

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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INFORMATION BULLETIN 2002 - 08 (MH)

**TO: City And County Building Officials
Local Fire Officials
Commercial Coach Manufacturers
Department Approved Third Party Agencies
Commercial Coach Dealers
Division Staff**

SUBJECT: DISABLED ACCESS REQUIREMENTS - COMMERCIAL COACHES

This Information Bulletin is intended to provide information and clarification regarding disabled access requirements applicable to commercial coaches. This Bulletin augments the Department's Information Bulletin 98-10 (MH) dated November 3, 1998, that addresses preemptive State law and adopted regulations pertaining to commercial coaches manufactured for sale, rent or lease in this state. Under California law, the Department of Housing and Community Development (Department) is the primary state agency responsible for commercial coach construction, remanufacture, alteration or conversion.

Background & Authority

California Health and Safety Code (HSC) Sections 18028 and 18030.5 provide that all commercial coach units bearing Department insignia must be constructed consistent with specified model codes and generally prohibit any local enforcement authority from imposing local enforcement authority requirements on commercial coaches. The model codes adopted pursuant to HSC Section 18028 provide structural, fire and life safety, energy conservation, accessibility, plumbing, and electrical and mechanical requirements applicable to commercial coach construction.

Since January 1, 1994, commercial coach structures, or portions of the interior thereof, are required to be made accessible to persons with disabilities in accordance with HSC Section 18028 and the 1991 Uniform Building Code (UBC). UBC Chapter 31 refers to Appendix Chapter 31, and to ANSI Standard A117.1 – 1986 Design of Buildings for Access and Use by

the Disabled. The 1986 ANSI A117.1 standards were used as the basis for development of the preemptive ADA guidelines.

California Health and Safety Code, Division 13, Part 2.5, known as the California Building Standards Law, specifically Section 18909 (g), exempts commercial coach units from complying with the California Building Standards Code in Title 24 of the California Code of Regulations (CCR), including the [interior] accessibility provisions that are contained in Chapter 11B.

Enforcement & Inspection Oversight

The applicable construction codes and standards are enforced through Department-approved Third-Party Approval Agencies. Design Approval Agencies perform plan review and approval, and Quality Assurance Agencies conduct in-plant inspections during construction. Each complying commercial coach is issued a Department insignia containing information identifying the occupancy group, design loads, exiting, fire and life safety, electrical, plumbing and mechanical equipment/systems. The manufacturer certifies compliance to state law and regulations upon affixing Department insignia on each complying unit.

Disabled Access

A common inquiry raised by local enforcement authorities and the public is the applicability of the Americans with Disabilities Act (ADA) disabled access requirements to commercial coach in-plant construction and installation and use (occupancy group). In many cases the ADA applies to the specific use and site location of commercial coaches. However, neither the Department nor Department-approved Third-Party Approval Agencies have authority to enforce these federal requirements in commercial coaches. Neither the ADA or Chapter 11B of the California Building Code has been adopted by the State to require disabled access requirements for every commercial coach during construction. The ANSI A117.1-1986 has been adopted and is applicable [see Background & Authority, above].

The user of a commercial coach also is responsible to comply with the ADA when applicable to the use and location of installation, and to comply with any other applicable State or federal law governing disabled access at the final installation site. In addition, if the purchaser or lessor of a commercial coach knows the intended use at the time the commercial coach is designed, internal and external accessibility needs necessary to avoid post-construction modifications can be specified. The information can be provided by the user's or manufacturer's engineer, and construction inspections will ensure compliance with the approved plans, not necessarily ensuring compliance with the ADA requirements.

At the time of installation of a commercial coach unit, compliance with the ADA must be ascertained and enforced. The local government building official may enforce compliance with respect to building accessibility at the time of review of the application for the installation (building) permit and issuance of the installation permit. ADA accessibility aspects should be reviewed and approved during the installation (building) permit process. Failure to ensure access consistent with the location and use may be grounds for denial of a [installation] building

permit. The building official should also ensure that any ADA accessories and modifications are included in the final constructed and installed product.

Local enforcement authorities are encouraged to contact the Department when confronted with problems or questions concerning commercial coaches. Defects or suspected violations discovered by a local building official or fire official during the installation of the commercial coach should be referred to the Department for review and consideration. Questions regarding the applicable regulations or inspections and insignia may be referred to Richard Weinert, Manufactured Housing Program Manager at (916) 445-3338 or by electronic mail at rweinert@hcd.ca.gov.

Norman Sorensen
Deputy Director

Attachment