

From: achavez5068@aol.com [mailto:achavez5068@aol.com]
Sent: Monday, June 09, 2014 10:51 AM
To: McGowan, Jim@DGS
Subject: Fwd: Comments re EV Charging Parking needed by 6/9!

From

Aurora Chavez
4234 Harrison St.
Riverside, CA 92503
Community Advocate

-----Original Message-----

From: Barnonhill <Barnonhill@aol.com>
To: cdr-membersXchange <cdr-membersXchange@yahoogroups.com>
Sent: Thu, Jun 5, 2014 08:06 PM
Subject: Fwd: Comments re EV Charging Parking needed by 6/9!

Please copy and paste into a new email and send as soon as you get this. You don't need to change anything, just put your name and info at the end of the email! and send them to Jim McGowan at Jim.McGowan@dgs.ca.gov Thanks!
Susan

Susan Chandler, President
CDR - Californians for Disability Rights, Inc.
1193 17th Street
Los Osos, CA 93402
(805) 528-4695
cell 441-8031

www.disabilityrights-cdr.org

From: hdlil@comcast.net

To: hdlil@comcast.net

Sent: 6/5/2014 1:30:23 P.M. Pacific Daylight Time

Subj: Comments re EV Charging Parking needed by 6/9!

Dear Friends: Below are comments to be sent to the CA Building Standards Commission by June 9th, regarding Electric Vehicle charging stations. As you can see, the proposed code change requires an accessible parking space, but without the required signage, access via an accessible route, etc., and eliminates van parking spaces. This code change remains the same position that HCD has taken in all of the code cycle steps - to preclude the use of EV charging stations by persons with disabilities. Please copy (alter as you wish) and send the below comments to Jim McGowan at Jim.McGowan@dgs.ca.gov .

To: Mr. Jim McGowan, CA Building Standards Commission

From: Your name and address

Please accept these comments on the HCD's proposed code change

4.106.4.2.1: The proposed code change below discriminates against people with disabilities because it does not provide the necessary standards that insure that persons with disabilities can use electric vehicle charging stations. Without the requirements for signage, accessible route and van parking loading zone requirements, this proposed code change insures that people with disabilities will be discriminated against in charging station construction.

The code change should be disapproved because it is in violation of the following BSC Criteria:

(1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.

The proposed code change is in violation of parking standards provided in Chapters 11A and 11B.

(2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.

The proposed code change is in violation of CA Civil Code 51 and 54, CA Government Code 4450 and Health and Safety Code 19955, as well as the ADA. CA law has required since 1968 that building standards include standards to insure that persons with disabilities can use the built environment.

(3) The public interest requires the adoption of the building standards.

The public interest is violated by this proposed code change in that persons with temporary or permanent disabilities will be excluded from using electric vehicle charging stations due to the lack of access requirements.

(4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.

The proposed building standard is unreasonable, arbitrary, unfair and capricious in the deliberate intent to exclude persons with disabilities from the use of electric vehicle charging stations. Lack of specificity regarding an accessible route to the charging station parking space, lack of signage and omission of well established requirements for making parking spaces accessible to persons with disabilities as required in Chapter 11B demonstrate a bias and unreasonable discrimination against persons with disabilities.

(5) does not apply

(6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.

The proposed building standard is purposefully ambiguous and vague by requiring only part of the standards necessary for the construction of accessible parking spaces for persons with disabilities, particularly in the omission of signage.

(7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.

The applicable national specifications in the ADA, CA Title 24 11B have not been incorporated.

(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.

No such statement is provided.

(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.

National specification and published standards are commonly available, but not included in this proposed code change.

Suggested Revisions to the text: The Commission should direct HCD to include a statement that parking for electric vehicle charging stations should comply with current code for parking as stated in CA Title 24 11B-208.

Proposed Code Change: