



A Guide to the New ADA-ABA Accessibility Guidelines

On July 23, 2004, the U.S. Access Board, an independent Federal agency, issued updated accessibility guidelines for new or altered facilities covered by Americans with Disabilities Act and the Architectural Barriers Act. These guidelines address a wide range of facilities in the private and public sectors. Presented here is an overview of the new guidelines that also highlights significant changes.

BACKGROUND

The Americans with Disabilities Act (ADA) of 1990

The ADA, a major civil rights law prohibiting discrimination on the basis of disability, establishes design requirements for the construction or alteration of facilities. It covers facilities in the private sector (places of public accommodation and commercial facilities) and the public sector (state and local government facilities). Under the ADA, the Board is responsible for accessibility guidelines covering newly built and altered facilities. In 1991, the Board published the ADA Accessibility Guidelines (ADAAG) which serve as the basis for standards used to enforce the law. The new guidelines overhaul the original ADAAG.

The Architectural Barriers Act (ABA) of 1968

The ABA requires access to facilities designed, built, altered, or leased with Federal funds. Similar to its responsibility under the ADA, the Board maintains guidelines under the ABA which serve as the basis for enforceable standards. The Board has updated its guidelines for ABA facilities jointly with the new ADA guidelines so that a consistent level of access is specified under both laws.

How the New Guidelines Were Developed

The Board develops and updates its guidelines under a process common to most Federal regulations which provides an opportunity for public comment. In order to get input from a cross section of stakeholders at the outset of this update, the Board established an advisory committee to review the original guidelines and to recommend changes. The ADAAG Review Advisory Committee, which consisted of 22 members representing the design and construction industry, the building code community, and people with disabilities, among others, submitted a report to the Board that detailed recommended revisions to the substance, organization, and format of the guidelines. The finalized guidelines are based largely on these recommendations. The Board published the guidelines in proposed form in November, 1999 and made them available for public comment for six months. During the comment period, the Board held public hearings in Los Angeles and the Washington, D.C. area. The Board received over 2,500 public comments on its proposal and finalized the guidelines based on its review of these comments.

Goals of this Update

Key goals of this update include:

- updating specifications so that they continue to meet the needs of persons with disabilities
- improving the format and usability of the guidelines to facilitate compliance
- harmonizing the guidelines with model building codes and industry standards
- making the requirements for ADA and ABA facilities consistent

Harmonization with Model Building Codes and Industry Standards

Through this update, the Board sought to make its guidelines more consistent with model building codes and industry standards in order to make compliance easier. It coordinated extensively with model code groups and standard-setting bodies so that differences could be reconciled. In particular, the Board sought to harmonize the guidelines with the International

Building Code (IBC) and access standards issued through the American National Standards Institute (ANSI). Used by a growing number of states and local jurisdictions, the IBC contains scoping provisions for accessibility. The ANSI A117.1 standard, a voluntary consensus standard, provides technical criteria referenced by the IBC. A number of revisions were made to the guidelines for consistency with these and other model codes and standards. In addition, the Board worked to resolve remaining differences by advocating changes to the IBC and the ANSI A117.1 standard based on the new guidelines.

When will the new guidelines take effect?

The Board's guidelines are not mandatory on the public, but instead serve as the baseline for enforceable standards (which are) maintained by other Federal agencies. In this respect, they are similar to a model building code in that they are not required to be followed except as adopted by an enforcing authority. Under the ADA, the Department of Justice (and in the case of transit facilities, the Department of Transportation) are responsible for enforceable standards based on the Board's guidelines. These agencies will update their ADA standards based on the new guidelines. In doing so, they will indicate when the new standards are to be followed. Several other agencies (the General Services Administration, Department of Defense, Department of Housing and Urban Development, and the U.S. Postal Service) hold a similar responsibility for standards used to enforce the ABA.

Existing Facilities

The ADA and ABA guidelines cover new construction and planned alterations and generally do not apply to existing facilities except where altered. Facilities built or altered according to earlier versions of the ADA or ABA standards will not necessarily have to meet the updated version except where they are subsequently altered or renovated. The Department of Justice, which regulates requirements for existing facilities under the ADA, intends to address coverage of facilities built or altered according to the original ADA standards in its rulemaking to update the standards. It will also address facilities retrofitted under ADA provisions for existing facilities, such as the requirement for barrier removal in places of public accommodation. With respect to ABA facilities, the Board has clarified in the guidelines that facilities built to earlier ABA standards are subject to the new requirements only in relation to planned alterations.

OVERVIEW

Organization and Format

The updated guidelines feature:

- a new numbering system consistent with model codes
- a more streamlined structure and organization of chapters
- updated scoping and technical provisions, with a greater structural delineation between them
- new figures and commentary (advisory information)
- provision of all figure-based information in written text



A Rule in Three Parts

The Board coordinated its update of the ADA and ABA guidelines into a single rule. The final rule contains updated scoping provisions, which specify what has to be accessible, and technical requirements, which spell out how access is achieved. It contains three parts: a scoping document for ADA facilities (Part I), a scoping document for ABA facilities (Part II), and a common set of technical criteria referenced by both scoping documents (Part III).

