

RECREATION ACCESS ADVISORY COMMITTEE



Recommendations for Accessibility Guidelines:

Recreational Facilities and Outdoor Developed Areas

developed for:
U.S. Architectural and Transportation Barriers Compliance Board
July 1994

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The Americans with Disabilities Act became effective for public and private providers of recreation, leisure, and entertainment on January 26, 1992. Various regulations have been issued for the implementation of this civil rights law, which prohibits discrimination on the basis of disability. Among those regulations authorized by the Act are regulations regarding the accessible design of recreation facilities and outdoor developed recreation areas.

The Access Board is the federal agency responsible for the development of design guidelines for accessibility. Recognizing the broad scope of programs, entities and structures which are made available to the public for recreation, an advisory committee was appointed to provide advice and information to the Access Board on accessible design in these environments. Craig Kiser of Florida, a member of the Access Board, served as the Board's liaison to the Committee.

Access to recreation facilities and outdoor developed recreation areas is a valuable right for people with and without disabilities. As the Americans with Disabilities Act Accessibility Guidelines (ADAAG) have ensured that places of public accommodation and the workplace will be accessible, these recommendations are the first step toward ensuring that beaches, golf courses, playgrounds, sports facilities, amusement parks, swimming pools, boat launch facilities, campgrounds, and trails, will be designed for accessibility. These unique sites are part of the fabric of life in America and will be accessible to people with disabilities.

Committee Membership

There are 27 members on the Committee, all experts in their areas of knowledge. In order to have diverse input, the members represent people with disabilities, manufacturers of leisure products, operators of leisure facilities, public agencies, designers, and others interested in accessibility. The members also represent many professional disciplines, including architecture, law, engineering, manufacturing, and construction. The members include:

John McGovern of the Northern Suburban Special Recreation Association in Northfield, Illinois who was appointed as chair of the Committee and

represented the National Recreation and Park Association; Peter Axelson, with Beneficial Designs in Santa Cruz, California; Kim Beasley, representing the Paralyzed Veterans of America in Washington, D.C.; Jack Buchheister with Winter Park Resort in Winter Park, Colorado, representing the American Ski Federation; George DeVilbiss of Bethesda, Maryland, representing Self Help for Hard of Hearing People; Ron Drach (represented by Mark Giblin) with Disabled American Veterans in Washington, D.C.; Marcie Goldstein of Clifton Park, New York, representing the National Council on Independent Living; Susan Goltsman with Moore, Iacofano, and Goltsman in Berkeley, California, representing the American Society of Landscape Architects; and Rodney Grozier of Y.M.C.A. of the U.S.A. from Chicago, Illinois.

Others serving are Tom Hall of Adventure World, in Largo, Maryland, representing the International Association of Amusement Parks and Attractions; Drue Kale, of the New Jersey Department of Community Affairs; Steven King of Landscape Structures in Delano, Minnesota, representing the American Society for Testing and Materials (ASTM) Public Playground Safety Committee; Francine Wai with the State of Hawaii Commission on Persons with Disabilities; Katherine McGuinness of Katherine McGuinness & Associates in Waltham, Massachusetts; Joe Meade of the U.S. Forest Service; David Park of the National Park Service; and Robert Pike of Environmental Access in Portland, Oregon.

Also serving are George Renault of the Burning Tree Club in Bethesda, Maryland, representing the Golf Course Superintendents Association of America; Judy Rice of the U.S. Army Corps of Engineers; Catherine Roth of Universal Studios/Florida in Orlando, Florida; John Paul Scott of Walt Disney Imagineering in Glendale, California; Richard Skaiff of the City and County of San Francisco Department of Public Works; James E. Strates of James E. Strates Shows in Orlando, Florida, representing Outdoor Amusement Business Association; Henry Thrower of the Professional Golfer's Association in Palm Beach Gardens, Florida; Judith Wheeler of the Michigan Department of Natural Resources in Lansing, Michigan, representing the States Organization for Boating Access (SOBA); Jan Wilson of the United States Olympic Committee in Colorado Springs.

ADAAG to address certain elements in a recreation environment. Where a change in definition or technical requirements can result in a requirement for access, language is suggested by the subcommittees.

Third, it may be clear that ADAAG in its present form cannot address certain elements in certain leisure environments. In that situation, the subcommittees were asked to prepare both scoping language and technical requirements for that element. A rationale for these positions is included. Where possible, advisory language was offered which provides the public with greater insight about the recommendation.

Fourth, it was anticipated that there would be a number of elements where accessible design options could not be recommended without further research, or without resulting in an alteration in the fundamental nature of the element. Subcommittees were encouraged to identify these issues and articulate potential solutions and conflicts. Subcommittees also identified areas where a recommendation for access conflicted with a law or regulation for another reason, such as worker safety or preservation of open space.

It was also anticipated that not every subcommittee, again because of the scope of work, would adequately address every element or every environment. Access to ski area chairlifts and access to soft contained play systems are two examples where more information is needed. Subcommittees were asked here to identify those areas where unfinished work exists.

Finally, subcommittees were limited to design guidelines for newly constructed recreation facilities and outdoor developed recreation areas, and existing facilities or areas where an alteration occurs. The work of the Committee does not necessarily apply to existing facilities and areas without an alteration or addition. Not all subcommittees advanced to guidelines for alterations.

Subcommittees reported to the full Committee and accepted suggestions and questions from the full Committee. But, because the scope of work was so large, not every member of the Committee is fully aware of the recommendations of all six

subcommittees. Thus, the subcommittee reports tend to represent a consensus of the opinions of the members of the subcommittee, but not necessarily of the full Committee.

The Work of Others

The Committee and subcommittee meetings were heavily attended by other people with disabilities, professionals, and individuals not on the Committee. More than 250 people worked actively with one or more subcommittees, made public comment, submitted written comment, or attended meetings and provided information. Among the groups that provided significant input in this process are: The Association of People with Severe Handicaps, Eastern Paralyzed Veterans Association, World Water Park Association, Six Flags Theme Park, Miniature Golf Association of America, Paramount Parks, National Center on Accessibility, Association of Disabled Golfers, Golf Course Owners Association, National Pool and Spa Institute, American Society of Golf Course Architects, Club Corporation International, Universal Studios/Hollywood, International Association of Fairs and Expositions, and the Amusement Industry Manufacturers and Suppliers International.

In addition, many organizations have published advisory material regarding access in leisure environments. Two states (New Jersey and California) have statutory requirements. SOBA (boating and fishing) and ASTM (public playgrounds) have both issued guidelines for industry compliance. The U.S. Forest Service and the National Park Service have published materials in this area. All were thoroughly reviewed and constitute a considerable part of the recommendations in this report.

Several groups deserve congratulations for their efforts. The National Council on Independent Living surveyed members and conducted a forum on access at their April national conference. Almost half the state affiliates of the National Recreation and Park Association regularly reviewed the work of the Committee and provided comments back to the Committee.

PLACES OF AMUSEMENT SUBCOMMITTEE

DEFINITIONS

PROPOSED GUIDELINES

SECTION 20 - FACILITIES IN PLACES OF AMUSEMENT

SECTION 21 - TEMPORARY AND MOBILE PLACES OF AMUSEMENT

SECTION 22 - AMUSEMENT DEVICES, ATTRACTIONS AND SPECIALTY

THEATERS

SECTION 23 - WATER PARKS AND AQUATIC ATTRACTIONS

■ These recommended accessibility guidelines are provided for public comment only. They are neither final nor enforceable.

