



Accessible ev charging stations

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"The Access Board seeks the public's feedback and comments on our proposed rulemaking on EV charging stations. As technology advances, so must our accessibility standards to ensure that Americans with disabilities have equal access to advancements in technology, such as electric vehicles," remarked Executive Director Sachin Pavithran. "This is an opportunity for the public to engage with the Access Board's rulemaking, and we look forward to reviewing your public comments as we move our rulemaking efforts forward."

All submissions must include the docket number (ATBCB-2024-0001) for this regulatory action. All comments received will be posted without change to Regulations.gov, including any personal information provided.

The U.S. Access Board has developed a technical assistance document, "Design Recommendations for Accessible Electric Vehicle Charging Stations" that covers the following topics:

State or local codes may have specific requirements related to the design, marking, and signage for an ADA-compliant EV charging space and/or the minimum number of accessible charging ports that must be provided. One example of this is California, which has issued accessibility regulations that include a minimum number of accessible charging stations for public and shared use as reviewed in a presentation from the California Division of the State Architect.

The Board's technical assistance document covers Americans with Disabilities Act (ADA) and Architectural Barriers Act (ABA) accessibility requirements applicable to EV charging stations, such as technical provisions for operable parts and accessible routes. It also clarifies differences between EV charging spaces and parking spaces. Accessible communication features are included under Section 508 requirements which are applicable to any EV charging stations procured or used by federal agencies.

The document also provides multiple recommendations for designing accessible EV charging stations by offering guidance on elements not addressed in the current ADA and ABA Accessibility Guidelines, including the size of EV charging spaces and location of the access aisle. Additionally, the document discusses recommendations for EV charging stations installed in the public right-of-way, in parking garages, at residential facilities, and at pull-through locations. Informative graphics are integrated throughout the

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document to illustrate examples of accessible EV charging stations.

The technical assistance document raises the issues of scoping and signage and introduces a "use last" model for signage that designates the accessible EV charging stations and spaces without restricting use to only people with disability parking placards/license plates.

As indicated in the Board's 2022 Unified Agenda, the Board intends to publish a notice of proposed rulemaking on accessibility guidelines for EV charging stations. These guidelines will supplement the Board's Accessibility Guidelines under the ADA and ABA with scoping and technical requirements specific to EV charging stations.

Seyfarth synopsis: Public accommodations planning to add EV charging stations to their properties should take note of these proposed guidelines and file comments by November 4, 2024.

Interestingly, the Access Board is asking for comment on a possible alternative approach that would require a greater number of ACSs, but none would be reserved for exclusive use by individuals with accessible parking placards. In this scenario, the ACSs would be marked to indicate that they are the last ones to be used by people who do not have an accessible parking placard. In its commentary, the Access Board expressed concern that this framework would be difficult, if not impossible to enforce, and would increase the costs of the regulation.

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Web: <https://www.hollanddutch tours.nl/contact-us/>

Email: energystorage2000@gmail.com

WhatsApp: 8613816583346

