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Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
Subcommittee on Regulations**

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Subcommittee on Regulations Meeting Minutes – June 22, 2022
Teleconference

This meeting was open to the public and began approximately 10:08 AM.

Subcommittee member attendance:

Patricia Mendez
Ana Julian
Deborah Ryan
Jeff Dougan
Elizabeth Myska
Paul Logan
Mike Kennedy

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
James Plotkin – Legal Counsel (JP)
Bradley Souders – Office Support Specialist (BS)

JD opened the meeting for Roll Call:

PL, PM, EM, DR, AJ

1. 10:10 AM Discussion about public comment
 - JD: confirming the point of the public comment period
 - WJ: Board has given the Subcommittee wide range of authority, its at the discretion of the Subcommittee
 - JD: How do others feel about comments to changes of regs even though we've just started up. Wants to keep a list of public comments, wants to hear from the public whether or not the comments are incorporated into the regs
 - WJ: Question for JP: Do we have to address all public comments
 - JP: they can be limited to when the subcommittee addresses them to ensure speediness of the process. Consider how to take public comments. It may be more effective to do it as we go along. There would need to be a time when the public can comment on all of the proposed changes
 - DR: Issue with allowing people to comment on sections we aren't talking about. If someone wants to talk about playgrounds, they should come when we discuss the playground section. We should have comments at the end of the process
 - JD: Wants a trove of public comments to be taken along the way, perhaps written via email
 - PL: Agrees with DR, comments should be contained to the section at hand



- JD: Anyone disagree?
- WJ: No issue with public comment if we have time at the end but this will be a rare instance, it should be secondary to completing the sections
- JD: we will handle comments via email unless it pertains to the section we are talking about

2. 10:15 AM Discussion of Section 402.2 (Components)

- WJ: 402.2: difference is 402.2 is scoping piece in way that ADA is not, we require accessible routes, not just what its composed of
- JD: Reading of two versions of 402.2
- WJ: they are saying two different things; ADA says what an accessible route consists of, AAB is saying what the requirements is. Keep ADA 402.2 as is, add AAB's version as 402.2.1. ADA is not a scoping provision, its telling you where you need to have them. Import AAB section as a subsection for requirements
- JD: Comment/Discussion on that?
- DR: Use ADA 402.2, try to keep scoping out of it, one thing in AAB 402.2 that should be incorporated is "and shall coincide with the route for the general public". If you add the sentence to 402.2 it would be great. No need for scoping.
- WJ: Re-write 401.1?
- DR: No need, we have section 3 which is ADA chapter 2
- WJ: break out scoping chapter?
- PL: are we adding the first sentence? Are we taking that one sentence out of AAB into ADA?
- DR: All you need is that one sentence and you can get rid of the AAB section
- PL: Agrees with that

3. 10:25 AM Changes to 402.2

Motion to add AAB's sentence "and shall coincide with the route for the general public" to the ADA version by PL

2nd by PM

By Acclamation/Carried

4. 10:27 Discussion of 404.2.1 (Revolving doors/Gates/Turnstiles)

- WJ: This is a portion where ADA is more stringent than AAB. ADA never permits revolving doors as part of an accessible route, AAB contemplates the existence of an accessible revolving door
- DR: AAB is more stringent this case and should be left as is. Its saying you can have an accessible revolving door, you also need an adjacent door

5. 10:29 AM Changes to 404.2.1

Motion to use AAB language for revolving doors for 404.2.1 by DR

2nd by AJ

By Acclamation/Carried

6. 10:30 AM Discussion of Chapter 404.2.3 (Clear Width)

MK Arrived

- WJ: we measure clear floor space from 6 inches from either face of door; barring an automatic door opener or straight on approach with door without closer, there is not a situation where it could be more than 24 inches deep
- JD: do we need to address that?
- DR: This may be talking about a closet



- WJ: Would this apply to all doors, as all doors would have an opening of more than 24 inches deep
- DR: ADA allows 8 inches of recess instead of 6
- PL: 813 mm should be the unit of measurement used
- JD: Reads projections into the clear opening requirements
- WJ: Its necessary but less stringent than AAB
- DR: this applies to manual doors, doorways, and manual gates, so the 24 inch rule is if you're going through a passageway that's deeper than 24 inches, it has to be 36 inches wide
- WJ: we should break this into subsections and make this section more clear
- JD: Pauses talk of this chapter, addresses person in the audience and directs them to email staff their comments on the playground section
- DR: Use figure 403.5.1 for this section if AAB has no associated figure
- JD: we will break this section out and come back later to proof that
- WJ: you can only project into clear floor space where we explicitly allow you to. I get questions about this all the time; some clarity here would be useful
- DR: exception #2 should apply
- WJ: exception #2 is absolutely necessary
- JD: Height range of 34-80 has no projections, above or below that can have projections
- JD: Should we allow ADA projections where we are silent on them?
- DR: They should be in there.
- MK: Agrees with DR

7. 10:42 AM Changes to 404.2.3

Motion to break out 404.2.3 into subsections using ADA language and use figures by DR
2nd by PL

Discussion:

PM: is there a mention of where it is measured from the face of the opening?