The Places of Amusement subcommittee was assembled of five members chosen from the Recreation Access Advisory Committee. The subcommittee's purpose was to define an area of scope that it would be responsible for the drafting of proposed guidelines for accessibility. The subcommittee's primary focus was Amusement Parks, but included other pay for play type public accommodations.

Along with other subcommittees formed from the ranks of the Recreation Access Advisory Committee, the subcommittee set out to define its area of responsibility under the parameters set forth by the Access Board and Access Board staff. The subcommittee was charged with concentrating on new and permanent construction only, and was informed that its focus was to be on the facility aspects and ADAAG-like, technical recommendations for public accommodations. Due to the large task ahead, work into areas of alteration and alterations of historic places were excluded from the subcommittee's scope. In addition, programmatic accommodation, removal of existing barriers, Title I Employment issues relating to work spaces, and Title III Parts B & C, program issues for policies and procedures, and the provision of auxiliary aids and services, were defined as being outside of the scope of the subcommittee. These were defined as being areas of concern for the Justice Department.

First, the subcommittee set out to define the public accommodations in its scope. This included, but was not limited to: amusement parks, theme parks, water parks, zoos, family fun centers, discovery centers, carnivals, fairs, aquariums, exploratoriums, dinner

theaters, entertainment shows, specialty theaters, interactive play environments, exhibitions, and wild animal parks. A listing of the specific facility component was made, and appropriate ADAAG sections or paragraphs were identified that applied to the facility component. Then an evaluation or recommendation was made on the appropriate coverage of ADAAG type scoping and technical design guidelines, or the need for proposed guidelines were noted.

This process was followed by seven additional subcommittee meetings. Each were open to the public, and held in multiple locations in Washington, D.C., California and New York. These subcommittee meetings focused on bringing the group to levels of common understanding, the crafting of proposed guidelines, spirited debate on their technical and practical feasibility, solicitation of raw input and feedback, and of course, numerous redrafts. Concurrent to full committee meetings, the subcommittee would present progress reports on its work, the learning process that the subcommittee went through, and presentation of concepts for proposal.

The public participants included: individuals with disabilities; representatives of amusement parks, theme parks and carnival operations; representatives of amusement attractions, fairs and exhibitions associations; representatives of recreational rehabilitation specialists; representative of the amusement ride manufacturing community; and, general public, and individuals representing other persons with disabilities.

DEFINITIONS

Accessible Way. Pathways, walks, halls, corridors, aisles, skywalks, tunnels, and other spaces located at sites of temporary events using mobile or temporary structures.

Rationale and Comments. The purpose of this term is to create a definition of a path of travel at temporary events. Such events have to contend with various weather conditions, natural/unimproved/partially improved sites, where ground surface conditions (standing water, mud, gravel...) may be reasonably beyond the operator's control.

This term or others of a similar nature have been proposed by the ski, golf and outdoor recreation subcommittees where site conditions make it impractical for them to meet accessible route criteria of ADAAG 4.5.

Amusement Attraction. Any building, facility, or exhibit around or through which a person or persons may move without the aid of any amusement device integral to the building or the facility, which building, facility or exhibit is for the purpose of amusement, entertainment, or education.

Examples include, but are not limited to: Fun houses; audio animatronic theater presentations; interactive play attractions within places of amusement; museums; zoo exhibits; aquariums and planetariums.

Rationale: This would encompass facilities in places of amusement that do not include amusement devices.

Amusement Device. Any static or dynamic device, combination of devices, or elements, which carry, convey or move a person or persons on, along, around, over or through a fixed or restricted course or within a defined area for the purpose of amusement or entertainment, and conveyances used primarily for entertainment or recreational purposes. Factors to consider in determining whether or not a conveyance is primarily used for entertainment or recreational purposes include whether: 1) a state or local government entity requires the conveyance to

be inspected as a ride or amusement device; or 2) the primary purpose of the conveyance is for entertainment. Examples of amusement devices include, but are not limited to, one car within a train system; a boat; a flight simulator; a ride vehicle; a go-cart; a waterslide; a horse drawn wagon or a decorative tram car not providing shuttle service.

Rationale: This definition of an amusement device is derived from that found in most state legislation governing amusement rides and devices and the Consumer Product Safety Commission definition.

The term "conveyance used primarily for entertainment or recreational purposes" is used to distinguish amusement devices from transportation vehicles.

The definition of a "tram" in section 1192.3 of the Transportation Guidelines applies to "trams providing shuttle service... between and within amusement parks and other recreational areas." Such trams are not amusement devices.

Amusement Ride System. The sum of all amusement devices, elements, related facilities and operational requirements which make up an amusement ride.

Rationale: The purpose of this is to give definition to the integrated system that makes up an amusement ride. For example, the Amusement Ride System for a roller coaster would be comprised of all of the vehicles (amusement devices), the track, the supporting area and facilities, and safety systems. The amusement ride system for a log flume ride would be comprised of all of the boats, the flume, the water supporting the boats, pumps, safety systems, and the supporting area and facilities.

Animal Containment Facilities. Buildings, facilities and elements of facilities whose primary purpose is to load, unload, house, tie out, exhibit, wash, fit, or groom animals or to provide animal health services. Examples include, but are not limited to, runs, corrals, areas for housing, exhibit and display and pathways between such elements.

Rationale: Animal containment areas are used primarily by animals and their handlers. Doorway widths and heights, accessible routes, paths, slip

temporary events. 90 days was chosen because applications of building codes almost universally require that a structure exist for more than 90 days to be covered by the building codes as permanent new construction or alteration.

PROPOSED GUIDELINES

1. Purpose

Set forth herein are recommended guidelines for accessibility to newly constructed places of amusement for individuals with disabilities. All newly constructed places of amusement are required to be accessible in accordance with these guidelines.

Places of amusement include, but are not limited to, amusement parks, theme parks, water parks, zoos, family fun centers, discovery centers, carnivals, fairs, aquariums, exploratoriums, dinner theaters, entertainment shows, specialty theaters, interactive play environments, exhibitions, and wild animal parks.

2. Safety Requirements

Places of amusement may impose legitimate safety requirements that are necessary for the safe operation of an amusement device, attraction or specialty theater.

Rationale: Derived from Section 36.301(6), Title III.

3. Provisions for Adults

The specifications in these guidelines are based upon adult dimensions and anthropometrics. If the amusement device, attraction, or specialty theater is designed primarily for use by children, deviation from the requirements of these guidelines is permitted to accommodate size and anthropometrics of the intended child users. For example, dimensions of handrails, wheelchairs, securement devices, and space requirements may vary as appropriate to the age group to the intended child user.

Rationale: Derived from ADAAG 2.1.

4. Provisions for Wheelchairs

The specifications in these guidelines are based on the dimensions and configuration of a 4 wheel, adult sized, non-powered wheelchair (see ADAAG Appendix, Figure A3).

SECTION 20 - FACILITIES IN PLACES OF AMUSEMENT

20.0 FACILITIES IN PLACES OF AMUSEMENT

20.1 PURPOSE

This section sets forth recommended guidelines for accessibility to new construction of facilities within places of amusement for individuals with disabilities.

Rationale: Places of amusement may contain some facility types that are adequately covered by scoping or technical criteria within ADAAG. The subcommittee concentrated on those functions and areas not adequately or currently addressed in ADAAG.

