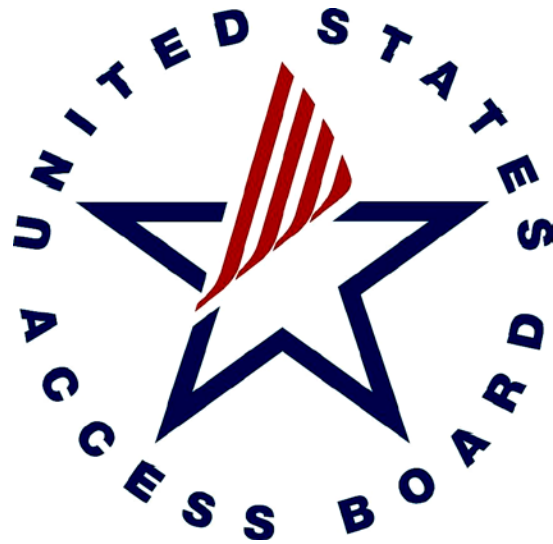


UNITED STATES ACCESS BOARD



2009 Annual Report

January 2010

A FEDERAL AGENCY COMMITTED TO ACCESSIBLE DESIGN

UNITED STATES ACCESS BOARD

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FY 2009 ANNUAL REPORT

The U.S. Access Board is an independent Federal agency that promotes equality for people with disabilities through leadership in accessible design. The Board develops guidelines and standards under the Americans with Disabilities Act (ADA) and other Federal laws that address access to the built environment, transportation, communication, and information technology. In addition, the Board enforces accessibility standards covering federally funded facilities and promotes accessibility through public outreach, technical assistance, training, published guidance, and research.

GUIDELINES AND STANDARDS

Establishing design criteria and keeping them up to date constitute key Board activities. The Board's guidelines and standards cover access to facilities, vehicles, electronic and information technology, and telecommunications equipment. The Board maintains an active and varied rulemaking agenda. In 2009, the Board advanced development of new guidelines for outdoor environments, public rights-of-way, passenger vessels, and emergency transportable housing. It also made progress on updates to its accessibility criteria for information and communication technologies and guidelines for transportation vehicles.

Outdoor Developed Areas

Achieving accessibility in outdoor environments has long been a source of confusion due to challenges and constraints posed by terrain, the degree of development, construction practices and materials, and other factors. Guidelines the Board is developing for outdoor sites will provide needed guidance on achieving access to trails, picnic and camping areas, and beach routes. The Board proceeded to finalize guidelines specific to sites managed by the Federal government, including national parks and recreation areas, based on public comments it received on a proposed version. At the end of the fiscal year, the Board released a draft of the final version to provide interested parties and the public an additional opportunity for comment. The Board plans to issue final guidelines in 2010 and will proceed with similar rulemaking for non-Federal sites.

Public Rights-of-Way

The Board's guidelines for public rights-of-way will cover access to sidewalks and streets, including street crossings, access for pedestrians with vision impairments, on-street parking, and constraints posed by terrain and space limitations, among other topics. The Board previously released drafts of the guidelines for public input but must follow up with an official proposal and comment period before the guidelines can be finalized. In addition to the feedback received on earlier drafts, the upcoming proposal will incorporate information gained through close coordination with counterpart agencies and research on rights-of-way issues sponsored by the Board. The proposed guidelines also will be responsive to issues further identified through the Board's extensive outreach and training program on rights-of-way accessibility.

Emergency Transportable Housing

The Board is supplementing its facility guidelines issued under the ADA and the Architectural Barriers Act (ABA) to specifically address temporary emergency housing made available by the government in response to natural disasters and emergencies. Access to such housing proved problematic in the aftermath of Hurricanes Katrina and Rita. Early in the fiscal year, an advisory committee organized by the Board submitted its recommendations on this rulemaking. The Advisory Committee on Emergency Transportable Housing, which included representation from disability organizations, industry and code groups, and government agencies, reviewed the Board's existing guidelines and assessed engineering and other constraints unique to this type of housing. The committee's report details access to emergency transportable housing according to existing specifications for residential facilities. The Board proceeded to craft a proposal to update its ADA and ABA guidelines based on the committee's recommendations that is due to be published for public comment in 2010.

