An Introduction to the U.S. Access Board

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National Employment Team Fall Summit
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1. Mission and Structure
2. Overview of rulemaking process
3. Opportunities to contribute
An independent, federal micro agency comprised of:

• Up to 30 Federal Staff

• 25 Board Members
  - 13 public members appointed by the President
  - 12 federal members from cabinet-level agencies, the U.S. Postal Service (USPS), and the General Services Administration (GSA)
1968: Architectural Barriers Act (ABA)

• First federal law to address access for people with disabilities

• Covers facilities:
  ▪ constructed or altered by or on behalf of the United States
  ▪ leased, in whole or in part by the United States
  ▪ financed in whole or in part by a grant or loan made by the United States
1973: Rehabilitation Act, Section 502
Established the U.S. Access Board

Mission/Functions

1. Develop accessibility guidelines & standards.
2. Provide technical assistance & training on these guidelines and standards.
3. Enforce the ABA Standards.
1978: Rehabilitation Act, Amended

Expanded scope of Board’s responsibility by authorizing the Board to:

- establish standards for accessibility of federal buildings and to
- assist agencies in the removal of architectural and communications barriers, etc.
Additional Laws Defining Access Board’s Responsibilities

1990: Expanded responsibility to include establishing guidelines:

- For the accessibility of state and local government facilities; facilities owned, leased, or operated by places of public accommodation; and certain transportation vehicles

1996: Authority to issue standards under Section 255 of the Telecommunications Act
1998: Tasked with issuing standards under Section 508 of the Rehabilitation Act

- Requiring all information and communication technology procured, maintained, or used by the federal government be readily accessible to and usable by individuals with disabilities

2010: Section 510 of the Rehabilitation Act (part of the Patient Protection and Affordable Care Act)

- Directs Board to issue technical standards for the accessibility of medical diagnostic equipment (MDE)
Process for Issuing Accessibility Standards and Guidelines

• Advance Notice of Proposed Rulemaking (ANPRM)
• Notice of Proposed Rulemaking (NPRM) - opportunity for public comment (typically 60 days)
• Preliminary and Final Regulatory Impact Analyses - required for most rulemakings
• Board reviews public comments, revises the rule text, and issues a Final Rule
• Board vote and review
• Interagency coordination through the Office of Management and Budget is required before publication of ANPRM, NPRM, and Final rule
Public Comments: Your Call to Action!

1. Review and post your comments.
2. Share with others.
The Board has developed technical accessibility specifications in the following areas:

- Buildings and facilities
- Outdoor developed areas
- Transit systems
- Public transit facilities
- Buses and vans
- Rail vehicles
- Information and communication technology
- Prescription drug labels
- Medical diagnostic equipment
Pedestrian Facilities in the Public Right-of-Way (PROWAG)

- Provides standards for accessibility of sidewalks, intersections, transit stops in the public right-of-way, on-street parking, shared use paths, and other facilities and elements that pedestrians use
- Guidelines will apply to State and local government entities and to public-rights-of-way subject to the ABA
Accessibility of Electric Vehicle (EV) Charging Stations

- August 2022: Access Board issued a TA document with technical recommendations
- September 2023: NPRM planned
- Will amend both the ADA Accessibility Guidelines (ADAAG) and the ABA Accessibility Guidelines (ABAAG)
Self-Service Transaction Machines

- September 2022: Published an ANPRM published
- December 2023: Projected publication date for the NPRM
Standard for Medical Diagnostic Equipment

*In Development, cont.*

- January 2017: Published
- Outstanding issue at that time: low transfer height for examination tables and chairs
- May 2023: Access Board issued an NPRM (comment period ended July 24, 2023), setting 17 inches as the low transfer height; currently, under provisions set to expire in February 2025, transfer height from 17 to 19 inches is permitted
Access Board Standards & Guidelines
In Development, continued

Guidelines for Passenger Rail Vehicles

- 2020: ANPRM issued
- May 2024: NPRM anticipated
Services: Technical Assistance, Guides and Training

Accessibility Assistance:
Phone: (202) 272-0080, Ext 3
Email: ta@access-board.gov

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“Advancing Full Access and Inclusion for All”