In addition, the subcommittee was directed to concentrate on new construction only, and on those areas that dealt with design issues for buildings and facilities, and not the programs, policies, practices, procedures or auxiliary services or aids at places of amusement.

20.1.1 Application. New construction of facilities within places of amusement shall comply with the requirements of these guidelines.

a. New construction of facilities within places of amusement shall comply with ADAAG unless otherwise provided herein.

b. Areas of buildings or facilities not intended for, or used by, the general public, are not required to be accessible to the public, and ADAAG 4.33.5 shall not apply.

Rationale: This exception applies only to areas that are not intended for access by the public. Access by the public is not required between public areas and areas used only by employees as work or performance areas, where the general public is not

Rationale: The diamond shape is standard expanded mesh or punched checker plate grating. This material is commonly used in themed show spaces. Also, the material is frequently used for mobile amusement park rides to reduce material weight, and to provide walking surface drainage and traction.

20.2.4 Areas Primarily Used by Animals. Animal containment facilities are exempt from the requirements of ADAAG sections 4.2, 4.3, 4.4, and 4.5.

Rationale: Doorway widths and heights, routes, paths, surfaces, textures, slopes, protrusions, cross slopes, and grates are designed to insure the health, safety, and welfare of livestock and handlers. Construction to allow accessibility under ADAAG requirements would endanger both livestock and handlers and adversely affect the primary function of these facilities.

20.3 ACCESSIBLE PARKING.

Accessible parking for places of amusement shall comply with ADAAG 4.1.2(5)(a), unless otherwise provided in this section.

20.3.1 Designated Accessible Parking Areas. In lieu of ADAAG 4.6.2, accessible parking may be located in designated lots or parking areas.

a. Designated accessible parking areas shall be located on the shortest accessible route of travel to the facility's accessible entrance or to transportation stops where other forms of accessible transportation are provided to and from the accessible entrance.

b. Where accessible parking is located in designated lots or areas, the signage indicating the lot as reserved for accessible parking may be located at the entrances to the lot, in lieu of a sign at each parking space.

c. The signage indicating the direction of the designated accessible parking lot or area may be portable.

Rationale: This section allows for designated parking areas and related modification to the signage provisions in ADAAG 4.6.4. Each individual space

need not be signed as accessible when the entire lot is designated as accessible parking only. Multiple designated areas may be used in large parking facilities, or where a large facility has multiple entrances.

20.3.2 Parking and Passenger Loading Zones, Signage. Signage for parking not in designated lots or areas and for passenger loading zones shall be provided per ADAAG 4.6, unless otherwise modified herein.

a. In lieu of ADAAG 4.6.4, two adjacent accessible parking spaces may share one sign indicating the spaces as reserved for accessible parking, when the two spaces do not share a common pedestrian access aisle.

Rationale: An additional graphic may be added to the sign which diagonally points downward to the two spaces. This would remove the need for signage poles from drive through parking spaces and is consistent with ADAAG criteria allowing two spaces to share an access aisle.

c. If continuous attendant services are provided directing individuals to marked accessible parking spaces, signage per ADAAG 4.1.2(5)(a) is not required to designate the spaces.

Rationale: The parking procedures for places of amusement are often managed by attendants directing the flow of traffic. Those requesting accessible parking are often given some identifiable pass which alerts the attendant to direct them to a designated accessible space. The attendant also monitors the parking to prevent use by those not presenting the identifying pass.

20.4 Wheelchair Locations in Specialty Theaters, Amusement Devices and Amusement Attractions

20.4.1 Application. Specialty theaters, amusement devices, and amusement attractions, and their queues, load and unload areas, and preshow and post show areas, are not assembly areas governed by ADAAG sections 4.1.3(19) or 4.33, and instead are governed by the requirements set forth herein.

f. Wheelchair locations shall adjoin an accessible route that also serves as a means of egress in an emergency.

g. Floors in specialty theaters with fixed seating may exceed a 1:12 slope ratio, and specialty theaters may also have tiered seating where necessary due to the fundamental nature of the amusement experience being provided. Where seating is tiered, steps may be provided in aisleways.

Rationale: Specialty theaters involve a concept of entertainment called "immersion" into the audio visual experience, which requires minimizing of visual barriers between the viewer and the screen. This can only be achieved by having steeply raked floors that aid in elevating seating above the row of seats in front of the viewer.

h. Accessible viewing positions may be clustered for areas having sight lines that require floor slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on accessible levels. Where there are more than 4 wheelchair locations, they shall be disbursed in pairs on the accessible level.

Rationale: This tracks ADAAG 4.33.3, Placement of Wheelchair Locations.

i. Where transfer seats are dispersed along aisles having slopes greater than a 1:20 ratio, a handrail need be provided on one side only and shall not conflict with doorways, or exit ways, or sight lines.

j. Handrails are not required at aisles having steps or stairs, or where there is seating on both sides of the aisle. A gripping surface shall be provided on one side of the aisle, which does not conflict with entrance and exit paths, to enable people to support themselves.

Rationale: Transfer seats may be dispersed on aisles having slopes and steps. Providing continuous handrails as required by ADAAG sections 4.8.5 and 4.9.4 is not feasible because of fire safety issues; continuous handrails would block aisles, egress paths and side exit doors.

20.4.4 Dual Sloped Floors. Dual sloped floors are permitted in specialty theaters, and preshow, lobby

or entry areas to specialty theaters where the entry doors into the theater are at differing elevations from one another.

Rationale: These dual sloped floors largely occur in the lobby or pre-show areas, to the side of the theater, because the doorways into the theater are aligned to funnel people directly into theater aisles. (Pre-show areas are places where people are entertained while waiting to enter the main show or attraction.) Because the theater seating floor is sloped for sight line views, these doors are positioned at varying elevations to correspond to the theater floor slope. The lobby area is therefore a very wide ramp with slopes parallel to the theater floor slope, and may have cross-sloping depending on how people transverse the space.

a. Level landings shall be provided on both sides of each door leading into a specialty theater where dual sloped floors occur per ADAAG Fig. 25 and Fig. 26.

Rationale: This is to allow people using wheelchairs to operate door mechanisms, by providing a flat surface where the wheelchair can be stationary.

b. Floor slopes shall not exceed a 1:16 ratio in any one direction, and shall provide level landings for each 24 inches in rise.

Rationale: It would be difficult to design a theater which provides acceptable sight lines and side door loading without the slope exceeding ADAAG criteria for slope and cross-slope. A 1:16 slope ratio and a 24 inch rise provides for a more gradual grade elevation change to the side entry doors. The level landings provide areas for people using wheelchairs to rest.

20.5.1 Assistive Listening Systems. Assistive listening systems shall be provided for amusement attractions and specialty theaters having fixed seating per ADAAG 4.1.3(19)(b) except as modified herein.

