

STATE OF CALIFORNIA
DEPT. OF GENERAL SERVICES - GOVERNMENT OPERATIONS AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 14, 2015
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: SEPTEMBER 28, 2015

Date: 9-26-15

Eugene Lozano Jr.

From: Eugene Lozano Jr.

Name (Print or type) (Signature)
California Council of the Blind

Agency, jurisdiction, chapter, company, association, individual, etc.
4537 Sycamore Avenue Sacramento CA 95841

Street City State Zip

I/We (do)(do not) agree with:

The Agency proposed modifications As Submitted on Section No. 11B-703.7.2.6.3

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

Suggested Revisions to the Text of the Regulations:

Unisex toilet and bathing facilities shall be identified by a circle, ¼ inch (6.4 mm) thick and 12 inches (305 mm) in diameter with a ¼ inch (6.4 mm) thick triangle with a vertex pointing upward superimposed on the circle and within the 12-inch (305 mm) diameter.

Reason: The California Council of the Blind (CCB) is in opposition to the proposed changes to Section 11B-703.7.2.6.3 and requests retaining the existing language for the following reasons:

1. The text for “Unisex toilet and bathing facilities” has been part of the California Building Code since its inception (1982). There have been no problems for sign fabricators to provide compliant signs based on the text we are requesting to be retained.
2. The exact measurements of 1/4 inch for material thickness, and 12 inches for the symbol sizes allow for reasonable material and manufacturing tolerances. The materials used to manufacture these symbols come in 1/4 inch thickness, and any variation is slight. Computerized routers cut the shapes, so achieving very close to exact 12 inch measurements is not a problem. If molds are used, they can be precisely sized. Therefore, there is no need to require “The vertices of the triangle shall be located no further than a 1/4 inch (6.4 mm) maximum from the circumference of the circle”, which will only result in confusion for sign users who are blind or have low vision, and have been using these symbols since 1982 to identify restrooms. What will occur are designers who will decide that it might be "nice" or "better for blind people" to have the triangle vertices set back a maximum of ¼ inch from the circumference of the circle. Note: As a member of the California Building Standards Commission’s Access Code Committee, it is my recall that all members were not in support of the proposed text which would require “the vertices of the triangle shall be located no further than a ¼ inch maximum from the circumference of the circle”.
3. In the proposed language, the word “inscribed” is used and does not capture the intent of this section. We refer you to the internet where the definition of “inscribe” is found: “draw (a figure) within another so that their boundaries touch but do not intersect” powered by Oxford Dictionaries. However, the original term “superimposed” fully captures the correct intent of 11B-703.7.2.6.3. We refer you to the internet where the definition of “superimpose” is “place or lay (one thing) over another, typically so that both are still evident”, powered by Oxford Dictionaries.

[The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.