

HOUSE BILL REPORT

HB 1263

As Reported by House Committee On:
Local Government

Title: An act relating to powered automatic doors in buildings accessible to the public.

Brief Description: Concerning powered automatic doors in buildings accessible to the public.

Sponsors: Representatives McBride, Riccelli, Peterson and Dolan.

Brief History:

Committee Activity:

Local Government: 1/24/17, 2/2/17 [DP], 1/18/18 [DPS].

Brief Summary of Substitute Bill

- Requires at least one exterior door at an accessible public entrance of a business to be:
 - a fully powered automatic door that operates with a push button or a motion sensor; or
 - wired with a doorbell or other sound emitting device.
- Applies the requirement for automatic doors and doorbells to specific businesses that are a certain size and that are newly constructed or being renovated.
- Requires the State Building Code Council to adopt rules by January 1, 2019, to implement the automatic door and doorbell requirement for businesses.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

Minority Report: Do not pass. Signed by 2 members: Representatives Pike, Assistant Ranking Minority Member; Taylor.

Staff: Yvonne Walker (786-7841).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Federal Regulations.

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public.

The ADA Accessibility Guidelines, when adopted by the Department of Justice (DOJ), become the federal standards (known as the ADA Standards for Accessible Design). The ADA standards are part of the DOJ's Code of Federal Regulations (CFR), found in the DOJ Title II - 28 CFR Part 36. The CFR requires that the maximum force for pushing or pulling open a door must be limited to 5 pounds of force for an interior hinged door and 5 pounds of force for a sliding or folding door. Currently, no amount has been settled upon or published in the CFR by the federal government for exterior hinged doors.

In addition to the CFR, most states have their own regulations regarding accessibility. The more stringent requirement, the requirement that provides greater access for individuals with disabilities, applies in most cases.

State Regulations.

The State Building Code (Code) provides a set of statewide standards and requirements related to building construction. The State Building Code Council (SBCC) is responsible for maintaining and amending the Code. The SBCC consists of local government officials as well as building industry and public representatives.

The Code is comprised of several different codes including building, residential, fire, and plumbing codes. Many are national model codes, such as the International Building Code, adopted by reference by the Legislature. The model codes are updated and published every three years. The 2015 editions of the building and residential codes are currently adopted in Washington.

Building Classifications. The 2015 International Building Code classifies all buildings and structures with respect to use and occupancy. Most buildings are classified in one of the following building code groups:

- Group A - Assembly (movie theaters, casinos, restaurants);
- Group B - Business (banks, barber and beauty shops, dry cleaning);
- Group E - Educational (buildings used for educational purposes by six or more persons, religious educational rooms, day care facilities);
- Group F - Factory and Industrial;
- Group H - High Hazard;
- Group I - Institutional (alcohol and drug centers, assisted living facilities, hospitals);
- Group M - Mercantile (department stores, drug stores, retail or wholesales stores);
- Group R - Residential;
- Group S - Storage; or
- Group U - Utility and Miscellaneous.

Opening and Closing of Doors.

Generally, the SBCC has authority to establish rules, under the Washington Administrative Code (WAC), relating to building codes, regulations, and guidelines. The WAC limits the maximum force for pushing or pulling open a door, other than a fire door, to 5 pounds for an interior hinged door, 5 pounds for an interior sliding or folding door, and 10 pounds for an exterior hinged, sliding, or folding door.

Summary of Substitute Bill:

Effective January 1, 2019, at least one exterior door at accessible public entrances of a business must be a fully powered automatic door or have a door bell. The door must operate with either: (1) a push button or a motion sensor; or (2) a wired door bell, buzzer, or other device that can be rung by a push button and which emits a sound announcing one's presence. The requirement for automatic doors and door bells applies to any businesses in Code groups A, B, E, I, and M that is 500 square feet or more, and is a building that is:

- a new construction built on or after the effective date of the act; or
- renovated, remodeled, altered, improved, or repaired, on or after the effective date of the act, unless the cost of adding an automatic door is greater than 20 percent of the cost of the portion of the renovation that impacts usability. Plumbing and electrical repairs and alterations are excluded and are not considered a building renovation.

The SBCC must adopt rules by January 1, 2019, to implement the automatic door and doorbell requirement for businesses.

Substitute Bill Compared to Original Bill:

A provision is added that requires a business to have a doorbell or other sound emitting device near its public entrance (as an alternative option to a push button door). The requirement to have an automatic door or a doorbell at an accessible public entrance of a business is made effective January 1, 2019 (instead of 2018). Lastly, the requirement for the SBCC to adopt rules to implement the automatic door and doorbell requirement for businesses is made effective by January 1, 2019 (rather than 2018).

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

See House Bill Report in the 2017 Legislative Session.

Persons Testifying:

See House Bill Report in the 2017 Legislative Session.

Persons Signed In To Testify But Not Testifying:

See House Bill Report in the 2017 Legislative Session.