Rationale: Similar to ADAAG 4.1.3(19)(b).

a. Where a facility has multiple amusement attractions, specialty theaters or conventional theaters having fixed seats, and the public cycles from location to location, receivers provided for one location may be used in other locations that have

SECTION 21 - TEMPORARY AND MOBILE PLACES OF AMUSEMENT

21.0 TEMPORARY AND MOBILE PLACES OF AMUSEMENT ON EXISTING IMPROVED AND UNIMPROVED SITES

21.1 PURPOSE

This section sets guidelines for accessibility to temporary and mobile places of amusement on existing improved and unimproved sites for individuals with disabilities. Temporary and mobile amusement devices, attractions and specialty theaters, shall comply with the requirements of section 22, Access to Amusement Devices, Attractions and Specialty Theaters to the maximum extent feasible without fundamentally altering the nature of the amusement ride system or experience. New and permanent construction on a site shall comply with the requirements of section 20.0, Facilities In Places of Amusement, to the maximum extent feasible. Assembly and disassembly of mobile and temporary amusement devices and attractions shall not constitute new construction or alteration.

Rationale: Mobile amusement devices are subject to Federal Motor Carrier Regulations and their assembly does not typically require a building or occupancy permit. See also rationale for section 22.3.1.

21.2 ACCESSIBLE ROUTE OR ACCESSIBLE WAY

At least one accessible route or accessible way shall connect accessible buildings, facilities and elements. Examples of conditions which permit the utilization of an accessible way may include, but are not limited to, circumstances in which the changes required to comply with ADAAG sections 4.2, 4.3, 4.4 and 4.5 would result in changes to topography or surface conditions inconsistent with the primary purpose of the site of a temporary event.

Rationale: Weather conditions such as sleet, hail, rain and snow as well as certain natural topographical and soil conditions may result in a surface of an unimproved or partially improved site that is not firm, stable, or slip resistant. Site preparations and alterations should not be required if such would result in changes to the topography or

surface conditions inconsistent with the primary purpose of this site. An example would be a carnival or fair on a wheat field, an athletic field, or a park facility. There are instances where it would be undesirable to modify a site if the attributes of the site were selected as part of the theme of the event. An example would be a blue grass festival set in a wooded or landscaped setting with seating on the ground.

21.2.2 The accessible way shall comply with ADAAG 4.4. However, where the accessible way is 10 feet in width or greater, its boundaries need not comply with ADAAG 4.4.

Rationale: Tents are frequently used in connection with temporary events. It is necessary to anchor tents with tent stakes. If the accessible way is 10 feet in width then the presence of tent stakes on the perimeter of the accessible way should not be considered a protrusion.

21.3 ACCESSIBLE PARKING

Where parking is provided at a temporary event, the parking areas shall comply with section 20.3 unless otherwise provided in this section.

Rationale: It would not be feasible to require the paving of a site for accessible parking if the event is temporary in nature. The primary use of the site may not be for parking, and may not include paving, such as a public park, farm field, play lot or the like.

1. Accessible parking may be located in designated lots or areas on the shortest accessible route to the facility's entrance.

Rationale: This section requires the location of the accessible parking to be as close to the facility entrance as possible.

2. Lots may be designated with temporary barriers such as fencing, saw horses, taped barriers, chalk or the like.

Rationale: Designating the parking area with temporary barriers and permitting the users to be directed to the parking by parking attendants will allow flexibility and insure that parking is as close to

Rationale: Moving walkways, turntables and other similar devices are typically used to provide access to continuously moving amusement devices. Having to stop one amusement device in the amusement ride system would in turn stop all of the other amusement devices already dispatched. This would introduce interruptions into the amusement experience causing disruption of show synchronization. This may then require a complete recirculation of all amusement devices and a complete restart of the entire experience.

22.3 WHEELCHAIR ACCESS TO AMUSEMENT DEVICES

✓ 22.3.1 Scoping. Where it is feasible for a person to remain in a wheelchair on an amusement device without fundamentally altering the nature of the amusement ride system or experience, at least one wheelchair space on one amusement device within the amusement ride system shall be available. For example, in a ride where the amusement ride system is comprised of 3 cars, one wheelchair space should be provided on one of the 3 cars.

Rationale: This section requires that at least one wheelchair space be provided per amusement ride system where it is feasible to do so without fundamentally altering the nature of the amusement ride system or experience. One wheelchair space is recommended because amusement device cycles typically range from 90 seconds to 15 minutes. Due to this frequency of amusement device cycles, a high volume of people who use wheelchairs can be accommodated each hour as compared to a conventional motion picture theater that has a cycle time of 90 minutes.

✓ It is not possible to set specific criteria for when an amusement device can or cannot accommodate a person in a wheelchair on the amusement device because of the numerous factors involved in amusement device design. Examples of these factors include, but are not limited to:

1. seating space and configuration;
2. ride speed;

3. forces and accelerations involved during normal and emergency operation;
4. riding posture and center of gravity;
5. restraining system;
6. sight lines; and
7. safety of others.

It may not be feasible to accommodate a person in a wheelchair on an amusement device such as a looping roller coaster, for example, because the use of a wheelchair may raise a person's center of gravity, thus altering the point on the body of the person using the wheelchair which will be most affected by the dynamic forces of the ride. The presence of a wheelchair on a ride device may also create instability on some amusement devices such as a raft ride.

Mandating a percentage of amusement devices that can accommodate a wheelchair is not appropriate because no two amusement devices are alike (unlike water fountains or counter tops). Moreover, even if a person cannot remain in a wheelchair while on an amusement device, the device will be accessible by means of transfer.

The phrase "fundamentally alter the nature of" found in Title III section 36.302 and Title II section 35.150, applies to the provision of goods, services and facilities and therefore is applicable to an amusement experience. The nature or mix of goods that the places of amusement should provide (such as mix of type of rides or attractions), is a program issue under section 36.307, 28 CFR Part 36 and is not appropriate for discussion in these guidelines.

22.3.2 Wheelchair Access onto Amusement Devices. To the maximum extent feasible without fundamentally altering the nature of the amusement ride system or experience, wheelchair access onto amusement devices shall be accomplished in accordance with section 22.3:

22.3.2.1 Clear Width of Boarding Lane. In the loading or unloading areas, the boarding lane provided for wheelchair access to the amusement