Passenger Vessels

The Board is developing new guidelines, the first of their kind, addressing access to passenger vessels, including cruise ships, ferries, and excursion boats. The Board previously released drafts of the guidelines for public comment to collect additional information needed in this effort, including cost and impact data. Based on this input, the Board proceeded to examine remaining issues, including access to vessel alarm systems which it addressed through an advisory committee the previous year. The Board also undertook impact assessments and case studies to gather information that is needed before an official proposed set of guidelines can be released.

Information and Communication Technologies

The Board also made progress on a joint refresh of its standards for electronic and information technologies issued under Section 508 of the Rehabilitation Act and its guidelines for telecommunications products covered by Section 255 of the Communications Act. The Board advanced work on a proposal to update these requirements based on recommendations from the Telecommunications and Electronic and Information Technology Advisory Committee, which the Board had organized to review the standards and guidelines and to recommend changes. This committee, which submitted its report to the Board in the spring of 2008, recommended specific updates to the standards and guidelines that are responsive to a host of issues, including coverage of new or convergent technologies, improved solutions to access barriers, and international harmonization. The Board plans to release a draft of its proposal for public comment in 2010.

Transportation Vehicles

The Board's ADA guidelines for transportation vehicles address access to buses, vans, rail cars, and other modes of public transportation. To further its update of these guidelines, which were originally published in 1991, the Board released draft revisions to specifications for buses and vans and made them available for public comment. This draft included changes and additions addressing level boarding access, stop announcement systems, boarding devices, wheelchair spaces, headrests, and accessible routes. The Board received feedback from trade associations, disability groups, consumers, transit operators and authorities, researchers, and vehicle manufacturers. Based on this input, the Board prepared an official proposal to update the guidelines that is due to be published in 2010. After finalizing updates to the requirements for buses and vans, the Board will proceed to update remaining sections of the guidelines covering rail cars and other modes of public transportation.

OUTREACH

Each year the Board undertakes outreach initiatives to promote accessibility, raise awareness, and to engage the public on topics or issues of concern. In 2009, the Board undertook an initiative to promote accessibility in projects funded by the Recovery Act, held a town hall meeting in Boston, and conducted outreach as part of an effort to improve airport accessibility.

Recovery Act Initiative

Shortly after the “American Recovery and Reinvestment Act” became law, the Board implemented an awareness campaign to promote accessibility in projects funded by the \$787 billion measure. The act funds a wide array of projects and programs to improve infrastructure, transportation, energy efficiency, education, and health care. To help ensure that accessibility is properly integrated into Recovery Act projects, the Board prepared and disseminated information to alert funding agencies and recipients of their responsibilities under laws such as the ABA and the ADA. This effort focused on connecting people to applicable access standards and useful resources, including guidance from the Board on various topics such as building renovation, public improvement projects, information and communication technologies, and public transportation. The Board also provided training to Federal agencies responsible for Recovery Act projects.

Boston Town Hall Meeting

Each year the Board holds a town hall meeting in a different city to hear from individuals on issues of concern and to update the public on its work. The Board's 2009 annual town meeting took place in Boston in May. The day-long event featured open forums allowing members of the public to raise issues or questions of concern. It also included panel presentations on design education, museum exhibit design, and the work of the Massachusetts Architectural Access Board. Issues raised by attendees included brick sidewalks and the problems



they pose to people with mobility or vision impairments, classroom acoustics and the need for greater awareness and adoption of standards, access to medical and diagnostic equipment, point-of-sales machines and self-service kiosks, continuing barriers to access in public transit systems, and the need for research on the growing variety of mobility aids now in use. While in Boston, the Board visited WGBH's National Center for Accessible Media, the Carroll Center for the Blind, and Acentech, Inc., an acoustical consulting firm. Board members also examined access features at the Massachusetts State House, the John Adams Courthouse, and the Massachusetts Bay Transportation Authority's transit system.

