who use a walking aid, people who have difficulty bending or stooping, people who are blind, and people who are deaf.
- DCAB 2008-06 relating to the use of the revised Americans with Disabilities Act Accessibility Guidelines requirements for platform lifts.
- DCAB 2008-07 relating to the use of the transient lodging accessible shower in non-transient lodging facilities.
- DCAB 2008-08 relating to scoping of accessible dwelling units.
- DCAB 2008-09 relating to vertical clearance of a van accessible parking space and vehicle access route.

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

Two (2) requests for site specific alternate design were issued in FY 2008-2009 by the Standing Committee on Facility Access:

- DCAB 2009-01 relating to accessible parking at the Manoa Public Library.
- DCAB 2009-02 relating to the running slope of the Kawaihau Connection of the Lydgate to Kapaa Bicycle and Pedestrian Path.

IV. Training and In-Service Workshops

The Facility Access Unit staff conducted or coordinated the following training and in-service workshops in FY 2008-2009:

- “Accessible Home Design” for the Building Industry Association Home Remodeling Expo.
- 2008 Disability Access Conference “Design for All” on October 16, 2008. The conference had over two hundred (200) attendees who participated in a morning keynote address conducted by Karen L. Braitmayer, FAIA, Principal of Studio Pacifica in Seattle, Washington, an afternoon keynote address conducted by Mr. John L. Wodatch, Chief, Civil Rights Branch of the U.S. Department of Justice, and sixteen (16) concurrent workshops conducted by mainland and local speakers.
- “Non-Residential Accessibility Guidelines: Which Ones Apply To My Project” conducted at the 2008 Disability Access Conference.
- “Residential and Housing Guidelines: Which Ones Apply To My Project” conducted at the 2008 Disability Access Conference.
- “Accessible Parking: Planning and Design” conducted at the 2008 Disability Access Conference.
- “General ADAAG” conducted for the University of Hawaii Community Colleges.
- “Accessible Design & Construction 101 – What Do You Need To Know?” at the Building Industry Association of Hawaii 2009 Home Building & Remodeling Show.
- “Important ADA Updates” at the Hawaii Buildings, Facilities & Property Management Expo.
- “General ADAAG and Site Survey” for the Department of Education.

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 2008-2009, the Facility Access Unit fielded one thousand three hundred seventy six (1,376) requests for technical assistance in areas concerning the design standards for HRS §103-50, the ADAAG, and the Fair Housing Accessibility Guidelines. Technical assistance was provided primarily through responses to fax and telephone inquiries.

In order to assist the design profession, DCAB completed twelve (12) "Access E-Bulletins" in FY 2008-2009. 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 two (2) master plans to ensure that the overall design concept incorporates accessibility requirements: Aloha Stadium Scope Assessment for Health and Safety Projects Draft Report and Honolulu High-Capacity Transit Corridor Project Draft Environmental Impact Statement.
- 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.
- Provided an analysis and comment on the Department of Land and Natural Resources Recreational Renaissance 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 Standing Committee on Facility Access and DCAB staff served as the Investigative Committee on Accessibility for the Statewide Building Code Council, monitored the progress of the Statewide Building Code by attending Statewide Building Code Council meetings and AIA Codes Committee meetings, reviewed and analyzed two (2) proposed amendments to the Statewide Building Code, reviewed and analyzed testimony relating to the accessibility chapter of the Statewide Building Code, and proposed amendments to the accessibility chapter of the Statewide Building Code.

In FY 2008-2009, DCAB staff monitored and provided testimony on legislation relating to home modification and on complete streets/accessibility.

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 two (2) requests for technical assistance on how to conduct an accessibility survey on existing facilities for the Aloha Stadium accessible parking and University of Hawaii at Manoa Ballroom.
- Coordinated the 2008 Accessible Design Awards and posted the 2008 Accessible Design Awards winners on the DCAB web site.
- Implemented and coordinated a student design awards project in coordination with Chaminade University's School of Interior Design with awards given out at the 2009 "Making Life Accessible Through Technology" Fair.
- Provided technical assistance to the Department of Education on their policy to paint edges of steps, walkways and door thresholds safety yellow on campuses for students and staff with low vision.
- Conducted a comparative analysis of the revised Americans with Disabilities Act Accessibility Guidelines with current guidelines used to provide facility access technical assistance.
- Conducted an analysis of the facility access provisions of the proposed U.S. Department of Justice Titles II and III rules and provided comments on behalf of the Disability and Communication Access Board.
- Attended an ADA-ABA Accessibility Guidelines Training conducted by the U.S. Access Board and sponsored by the Disability and Business Technical Assistance Center in Chicago, Illinois.

Table 1
Facilities Reviewed by Project Department
(Unduplicated Count)
FY 2008-2009

State of Hawaii		
Department of Accounting and General Services		47
Department of Transportation		53
Department of Land and Natural Resources		19
University of Hawaii at Manoa and Hilo		17
University of Hawaii, Community Colleges		31
Hawaii Community Development Authority		1
Department of Hawaiian Home Lands		1
Department of Education		59
Hawaii Health System Corporation		1
Hawaii Public Housing Authority		9
Hawaii Housing Finance and Development Corporation		5
	Sub-Total	243
City and County of Honolulu		
Department of Transportation Services		3
Board of Water Supply		7
Department of Design and Construction		38
Department of Planning and Permitting		51
Department of Wastewater Management		2
Department of Community Services		2
Department of Environmental Services		2
	Sub-Total	105
County of Maui		
Public Works		24
Parks and Recreation		8
Wastewater		1
Housing and Community Development		1
Department of Water		4
Department of Human Concerns		3
Police Department		1
	Sub-Total	42
County of Hawaii		
Public Works		31
Parks and Recreation		15
Department of Water		5
Fire Department		1
	Sub-Total	52
County of Kauai		
Public Works		14
Parks and Recreation		4
Department of Water		3
	Sub-Total	21
TOTAL		463

Table 2
Facilities Reviewed by Type of Facility
(Unduplicated Count)
FY 2008-2009

Facility Type	
Office	26
School - General	119
School – Library	1
Library (not at a school)	6
Hospital/Medical Care Facility	4
Wastewater or other Treatment Facility	6
Water Pump Station/Water Piping/Water Main/Wells	22
Correctional Facility	5
Police Station	4
Fire Station	3
Military Facility	1
Golf Course/Facility	1
Park/Gym	45
Warehouse/Storage Facility	3
Stadium or Auditorium (not at a school)	4
Community/Cultural Center	4
Cemetery/Memorial	2
Observatory/Facilities	2
Airport Facility	12
Harbor/Boat/Docks	13
Bus or Mass Transit Terminal/Guideway Station	2
Parking/Maintenance Facility	8
Streets/Sidewalk/Mall	126
Highways/Tunnels/Bridges	24
Dikes/Dams	3
Sanitary Landfill	1
Housing - Apartment or Condominium - General	11
Housing - Apartment or Condo - Specialized Elderly/Handicapped	2
Housing - Emergency Shelter	2
Housing - Homeless Shelter	1
TOTAL	463

Table 3
Facilities Reviewed by Location of Facility
(Unduplicated Count)
FY 2008-2009

Facility Location

Oahu	236
Maui, Lanai, and Molokai	80
Kauai	46
Hawaii	101
TOTAL	463



HAWAII STATE
DEPARTMENT
OF HEALTH

Disability and Communication Access Board
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Phone: (808) 586-8121 (V/TTY)

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.