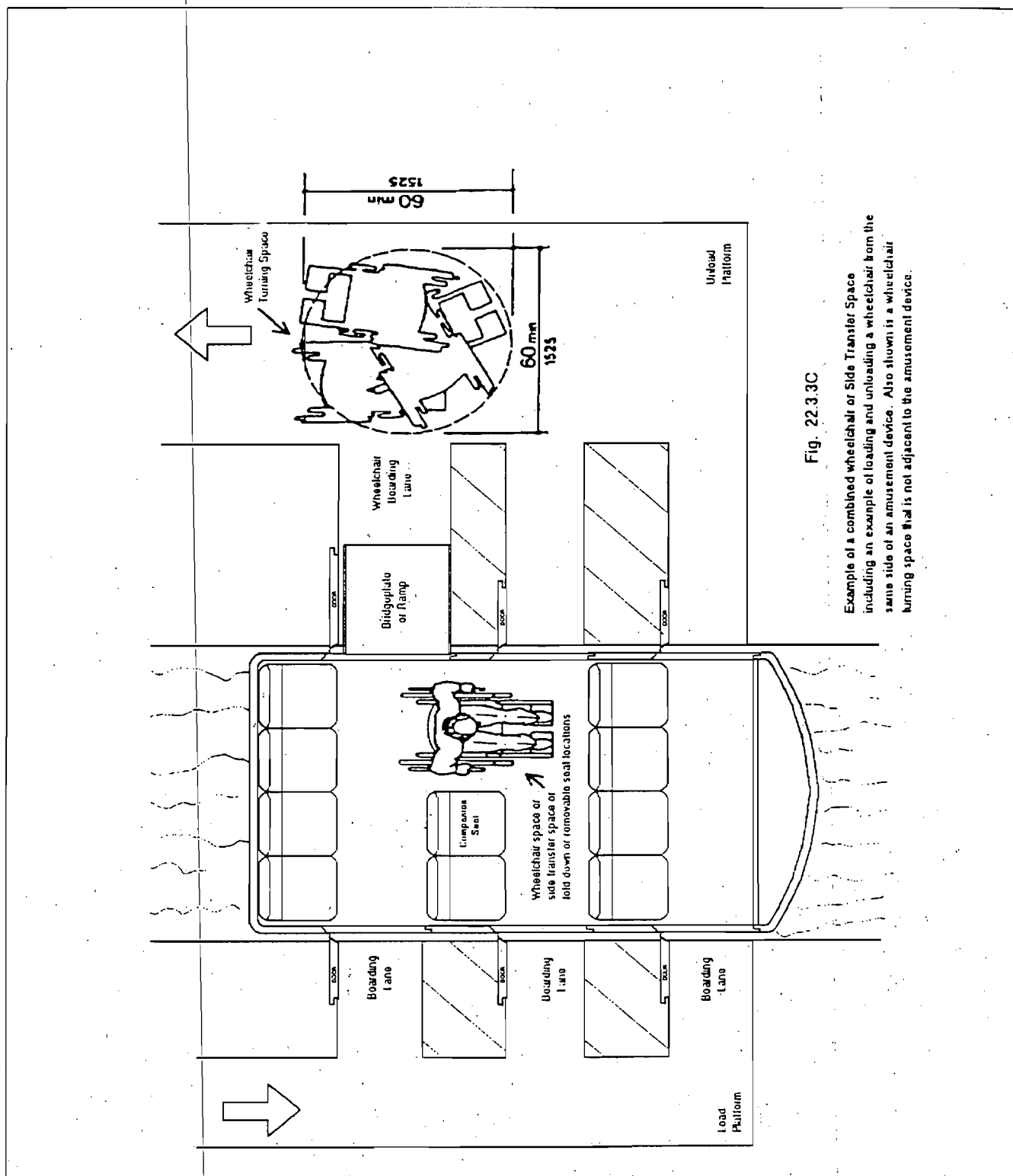


Fig. 22.3.3C

Example of a combined wheelchair or side transfer space including an example of loading and unloading a wheelchair from the same side of an amusement device. Also shown is a wheelchair turning space that is not adjacent to the amusement device.

Figure 22.3.3C

22.3.4.6.1 Table of Slope Ratios for Ramps and Bridge Plates.

Height of Amusement Device from Load or Unload Area*	Maximum Slope for Unassisted Wheelchair Access on Ramps*	Maximum Slope for Operator Assisted Wheelchair Access on Ramps*
5/8" to 3"	1:4	1:4
greater than 3" to 6"	1:6	1:4
greater than 6" to 9"	1:8	1:4
greater than 9" to 15"	1:12	1:4
greater than 15:	1:12	1:8

*Measured with amusement device at 50% passenger load.

Rationale: Access to a greater number of amusement devices is achievable by allowing for steeper slopes and by permitting the operator to assist in maneuvering the wheelchair on the ramp and onto the amusement device. See section 22.3.7.

It is recognized that slope ratios may vary during passenger loading due to amusement devices that are floating, such as boats, or that have suspension systems. The slope ratios listed for unassisted access are derived from the Transportation Guidelines, light rail, section 1192.83(c)(5).

22.3.4.7 Bridge Plate, Ramp, and Lift Barriers. Ramps or bridge plates which exceed 3 inches in length or which are less than 36" in width shall have barriers at least 2" high on each side or shall have other means to prevent wheels from slipping off of the side of the ramp or bridge plate. A moveable barrier at least 2" high or other means shall prevent wheels from rolling off of a lift.

Rationale: Examples of other means to prevent wheels from slipping include, but are not limited to, providing operator assistance or other forms of barriers such as an amusement device door.

22.3.4.8 Surfaces of Bridge Plates, Ramps and Lifts. The bridge plate, ramp or lift surface shall be slip resistant and shall not have protrusions from the surface greater than 1/4" high. The surface shall

permit drainage where necessary. When grating is utilized it shall comply with section 20.2.3.

Rationale: Derived from Transportation Guidelines, section 1192.83(c)(2).

22.3.5 Handrails for Bridge Plates, Ramps and Lifts. When bridge plates or ramps are used between the load or unload area and the amusement device, handrails are not required. When lifts are used with mobility aids other than wheelchairs, handrails shall be provided.

Rationale: In comments to the Transportation Guidelines, sections 1192.83 and 1192.125, the Access Board concluded that handrails are not required on ramps or bridge plates.

Providing handrails next to amusement devices may also present safety hazards such as limbs of passengers on board the amusement device striking stationary handrails in the load or unload area. In addition, the handrails in the load or unload area may interfere with the operation of the doors on the amusement device.

22.3.5.1 Handrails for Bridge Plates, Ramps, and Lifts. The handrail provisions of ADAAG sections 4.8.5 and 4.26 do not apply. When provided, handrails shall comply with the following and section 22.3.5.2 through 22.3.5.5:

Rationale: Refer to Transportation Guidelines, section 1192.95(d) Mobility Aid Seating Location.

22.3.6.5.2 Wheelchair Space Envelope Foot Clearance. An overlap space of not more than 6 inches of required floor space is permitted for a wheelchair foot rest under another seat or element within the amusement device, provided there is a minimum of 9 inches from the floor to the lowest part of the overhanging seat or element.

Rationale: Refer to Transportation Guidelines, section 1192.95(d) Mobility Aid Seating Location.

22.3.6.5.3 Wheelchair Space Envelope Knee Clearance. An overlap space of not more than 19 inches of required floor space is permitted for the wheelchair users' knee space and foot rests under a portion of the amusement device, provided there is a minimum height of 27 inches high and a minimum width of 30 inches.

Rationale: Refer to ADAAG 4.32.3 Fixed or Built In Seating at Tables.

22.3.7 Operator Assisted Wheelchair Access. Operator assisted access to the wheelchair space may be provided. Nothing in this section shall be interpreted to require an operator to provide personal assistance.

Rationale: The operator is responsible for the proper loading and unloading of all persons on amusement devices. The operator may provide assistance in maneuvering, guiding, placing and securing a wheelchair on an amusement device in order to provide for safe boarding. An operator is not required to lift a person or provide other personal assistance.

22.3.8 Operation of Securement and Other Devices. When bridge plates, ramps, lifts, or wheelchair securement systems or devices are provided, the securement system or device may be designed to allow the amusement device operator, and not the wheelchair user, to operate the securement system or device.

Rationale: The operator is responsible for the proper operation of all securement devices and restraint

systems. Typically the operator does not permit the rider to operate the securement devices or restraint systems.

22.3.9 Mobility Aid Devices Other Than Wheelchairs. Mobility aids which can be properly contained and restrained within an amusement device without creating a safety hazard shall be permitted. Where not feasible or a safety hazard, alternative storage shall be provided.

Rationale: Providing storage on the load or unload platform is a common practice for amusement device operations. Mobility aid devices are commonly returned to the patron by the operator, after being temporarily stored in an area which is not an area commonly used by other guests.