Board Outreach Promotes Airport Accessibility

The Board also continued an outreach campaign initiated in 2008 on access to airports, a common source of complaints by travelers with disabilities. As part of this effort, the Board explored leading access issues to gather information for its use in raising awareness, promoting effective design, and improving compliance. The Board collected information and received briefings from invited experts on a range of topics, including self-service ticketing kiosks, security checkpoints and screening procedures, boarding bridges and devices, signage and

communication systems, and telecommunications. The Board also met with airport designers and operators to share information on improving airport accessibility.

SERVICES AND RESOURCES

In addition to its development of guidelines and standards, the Board promotes accessible design through education, published resources, and technical assistance to the public. These services play a critical role in assisting various professionals understand and apply accessibility design requirements. The Board also ensures access to federally funded buildings through the investigation of complaints.

Training

On a regular basis, the Board travels across the country to provide training on accessible design and its guidelines and standards at different events and conferences. Most training pertains to design criteria for facilities, transportation vehicles, and information technology. Training sessions, which are targeted to the needs and interests of each audience, attract designers and architects, code officials, advocacy groups, transportation operators, the information technology industry, and other professionals in assorted fields. In FY 2009, the Board conducted 86 sessions and provided training to approximately 7,000 people.

Webinars

To supplement its training program, the Board instituted a program of monthly webinars in cooperation with the national network of regional ADA Centers. The series, to be conducted throughout FY 2010, will cover a variety of topics on accessibility pertaining to the built environment, information and communication technologies, and transportation. Scheduled sessions will review Board guidelines and standards, including the updated ADA and ABA Accessibility Guidelines, as well as Board rulemaking efforts, such as the refresh of its Section 508 standards. In addition, some webinars will be devoted to subjects where guidance is often requested, such as toilet and bathing facilities, and to topics of interest, including guidance on achieving accessibility in projects funded by the "Recovery Act."



Technical Assistance

The Board provides technical assistance to provide guidance and to answer questions that arise in following accessibility guidelines and standards. Many inquiries concern how a specific requirement can best be met in a certain situation or seek clarification on what a particular provision means. Every day the Board provides technical assistance on its accessibility criteria and accessible design through its toll-free line as well as by email and fax. Whether it's a question about a construction or alteration project, vehicle design, or information and communication technology, people can turn to the Board for answers. This individualized guidance improves compliance and helps ensure that access is achieved properly. The Board responded to over 13,600 technical inquiries in FY 2009.

Resources

A variety of publications and guidance materials on accessibility is produced and distributed by the Board. In addition to copies of Board guidelines and standards, this information includes user-friendly companion guides, technical bulletins, manuals, and online courses. New materials are developed on a regular basis, many of which focus on clarifying recent guidelines or providing guidance in areas where guidelines are pending. For example, last year the Board

issued a new guide on installing accessible pedestrian signals, a topic that will be addressed in its rulemaking on public rights-of-way.

Enforcement

Facilities built or altered with Federal dollars must be accessible under the ABA, the first national law on the books guaranteeing access to the built environment. The ABA covers a wide range of government buildings, including post offices, social security offices, and Federal office buildings. It also applies to non-Federal buildings that are federally funded, such as schools, transit stations, local courthouses and jails, and public housing. The Board enforces the law through the investigation of complaints. The first step in an investigation is to determine whether the facility is covered by the ABA and, if so, whether it meets the applicable design standards. If a covered facility is not in compliance, the Board will pursue a corrective action plan and monitor the case until all necessary work is completed. In 2009, the Board advanced 148 investigations and closed 40 cases. Barriers were successfully remedied in all cases where the law applied, and in some cases voluntarily where it did not.

Research

The Board sponsors research to support its development of guidelines and guidance material and to promote accessible design. Each year, the Board initiates a variety of projects, often in partnership with other organizations. Most projects focus on the study of accessibility in relation to architecture and design, human factors, communication, and transportation. In FY 2009, the Board completed a study that provides guidance on accessible pedestrian signals and advanced research on human measures and wheeled mobility aids, the effects of slope and other surface characteristics on wheelchair travel, accessible museum exhibit design, play area and trail surfaces, and wheelchair transfer.