Supplements to ADAAG

The Board previously developed supplements to the original ADA guidelines that are specific to different types of facilities and elements:

- state and local government facilities, including courthouses and prisons (1998)
- building elements designed for children's use (1998)
- play areas (2000)
- recreation facilities (2002)

These supplements are included in the new guidelines. They have been revised for consistency with the format and approach of the new document, but their substance remains unchanged.

S U M M A R Y

PART I: ADA APPLICATION AND SCOPING (CHAPTERS 1 AND 2)

Chapter 1: Application and Administration

The guidelines include general provisions that recognize the purpose of the guidelines (101), specifications for adults and children (102), equivalent facilitation, which permits departures providing equal or greater access (103), conventions (104), referenced standards (105), and definitions (106). These provisions include instructions on applying the guidelines, such as conventions concerning specified dimensions. Throughout the guidelines, the Board has replaced absolute dimensions with specified ranges wherever practicable to facilitate compliance.

The guidelines reference several model building codes and industry standards. These include industry standards for powered doors, elevators, platform lifts, and play surfacing and equipment. Requirements for means of egress and fire alarms are addressed through references to the International Building Code (IBC) and the National Fire Alarm Code (NFPA 72). The guidelines reference the most recent editions of these codes and standards.

Chapter 2: Scoping Requirements

Chapter 2 is comprised of provisions that specify which spaces and elements are required to comply. The format and content of the guidelines reinforce the underlying premise that all areas of newly constructed facilities are required to be accessible unless otherwise noted. Consequently, exceptions from the requirements are more thoroughly covered.

The new guidelines enhance coverage of employee work areas. The original ADA guidelines specified that work areas be on an accessible route so that persons with disabilities can approach, enter, and exit the space. In addition to this, the new guidelines also require the accessibility of circulation paths within sizable (1000 square feet or more) work areas (203.9). They also address accessible means of egress from work areas and connections for visual alarms. Another notable revision concerns press boxes, which by their elevation and location have posed challenges to access. The new guidelines include an exception for certain press boxes based on their size, elevation, and location (206.2).

Other revisions include:

- enhanced scoping for public entrances (206.4), van parking (208), passenger loading zones (209), stairways (210), and telecommunication devices (TTYs) at pay phones for persons with hearing or speech impairments (217);

- new or clarifying provisions covering access to different types of elevators (destination-oriented, limited-use/ limited application or “LULA,” and residential elevators) (206), drinking fountains (211), kitchens, kitchenettes, and sinks (212), washing machines and clothes dryers (214), signs (216), dispersed wheelchair seating (221), windows (229), and residential dwelling units (233);
- reduced scoping for unisex toilet rooms located at a single location (half instead of all) (213), and for wheelchair spaces in large assembly areas (221).

PART II: ABA APPLICATION AND SCOPING (CHAPTERS F1 AND F2)

Application and scoping requirements for ABA facilities are based on those for ADA facilities to ensure a consistent level of access. There are differences in certain areas which stem from variations between the ADA and ABA statutes. For example, the ABA is broader in its coverage of employee work areas, a difference reflected in the updated guidelines. Exceptions for work areas that limit coverage in the ADA scoping document are not included in the ABA counterpart. Other ABA provisions that differ from the ADA document concern modifications and waivers (F103), definitions (F106), additions (F202.2), leased facilities (F202.6), existing elements (F203), and residential facilities (F234).

PART III: TECHNICAL REQUIREMENTS (CHAPTERS 3 – 10)

Part III contains technical chapters referenced by the ADA and ABA scoping documents.

Chapter 3: Building Blocks

Chapter 3 provides criteria for basic elements considered to be the “building blocks” of accessibility as established by the guidelines, including ground and floor surfaces (302), changes in level (303), wheelchair turning space (304), clear floor space (305), knee and toe clearances (306), protruding objects (307), reach ranges (308), and operable parts (309).

The guidelines specify reach ranges according to the approach (forward or side). A significant change of this chapter reduces the maximum side reach range from 54 to 48 inches, the height specified for forward reaches. This change, which was recommended by the ADAAG Review Advisory Committee and strongly supported by public comments, includes exceptions for certain elements, such as gas pumps.

Chapter 4: Accessible Routes

All components of accessible routes have been combined into one chapter that covers walking surfaces (403), doors (404), ramps (405), curb ramps (406), elevators (407 - 409), and platform lifts (410).