22.4 TRANSFER ACCESS TO AMUSEMENT DEVICES

22.4.1 Scoping Requirements for Transfer Access Onto Amusement Devices. To the maximum extent feasible, without fundamentally altering the nature of the amusement ride system or experience, a means of transfer onto an amusement device shall be provided in accordance with section 22.4.

Rationale: See rationale for section 22.3.1

Examples of a means of transfer, include but are not limited to, diagonal and side transfer. Other types of transfers are permitted where required by the amusement device configuration.

Rationale: The size and shape of amusement devices may vary significantly. It is impossible to anticipate the various combinations of shapes and other factors which may require unique methods of transfer.

22.4.2 Transfer Seat. At least one transfer seat on one amusement device within the amusement ride system shall be available. A transfer seat may be a special seat, standard amusement device seat or fold down seat.

Rationale: Amusement device cycles typically range from 90 seconds to 15 minutes. Due to the frequency of ride cycle, a high volume of people who transfer can be accommodated each hour as compared to a

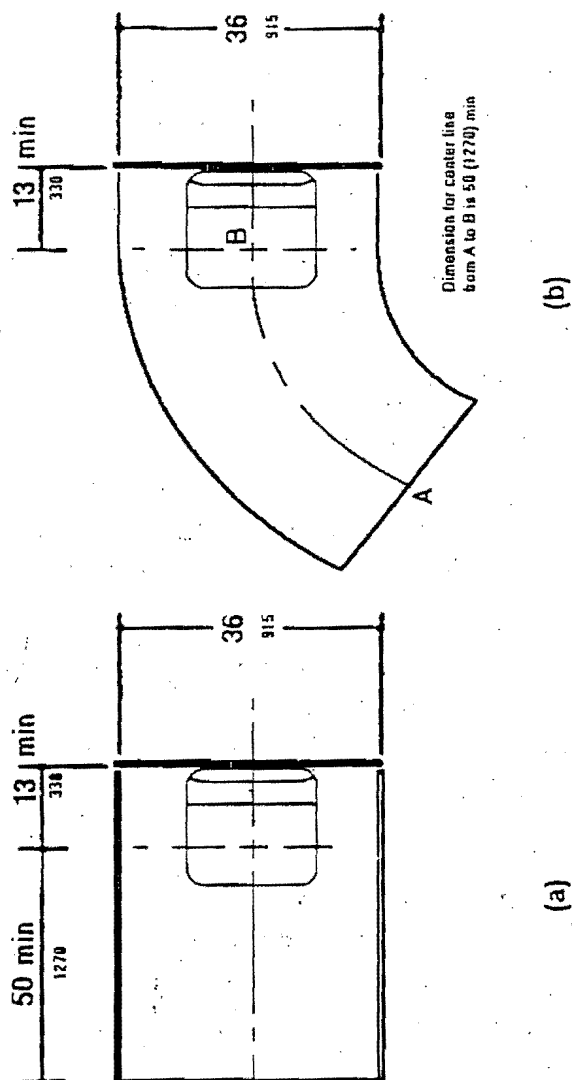


Fig. 22.4C
Diagonal Approach Transfer Space
Derived from ADAAG, TITLE III, APPENDIX B, pg. 43 Fig. 30b

Figure 22.4C

extends at least 18 in. (455mm) above the top surface of the transfer grip.

Rationale: This language was derived from ADAAG 4.26.2.

22.4.2.5.3 Surface Requirements of Transfer Grips. Any transfer grip and surface adjacent to it shall be free of sharp or abrasive elements. Edges shall have a minimum radius of 1/8 in. (3.2 mm).

Rationale: This language was derived from ADAAG 4.26.4.

22.4.2.5.4 Rotation of Transfer Grips. Transfer grips shall not rotate within their fittings.

Rationale: This language was derived from ADAAG 4.26.3(5).

22.4.2.6 Provisions for Assistive Transfer Devices. Where assistive transfer devices are used, deviation from these guidelines is permitted to accommodate the assistive transfer device. Examples of assistive transfer devices include, but are not limited to: transfer boards, transfer steps, transfer chairs, or other similar devices.

Rationale: ADAAG 2.2 provides for deviation from particular technical requirements by use of other designs and technologies where alternative designs and technologies will provide substantially equivalent or greater access.

22.4.2.7 Transfer Seats on the Amusement Device. Where diagonal or side approaches are provided, to the maximum extent feasible, the transfer seat's bottom shall be located at a height of no less than 15 inches and no more than 19 inches above the surface of the floor from which the person is transferring.

Rationale: Some amusement devices do not have floors. As a result, it is necessary to reference the point for seat height with respect to the initial point of transfer, (i.e., the loading/unloading platform area) rather than the amusement device floor.

The height of the seat will dramatically affect the point of the center of gravity and, as a result, the impact of ride dynamics and resultant forces on the

person occupying the seat. Amusement devices vary from ride system to ride system due to ride characteristics such as ride dynamics.

SECTION 23.0 WATER PARKS AND AQUATIC ATTRACTIONS

23.0 WATER PARKS AND AQUATIC AMUSEMENT DEVICES AND ATTRACTIONS

23.1 PURPOSE

This section sets forth guidelines for accessibility to water parks and aquatic places of amusements for individuals with disabilities. All new construction of water parks and aquatic attractions are required to be accessible in accordance with these guidelines to the maximum extent feasible unless complying with these guidelines would fundamentally alter the nature of the amusement experience.

Rationale: ADAAG and section 20 - Facilities For Places of Amusement address the permanent and temporary buildings and facilities in places of amusement that may contain aquatic attractions. They do not adequately address the aquatic amusement devices and attractions themselves, which have unique design conditions.

23.2 GENERAL REQUIREMENTS

Facilities at water parks shall comply with the requirements of section 20.0.

Rationale: Aquatic amusement devices and attractions have similar construction, mechanics, operation and safety parameters as other amusement devices and attractions. The difference between amusement devices and the aquatic amusement devices described in this section is that water is used to speed or slow down the rider in the device, or provide other interactive aquatic recreation, unlike a conventional swimming pool or spa.

Aquatic amusement devices and attractions can generally be placed in four categories.

1. Kiddy water play attractions, such as slides, ponds, crawling structures, sand bars and water squirts.

water in the pool and shall not extend beyond the end of the landing.

Rationale: Handrails that are partially submerged in the water or adjacent to swimming lanes are a protrusion hazard for swimmers. These underwater handrails or guard rails are typically banned in swimming pool design codes.

f. Handrails on aquatic ramps shall not intersect swimming lanes.

23.4.3 Zero Depth Entry. Zero depth entry may have a slope up to 1:16 ratio, and lead to a level landing, as provided by 23.4.2(a).

Handrails are not required at sides of zero depth grade entry paths where the ramping begins within 60 inches of the water's stationary edge.

Rationale: This is the most popular method of entry into wave pools, and other similar pools. This is a reproduction of a soft grade beach, but with paving and sand. Floating buoys or pool surface markings are recommended to define the extent of the 30" water depth in a section of the pool.

23.4.4 Transfer Steps Entry. Transfer steps entry shall have the highest transfer level set at 17 to 19 inches above landing elevations. Their surfaces may be firm or resilient, and should not be abrasive in texture.