JD: yes, reads section

MK: will there be an illustration for this section? That would help with potential confusion

WJ: We will use a figure from ADA if we do not have an equivalent one

By Acclamation/Carried

8. 10:46 AM Discussion of 404.2.5 (Thresholds)

- WJ: this is an instance where ADA references back but we don't
- JD: will we have a section of thresholds elsewhere?
- WJ: ADA references back to section 300 which we do not
- JD: is there a repository where we will refer back to things?
- JD: is there a reason for the difference for sliding doors?
- DR: you can't have it unless you recess it into the ground, and there is the issue of water damage, ADA is 1:2 we are 1:4
- WJ: Exterior sliding door thresholds is worth keeping, we want gentler slopes than the ADA wants
- JD: Accept ADA or AAB version for external sliding doors?
- DR: Question about section B and finished floors, it might be covered by the change in level section
- WJ: Use ADA wording for section 404.2.5 but break it down into subsections
- JD: Do we keep section A from AAB? Or is it actually the same?



9. 10:55 AM Changes to 404.2.5

Motion to Use ADA wording along with section C from AAB, and break it into subsections, while referring back to our section 300 by DR
2nd by PL

Discussion:

PM: Are we including multiple dwelling housings? DR mentioned there is an exception

WJ: Section C covers that exception

JD: its equal to FHA requirements

By Acclamation/Carried

10. 10:58 AM Discussion of 404.2.4.3 (Recessed Doors and Gates)

- WJ: we treat this slightly differently in that we say you have to measure the clear space 6 inches from the face of the door
- DR: these are mostly in schools or stairwells with recess, 8 inches gives enough room to meet 18 inches within 8 to make maneuvering clearance work. I would advocate to make this consistent
- WJ: this largely is irreverent because egress doors usually don't have latch and closers and you would need to meet those clearances if you had those
- DR: Maneuvering clearances are always the same, its how far you have to reach in to reach the door handle if the door is recessed
- JD: Accept ADA language of 8 inches instead of 6?
- DR: 404.2.4.3 has a good ullustraitin

11. 11:01 AM Changes to 404.2.4.3

Motion to adopt 8 inches for door recesses and to include illustration from ADA by DR
2nd by AJ

Discussion

PM: Can we add illustration from ADA?

WJ: Added illustration

By Acclamation/Carried

12. 11:03 AM Discussion of 404.2.6 (Doors in series)

- WJ: More or less the same but AAB states doors could swing either in the same direction or away from the space between the doors
- DR: I don't see the reason why you couldn't as long as you meet the clearance
- JD: two doors that are opposing becomes a nightmare in an emergency situation
- DR: From an accessibility standpoint, there shouldn't be an issue if you have additional clearance. They have to swing out for an exit. You generally don't see doors going in opposite directions, but it may happen in an office building. As long as you have the maneuvering clearance it shouldn't be an issue
- WJ: this is for doors in a series, we have different vestibule requirements
- JD: If you have the correct maneuvering space during non-emergencies, it would be appropriate
- MK: If we do allow doors to open in opposite direction that has all of the requirements, I would be concerned if they opened in opposing directions it could be something that building inspectors could miss
- JD: What about doors swinging in opposition to each other with automatic door openers



- MK: Worried about situations where there isn't enough clear floor space it becomes a hassle for wheelchair users, especially for big people in big chairs
- JD: ADA and AAB differ on this, we need opinions from others
- MK: would prefer to require doors opening in same direction
- WJ: This is an emergency route provision, it will always be one or two push out, never two pull in, in the vestibule both doors will never be pulled from within the vestibule
- DR: If both doors swing into the space you would need at least 10 feet of clearance

13. 11:18 AM Changes to 404.2.6

Motion to take out sentence about doors series swinging together and just have the 48 inches of clearance rule and just use ADA language for 404.2.6 by DR
2nd by EM

Discussion:

PL: How easy will it be to get caught in this vestibule? We require 60 inches for turning space

JD: ADA has 3 allowances per the figure, and C would not be allowed with our proposed language

PL: I think we should still leave the doors in series sentence in. Can we keep the sentence?