New specifications are provided that clarify access at recessed doors, ramps (edge protection), and curb ramps (top landings). Provisions for elevators recognize a greater range of designs and dimensions for standard cars and include new technical criteria for other types of elevators: destination-oriented, limited-use/ limited-application, and residential. Provisions for platform lifts have been updated and reference a new industry standard (ASME A18.1).

The original guidelines required detectable warnings, a distinctive tactile surfacing, on the surface of curb ramps and other areas to alert people with vision impairments of their approach to streets and drop-offs at boarding platforms. The new guidelines do not include a requirement for detectable warnings at curb ramps or hazardous vehicular areas since the Board is revisiting this issue in a separate rulemaking on accessible public rights-of-way. (Under the new

guidelines detectable warnings are still required along the edges of boarding platforms in transit facilities.)

Chapter 5: General Site and Building Elements

This chapter contains requirements for parking (502), passenger loading zones (503), stairways (504), and handrails (505). Revisions of this chapter include a new provision specific to angled van parking spaces and revamped specifications for handrails that will permit a greater range of designs and shapes.

Chapter 6: Plumbing Elements and Facilities

Specifications for plumbed fixtures address drinking fountains (602), toilet and bathrooms (603), water closets and compartments (604), urinals (605), lavatories and sinks (606), bathtubs (607), showers (608), grab bars (609), tub and shower seats (610), washing machines and clothes dryers (611), and saunas and steam rooms (612).

Some provisions have been revised to help improve compliance as well as access. For example, an absolute dimension for the centerline placement of toilets (18") has been replaced with a range (16" – 18"). To improve access and allow side transfers at toilets, lavatories are no longer permitted to overlap the required clear space aside toilets.

Other changes of this chapter concern drinking fountains (side approach access is no longer permitted at wheelchair accessible units), shower compartments (specifications for water temperature, spray units, and curbs), and new criteria for washing machines and clothes dryers.

Chapter 7: Communication Elements and Features

This chapter provides technical criteria for communication elements such as fire alarms (702), signs (703), telephones (704), detectable warnings (705), assistive listening systems (706), ATMs and fare machines (707), and two-way communication systems (708). Substantive changes include:

- addressing technical criteria for fire alarms through the National Fire Alarm Code (NFPA 72), which effectively overhauls specifications for visual alarms in a manner that will facilitate compliance while enhancing design and installation options
- revamped specifications for signs
- new specifications for the capabilities and sound quality of assistive listening systems that derive from Board-sponsored research
- improved access at ATMs and fare machines for persons with vision impairments through detailed criteria for audible output and tactile markings
- revised specifications for detectable warnings to allow a greater range of designs and products

Chapter 8: Special Rooms, Spaces, and Elements

Various types of occupancies and spaces are addressed in Chapter 8. These include: assembly areas (802), dressing, fitting, and locker rooms (803), kitchens and kitchenettes (804), medical care facilities (805), transient lodging (806), holding and housing cells (807), courtrooms (808), residential dwelling units (809), transportation facilities (810), and storage (811). The new guidelines are structured to make provisions for certain types of facilities or spaces more integral to the document as a whole. Some provisions specific to these facilities that cover elements also addressed for facilities generally are located in other chapters. For example, Chapter 6 (Plumbing Elements and Facilities) includes provisions specific to toilet and bathing facilities in residential dwelling units.

The requirements found in Chapter 8 were reorganized to clarify the application of requirements for certain types of spaces without respect to the overall occupancy. For example, specifications for kitchens and kitchenettes apply whether such spaces are located in a hotel guest room, a dwelling unit, or an employee break room. This differs from the original guidelines which addressed kitchens and kitchenettes only in relation to transient lodging facilities and, in the case of the ABA guidelines, dwelling units.

Chapter 9: Built-In Furnishings and Equipment

Chapter 9 covers built-in furnishings and equipment and provides specifications for dining and work surfaces (902), benches (903), and sales and service counters, including check-out aisles (904). The guidelines provide revised specifications for benches which include revised criteria for back support.

Chapter 10: Recreation Facilities and Play Areas

Technical provisions for various types of recreation facilities, including play areas the Board developed previously as supplements to the original ADA guidelines are located in Chapter 10. They have been integrated into the new guidelines without substantive change. Requirements are provided for amusement rides (1002), recreational boating facilities (1003), exercise machines (1004), fishing piers and platforms (1005), golf facilities (1006), miniature golf facilities (1007), play areas (1008), swimming pools, wading pools, and spas (1009), and shooting facilities with firing positions (1010).

R E S O U R C E S

Copies of the new ADA and ABA accessibility guidelines, as well as technical assistance and training on them, is available from the Access Board. The Board also enforces design requirements of the ABA which apply to federally funded facilities.

U.S. Access Board

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Questions about the enforcement of the ADA's design requirements or the update of ADA standards based on the Board's new guidelines should be directed to the U.S. Department of Justice or, in the case of public transit facilities, the U.S. Department of Transportation.

U.S. Department of Justice

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