

# ACCESS ALERT

## **News from KMA**

### **Equal Access to Information – Presentation at Universal Access In Travel Symposium**

David Kessler was a speaker at the *Universal Access in Travel Symposium* sponsored by the American Association of Airport Executives and the Federal Aviation Administration. *Equal Access to Information – DCARA vs. the City of San Francisco* addresses the implications for other airports of the settlement agreement between *Deaf Counseling, Advocacy and Referral Agency* and San Francisco International Airport. The settlement includes SFO providing an additional 80 flat screen monitors, and including all types of PA announcements in a visual format. KMA was selected by both the plaintiffs and the defendant to serve as the "neutral consultant" to conduct fact finding and make recommendations to resolve the litigation. View the presentation "*Equal Access to Information*"

### **Courthouse Access Advisory Committee Issues Final Report**

The Courthouse Access Advisory Committee issued its final report and recommendations – *Justice For All: Designing Accessible Courthouses*. Katherine McGuinness served as an active participant on this committee which met quarterly for two years (and has the plaque and mug to prove it!). The report includes recommendations for:

- Design solutions to meet minimum ABAAG and ADAAG standards
- Best practices for accessible courthouses
- Outreach and educational strategies for disseminating this information

You can find the report, free, at the Access Board's website (<http://www.access-board.gov/caac/report.htm>). Committee Members visited many courthouses nationwide, among them the John Adams Courthouse in Boston, MA. The recent renovations to this courthouse (CBT Architects, Inc. - [www.cbtarchitects.com/](http://www.cbtarchitects.com/)) demonstrated many of the report's best practices for accessible design.

### **Clarification re: Federal Agencies Adopting the 2004 ABA/ADAAG**

In November KMA alerted subscribers that the U.S. Department of Transportation had adopted the "New ADAAG," i.e. the ADAAG issued by the federal Access Board in 2004. Below are some important clarifications "alert reader" Paul Beatty shared with KMA:

The USDoT's adoption of New ADAAG became effective Nov 29, 2006 (See Federal Register, Oct 30 2006, page 63263)

The USDoT made several modifications, including maintaining requirements for detectable warnings on curb ramps, and provided additional guidance. For further specifics please see the Federal Register: October 30, 2006

(<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/E6-16680.htm>).

The GSA and the Postal Service have not adopted the 2004 ADAAG. They adopted the (2004) *Architectural Barriers Act Accessibility Guidelines (ABAAG)*. ABAAG and ADAAG were published together in one volume (known colloquially to many as "The New ADAAG"). The ABA Chapters 1 and 2 have sections that begin with the letter "F" (for "federal") with the application, administration, and scoping sections that are specific to federally owned, leased, or funded facilities. Chapters 3-10, the technical chapters, apply to both ABAAG and ADAAG. ABAAG generally requires more access (such as in employee work areas) than ADAAG.

The USDoJ's *ADA Standards for Accessible Design* (<http://ada.gov/stdspdf.htm>) adopted the 1993 ADAAG which include accessible design guidelines for ATMs. All ADAAG guidelines promulgated since 1994 have not yet been adopted by the USDoJ, and are therefore not yet enforceable.

*Kessler McGuinness & Associates, LLC, is a nationally known firm that specializes in accessibility compliance planning through access audits, access master plans, architectural plan review, accessible design review protocols, training and resource development. We also serve as expert witnesses for plaintiffs and defendants. Clients include airports, commercial property owners, educational institutions, government agencies, architects, and attorneys.*