DR: removes motion

JD: any other motions?

Motion to use ADA language with AAB sentence about doors in series by DR
2nd by PL

Discussion:

MK: Is graphic C still forbidden?

WJ: Yes, C will still be forbidden

By Acclamation/Carried

14. 11:34 AM Discussion of 404.2.7 (Door and Gate Hardware)

- WJ: our differences is doors in operation
- DR: this is covered in section 300
- WJ: yes, but egress doors are different, we require them to move with single effort, ours is slightly more stringent
- AJ: we should include single effort language but explain what it means
- JD: we should raise the discussion point that we should talk about what it means to define that
- WJ: the special hardware requirement is different as well, we require you knurl the door surface
- DR: To EM: are you trained to know that a roughened door means not to enter?
- EM: No, a roughened surface does not tell us anything
- JD: do we want to ensure that those doors are locked at all times?]
- DR: they may not be able to be locked at all times
- EM: often times we wander and then we encounter
- JD: so signage with brail may not be enough to warn someone?
- EM: No
- JD: How do we ensure that people are not entering hazardous areas unknowingly? The knurled/roughened idea was an attempt at that but it seems outdated
- WJ: I would steer clear about any locking rules in design requirements
- JD: Is this just an outdated thing?



- DR: is there anyway we can highlight a section that we need further comment/explanation? We don't want to lose it but we think its an issue and we may want to talk to more people about
- WJ: You can vote to table 402.2.7
- JD: MM has offered to reach out to MCB, table 402.2.7

Changes to 404.2.7 tabled without vote

15. 11:45 AM Discussion of 404.2.8 (Door closing speed)

- WJ: This is in ADA but not AAB, and they have 5 lbs. not 15 lbs.
- DR: it's a fire code issue is why they have 5 lbs.
- MK: In field work, every door is in violation of this. It's a given that its not going to be 5 lbs and exterior doors are always too heavy. AAB requires 6 seconds to close where ADA requires a different amount of time, usually door closing speed corresponds with pressure
- JD: how do we feel about keeping our doors at 15 lbs or less?
- DR: no weight requirement for exterior doors
- MK: I would like to have something in there for exterior doors based on examples I have seen. AAB has language about compensating devices; doors requiring more force shall be equipped with something to help open them. Are there other devices besides automatic door openers that can help open them?
- WJ: hydraulic closers can help if the door is heavy. Fire doors are usually only part of fire walls, entrances into buildings usually are not fire doors
- DR: I think we should keep the 15 lbs and if its too heavy they need to add the automatic door opener
- WJ: it's a different story if the door is needed to withstand fire for an amount of time. Most entrances are not fire doors
- PM: we need a clear message to install the button, compensating device is obscure
- PL: is an automatic door that has you wave to open legal?
- WJ: yes, becoming more common post-covid
- DR: Place holder for including automatic door opener, what the placement of the button means, where that is located
- MK: Agree, we need to talk about where the button will be

16. 12:00 PM Changes to 404.2.8

Motion to use ADA language with 15lb exterior hinge doors and language added about doors that are too heavy to open needing an automatic door opener, and breaking it down to subsections by PL
2nd by AJ
By Acclamation/Caried

17. 12:01 PM Discussion of 404.2.10 (Door and Gate Surfaces)

- WJ: this is not in 521
- JD: reads 404.2.10
- DR: this is the actual surface of the door; when your wheelchair has foot rests, this is what it would hit. This is to prevent that
- WJ: 521 needs something like this
- MK: With the gate piece, this would apply to outdoor recreation facilities like baseball fields, the bottom of the gates might have pointy chains that could caught on foot rest or dig into feet, having that plate would be safety mechanism for someone in a wheelchair trying to get into the space
- DR: there are four exceptions that are missing from draft.