Rationale: More research is needed to determine the safety of abrasive and firm (hard) surfaces for transfer steps for the user, and for those persons who may use them as conventional stairs.

a. A level wheelchair landing 60 inches by 60 inches shall be located adjacent to the pool edge and the transfer steps.

b. Risers of transfer steps shall be 5 to 7 inches in height. Transfer steps shall tier down to a grade level between 12 to 24 inches below stationary water level.

c. Transfer steps shall have a minimum of 14 inches of tread depth and a minimum of 14 inches tread width.

Rationale: Some research is needed to determine the appropriate depth that a person needs to achieve in order to become buoyant, or to exit the water.

More research is needed to appropriately set dimensional standards for transfer steps. The reach ranges of ADAAG 4.2 should be considered in the design and configuration of transfer steps and handrails.

d. One handrail shall be provided at the side of the transfer step opposite the wheelchair landing. It shall be located within the reach ranges of ADAAG 4.3 Figure 6.

e. Transfer steps and their handrails shall not intersect swimming lanes.

23.4.6 Ladders. Ladders may be provided in accordance with applicable local swimming pool design codes. Their handrails shall not intersect with the stationary water level.

23.4.7 Lifts. Manual or mechanical lifts may be used for access.

Rationale: When lifts are used there should be continuous attendant observation of use and equipment availability.

23.5 Pool and Spa Side Walls

Swimming pool and spa side wall heights shall not extend more than 19 inches above the deck, and shall be at least 60 inches in length.

Rationale: This would allow for ease of access for those with mobility difficulties as well as those requiring wheelchair access. At issue is the height to step over the pool or spa edge, and then down into the water, and then to be able to exit the pool or spa again.

23.6 AQUATIC AMUSEMENT DEVICES AND ATTRACTIONS

Aquatic amusement devices and attractions may be designed to include climbing ropes, ladders, stairs or other objects; sliding from elevated areas into a plunge or skid pool; dropping into the water;

9/21

Universal Orlando Assessment Amusement Parks
Busch
Disney Amusement Board

ADA Recreational Facilities

Disney

Recreation Advisory Comtee

- advise Amusement Board
- solicited public opinion
- process involving industry, experts, consumers (people w/ disabilities) manufacturers & operators

Draft rule put out for guidelines July 1994
Advance Notice for Public Comment

[When was this published]
No ~~substantive~~ substantive comment

Proposed Final Rule in July 1999

Very disappointed

Decreases access

Decreases safety
structural and operational infeasibility

- required space dimensions
- required 1 in 100
(some rides only 1 given time & space)
- dispersion not really feasible
many parks seem to have them nearby
(wait only 2-4 minutes - unlike water park)
- transfer seat requirements
(requires both transfer seat and
wheel chair accessibility)
Don't think transfer seats would be used

Requirement that transfer seat be a particular height

- could be unsafe
- some rides need low centers of gravity
- especially smaller operators w/o as much engineering expertise could make it in unsafe way

Many rides would just seek the exception

Universal

Concerned about process
lots early on -
not afterwards

~~Comments~~ Comments on original proposal

38 industry - didn't want any changes

18 spanning requirements

15 Condon + un Condon timing - industry

3 disability groups submitted comments

if have to slow rides more often

in favor

→ safety concerns

→ more delay for the families

→ riders impatient jump out

→ human factor

Access Board members changed over since 1994

Comment period ends Dec 8th



Daniel I. Werfel

09/17/99 11:00:15 AM

.....

Record Type: Record

To: Amy Squires/OMB/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Access Board Rule Background

Amy,

In anticipation of our Tuesday meeting with Disney, you requested some information for John on the Access Board proposed rule, "Americans with Disabilities Act Accessibility Guidelines (ADAAG); Recreation Facilities." Note that several individuals from the Access Board will be in attendance at the Tuesday meeting including Larry Roffee, the Executive Director. Let me know if any more information is needed.



access2.doc

Message Copied To:

John F. Morrall III/OMB/EOP@EOP
Donald R. Arbuckle/OMB/EOP@EOP
David Rowe/OMB/EOP@EOP
Richard P. Theroux/OMB/EOP@EOP
Cynthia A. Rice/OPD/EOP@EOP

MEMORANDUM

To: John Spotila
From: Danny Werfel
Date: 9/17/99
RE: Background Material on the "Americans with Disabilities Act Accessibility Guidelines (ADAAG); Recreation Facilities" NPRM

Background on the Access Board and its Rulemaking Process: The Architectural and Transportation Barriers Compliance Board (Access Board) was created by the Rehab Act of 1973. Under the ADA (1990), the Access Board is empowered to issue minimum guidelines and standards for accessibility to public accommodations and commercial facilities. Under the law, DOJ must promulgate regulations consistent with the Board's recommendation. Thus, once these standards go final, DOJ will have to act on them through their own notice and comment rulemaking.

Timing of the Proposed Rule: The Access Board's Recreational Facilities NPRM was published on July 9, 1999. The comment period ends in late November.

Background on the Rule: This major rule outlines the requirements owners and operators of recreational facilities must follow in ensuring access for individuals with disabilities. The rule applies to newly built (or substantially altered) amusement rides, boating facilities, fishing piers and platforms, golf and miniature golf courses, playing fields (e.g., baseball and football fields), swimming pools, bowling lanes, and exercise equipment.

The proposal significantly increases access for the disabled to these facilities. We anticipate that the regulated community (i.e. Disney) will feel that the proposal is too far-reaching and expensive.

In terms of amusement park rides, the rule requires:

- One wheel chair space and one transfer seat (i.e. seat where an individual can be transferred from wheel chair) for every 100 fixed seats. For rides with less than 100 seats, at least one wheel chair space and transfer seat would still need to be provided. [Two transfer seats, rather than 1 wheel chair space and 1 transfer seat, is acceptable if it is not "operationally or structurally feasible" to provide wheelchair spaces (e.g., on a looping roller coaster)].
- If the ride has shoulder to shoulder seats (or companion seats) then the wheel chair space must have a fixed seat next to it. In other words, the rule would not allow the wheel chair to be in a row by itself, when all the other fixed seats are done in pairs.
- One storage space for a wheel chair must be provided for every fixed 100 seats.

- An accessible area for individuals with disabilities to board the ride, where the floor height of the loading and unloading area are basically flush with the floor of the amusement device. [Sloped ramps can only be used if it is not "operationally or structurally feasible" to make it flush].

Based on the Access Board's cost analysis, the cost of the amusement park provisions would run in range of \$23,305,000 to \$185,850,000 annually.

Other significant provisions with the rule:

- Fishing Piers. 25% of all railing space on fishing piers need to be at a lower height than the traditional 42 inches to allow for an individual in a wheel chair to fish.
- Boating Facilities. Ramps (that can cost up to \$200,000) would be required to bridge land to floating docks.
- Golf courses. Golf carts or other appropriate motorized vehicles transporting individuals with disabilities must be able to access the putting green surface. Also, each hole must have at least one of the teeing off areas accessible, and if the hole has two or more teeing off areas (e.g., "the white tees and the blue tees"), then at least 2 must be accessible.
- Swimming pools. Smaller pools will require one means of entry (a sloped entry or a mechanical lift). Larger pools will require at least two means of entry.
- Baseball dugouts. Requires ramps (with strict slope requirements) from a recessed dugout to the playing field. Despite recommendations from the subcommittee working on the reg development, mechanical lifts are not allowed as an option.