- JD: discussion of exceptions, which ones should we add, or all?
- JD: I think we should probably add all four for clarification purposes

18. 12:13 PM Changes to 404.2.10

Motion to include ADA language for 404.2.10 including the four exceptions by PL
2nd by MK

Discussion:

PM: question about exception 2

By Acclamation/Carried

19. 12:15 PM Discussion of 404.2.11 (Vision Lights)

- WJ: Difference of an inch here. AAB says 42, ADA requires 43
- WJ: this section could use some word smithing
- JD: This is a visual cue kind of thing, do we want to apply this all doors?
- DR: this applies only in residential with ADA
- JD: what do we think? The language we have here would be for all vision lights, not just residential
- PM: is the fisheye required to be 180-degree range of view?
- WJ: it would only apply to doors containing one or more glazing panels, the requirements for fisheye would be in the residential requirements and not the door section
- DR: its for peepholes that offer the wider angle to identify people in the hallway, that's why its only in the residential section
- WJ: fisheye peep holes are not glazed so it wouldn't be covered under this section
- DR: you wouldn't see a peephole anywhere else besides a residential setting
- JD: any motions for this section?

20. 12:27 PM Changes to 404.2.11

Motion to use AAB language and break down section into subsection including vision panels with the purpose of visual identification to allow for a minimum of 180 degrees of view, and the lowest part is 66 inches from finished floor

2nd by MK

By Acclamation/Carried

21. 12:32 PM Discussion of 404.3 (Automatic Door Opener section)

- WJ: 404.3.1 through 403.3.6 is not in AAB
- WJ: this is also the only section where ANSI is referenced, we don't reference it in AAB
- WJ: ANSI is copyrighted, we can't just use their language by right, hesitant to import codes that you have to pay money to access
- JD: what does ANSI reference? Why did ADA use this
- WJ: a lot of this seems like technical requirements that would be handled in 780 and not us
- JD: we do care about clear width but that shouldn't differ with automatic door openers
- WJ: ADA splits doors into auto and manual sections
- WJ: the main difference being that power assist doors don't get the clearance exemptions
- JD: if we accept 404.3.1 through 404.3.6, is there anything conflicting? My only thought is 404.3.1 might be an issue.
- WJ: We require an active leaf, the auto would require both leaves to open
- DR: Think about sliding doors, if they opened it would be required to be 32 inches
- WJ: this could be remedied by including language that both leaves would need to open with an automatic door opener



- PM: Do we want to define automatic door system?
- WJ: We're going to import all of ADA's advisory's into a separate book and this would be covered there
- WJ: we need more guidance on where to place controls for automatic door openers
- WJ: the problem we have is we don't indicate where to put the controls
- DR: ADA doesn't say explicitly in feet where to place the controls. We just need some language for where it belongs
- JD: do we add something like "within view of the door it serves"?
- WJ: located in a space adjacent to the door?
- PM: as close as possible to the door outside of the door swing
- WJ: Controls shall be prominently located on a direct path of travel to the door in such a way to minimize the need for reversal and include the wording from section 404.3.5 Controls
- JD: open to motion or discussion

22. 12:51 PM Changes to 404.3

Motion to Adopt language created by WJ in document by DR

2nd by PM

By Acclamation/Carried

23. 12:54 Section of 404.3 that references ANSI

Motion to have 521 reference relevant building codes and not ANSI by

2nd by

Discussion:

AJ: Do we want to address closing speed?

WJ: this would depend on where the actuator is located in relation to the door. If the actuator is further from the door, it would require more time to close. It would be complicated to incorporate into code, maybe include an absolute minimum? As in it will never close sooner than 6 seconds. Do we want to put in a reasonableness requirement? The door shall close at a such a speed that allows the average person to walk through the door in a reasonable time

DR: tricky because what is reasonable to one person may not be reasonable to someone else. ANSI is the one that addresses it

PL: Table 404.3.8 – speed of opening door

24. 12:58 Period of Public Comment

- Tom Svirskey: Door in series, where we're prohibiting both doors from swinging in, a recommendation, maybe we can use a full turning circle for this option, but it should be allowed under certain conditions

25. 1:03 Curb Ramps

- WJ: Do we want to import PROWAG language for curb ramps?
- PL: sure, sounds like a good idea
- WJ: Compare AAB to PROWAG instead of ADA version
- JD: May have to separate out the major differences as ADA is only for on-site
- WJ: 521 doesn't differentiate between streets and ways and on-site
- JD: technically ADA doesn't look beyond on-site
- WJ: Use 412 Outdoor surfaces or import PROWAG R302?
- DR: Agree but we may want to get legal counsel as to how far we can go for outdoor spaces
- WJ: We've covered walkaways since 1987



- DR: when it goes to shared-use paths, we may need guidance. Just be cautious of what we can cover

26. 1:10 PM Adjourn

Motion to Adjourn by PL

2nd by DR

1:11 PM End of meeting noted

Respectfully submitted,

Bradley Souders, Office Support Specialist