Cynthia A. Rice

09/08/99 06:36:10 PM

Record Type: Record

To: Daniel I. Werfel/OMB/EOP@EOP
cc: J. Eric Gould/OPD/EOP@EOP
Subject: Request for OIRA meeting

Richard Bates, who represents Disney, will call John Spotilla's office and ask for a meeting regarding the Access Board rule which regarding recreational facilities and the Americans with Disabilities Act.

They will probably propose Sept 21st at 11:00 (this is the time they proposed to Bruce's assistant Cathy before I explained that the meeting should be set up through you all). They are bringing folks in from out of town.

Eric and I will represent the DPC.



Cynthia A. Rice

09/08/99 06:14:06 PM

Record Type: Record

To: Cathy R. Mays/OPD/EOP@EOP
cc: j. eric gould/opd/eop@eop
bcc: Records Management@EOP
Subject: Re: ADA Mtg with Disney

Cathy -- I spoke to OMB about this issue. Because it involves a pending regulatory matter, the meeting has to be set up through OMB's Office of Information and Regulatory Affairs. I'll call Richard and explain we'd love to meet with him and explain this.

Cathy R. Mays

Cathy R. Mays

09/08/99 04:35:43 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP@EOP, J. Eric Gould/OPD/EOP@EOP
cc:
Subject: ADA Mtg with Disney

I think we're set -- they want to meet with you, Sept. 21, 11:00 a.m. If this doesn't work, let me know.

Cynthia -- Call me on this -- Richard Bates would like to talk with you a little before that meeting happens. He's expecting your call -- his phone number is 222-4740.

I'll get info on these folks and have them cleared.

Danny Warfel

S 6466

9/7

Rule fore by Area Board (proposed rule)
Justice usually adopts it word for word

Here parks

play

~~golf~~ golf courses

"recreational facilities"

Swimming pools

Area Board independent

Comment period over in November

TX

Boston } mtg

Roller costers have to law
(new ones)

for every 106 seats, need one
where wheel chair can
be attached

508 Telecommunication

→ AB about to submit proposed rule

Playgrounds rule

→ out as proposed

Jonathan Yang

* Disney should call

395-~~5877~~
4852

**

John Spotilla's office

Danny will send me background info



Daniel I. Werfel

09/07/99 02:46:42 PM

.....

Record Type: Record

To: Cynthia A. Rice/OPD/EOP@EOP

cc:

Subject: Access Board Rule Heads Up

Cynthia,

Some of the info you requested this morning.

The Architectural and Transportation Barriers Compliance Board (Access Board) was created by the Rehab Act of 1973. One of their roles is to set standards under the ADA that DOJ is supposed to adopt.

The Recreational Facilities NPRM was published on July 9, 1999. The comment period ends in late November.

OMB staff had significant comments and concerns with the rule. The memo below to Josh basically covers it. All matters were basically resolved through preamble language.

Note: I misspoke this morning. When DOJ does adopt these standards, they will do it through their own notice and comment rulemaking. So this should be awhile before it hits the streets.

----- Forwarded by Daniel I. Werfel/OMB/EOP on 09/07/99 02:25 PM -----



Daniel I. Werfel

06/09/99 05:40:49 PM

.....

Record Type: Record

To: Joshua Gotbaum/OMB/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Access Board Rule Heads Up

OIRA is about to complete its review of a major Architectural and Transportation Barriers Compliance Board (Access Board) NPRM entitled "Americans with Disabilities Act Accessibility Guidelines (ADAAG); Recreation Facilities." The Access Board's proposal sets out guidelines which the Justice Department would adopt in regulation for owners and operators of recreational facilities (e.g., amusement parks, boating facilities, golf courses, pools) to follow in ensuring access for individuals with disabilities. The rule would apply only to newly built facilities or current facilities that are substantially altered.

Some of the more significant provisions:

- Amusement park rides. One wheel chair space for every 100 fixed seats. For rides with less than 100

seats, at least one wheel chair space would still need to be provided.

- Fishing Piers. 25% of all railing space on fishing piers need to be at a lower height than the traditional 42 inches to allow for an individual in a wheel chair to fish. We have asked the Board to seek comments on possible safety concerns for the non-disabled. Also, we are working with DOL to make sure this proposal is consistent with OSHA regulations when fishing piers are considered work areas.
- Boating Facilities. Ramps (that can cost up to \$200,000) would be required to bridge land to floating docks.
- Golf courses. Golf carts or other appropriate motorized vehicles transporting individuals with disabilities must be able to access the putting green surface. Also, each hole must have at least one of the teeing off areas accessible, and if the hole has two or more teeing off areas (e.g., "the white tees and the blue tees"), then at least 2 must be accessible. (This goes beyond the ADAAG guidelines, which only require 1 accessible hole, in response to comments from disabled golfers on a previous ADAAG notice.)
- Swimming pools. Smaller pools will require one means of entry (a sloped entry or a mechanical lift). Larger pools will require at least two means of entry.
- Baseball dugouts. Requires ramps (with strict slope requirements) from a recessed dugout to the playing field. Despite recommendations from the subcommittee working on the reg development, mechanical lifts are not allowed as an option.

Also, the Access Board seeks comments on possible future regulatory initiatives that could be interpreted as over zealous and could potentially be used by an individual with an "anti-reg" agenda to poke fun at the administration:

- Water slides. The Board asks for comments on the potential for using ramps or elevators to allow individuals with disabilities to reach the top of water slides.
- Golf course sand traps. The Board asks for comments on the potential for requiring golf courses to provide individuals with disabilities access to sand traps.

Traditionally, we have not done "Heads Up" memos for COS on Access Board rules because the rules tend to have limited political exposure. However, this rule may generate substantial interest from the public including the U.S. Golf Association, municipalities, and small business.

Please let us know if you think a formal heads up memo is necessary or if you would like more information on this rule.

Message Copied To:

Donald R. Arbuckle/OMB/EOP@EOP
John F. Morrall III/OMB/EOP@EOP
Daniel J. Chenok/OMB/EOP@EOP
Richard P. Theroux/OMB/EOP@EOP
David Rowe/OMB/EOP@EOP
Victoria A. Wachino/OMB/EOP@EOP



Cynthia A. Rice

09/07/99 09:16:59 AM

Record Type: Non-Record

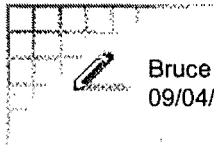
To: Daniel J. Chenok/OMB/EOP

cc:

Subject: Seeking info on possible pending rule

Does OMB have a pending rule related to the Americans with Disabilities Act and theme parks?
Which OIRA person would handle ADA issues, if not you?

(Here, Eric Gould and I would be the DPC reps, but counsel's office -- Eddie Correia -- has often taken the lead)



Bruce N. Reed
09/04/99 03:57:28 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP@EOP

cc:

Subject: ADA

As part of your massive portfolio, do you handle the Americans with Disabilities Act?

If so, I have a wonderful opportunity for you. Richard Bates, the Wash rep for Disney, wants to talk to the WH about a pending rule on ADA and theme parks (!). Can you check with OMB and find out what this is, and whether it's appropriate to listen to anybody on it?

If it's OK to talk with Bates, could you call him? His number is 222-4740.

Of course, given the recent safety record, and Podesta's deep interest in roller coasters, perhaps we should be taking a more comprehensive look at theme parks. That sounds like a Freedman issue, but I believe your team would do an excellent job, even though you'll no doubt demand a lot of onsite visits.

If somebody else in the WH does ADA, feel free to throw this their way. Thanks.