

Code Amendment Proposal Form

For public amendments proposed to the 2021 editions of the International Codes



Instructions: Upload this form and all accompanying documentation. If you are submitting your proposal on a separate sheet, make sure it includes all information requested below.

All proposals must be received by **July 23, 2021**.

CONTACT INFORMATION

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Organization or Representing Self: City and County of Denver, District 10

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Signature:

AMENDMENT PROPOSAL

Please use a separate form for each proposal.

- 1) Code(s) associated with this proposal. Please use acronym: IBC
 If you submitted a separate coordination change to another code, please indicate which code: IBC: 202

Acronym	Code Name	Acronym	Code Name
DBC-AP	Denver Building Code—Administrative Provisions	IFC	International Fire Code
DBC-xxxx	Denver Building Code—xxxx (code) amendments (e.g., DBC-IBC, DBC-IEBC)	IFGC	International Fuel Gas Code
IBC	International Building Code	IRC	International Residential Code
IEBC	International Existing Building Code	IMC	International Mechanical Code
IECC	International Energy Conservation Code	IPC	International Plumbing Code
		DGC	Denver Green Code

- 2) Please check here if a separate graphic file is provided:
Graphics may also be embedded within your proposal below.
- 3) Use this template to submit your proposal or attach a separate file, but please include all items requested below in your proposal. The only formatting needed is **BOLDING, STRIKEOUT AND UNDERLINING**. Please do not provide additional formatting such as tabs, columns, etc., as this will be done by CPD.

<p><u>Code Sections/Tables/Figures Proposed for Revision:</u></p> <p>1107.2.1, TABLE 1107.2.1 (New), 1107.2.2, 202 Definitions (NEW)</p> <p><u>Proposal:</u> Add new definition in 202 as follows:</p> <p><u>UNIVERSAL VEHICLE CHARGING STATIONS</u> Parking spaces provided for <i>electric vehicle charging stations</i> that can be utilized for all users and complies with Chapter 11.</p> <p>Delete and substitute as follow:</p> <p>1107.2.1. Number of accessible vehicle spaces. Not less than 5 percent of vehicle spaces on the site served by electrical charging systems, but not fewer than one for each type of electric vehicle charging system, shall be accessible.</p>

1107.2.1. Number of universal vehicle charging stations. Where *electric vehicle charging stations* are provided for public use, the number of *universal vehicle charging stations* shall be provided in accordance with Table 1107.2.1.

Add new text as follows:

Table 1107.2.1 ELECTRIC VEHICLE CHARGING STATION FOR PUBLIC USE.

NUMBER OF ELECTRIC VEHICLE CHARGING STATIONS REQUIRED	MINIMUM NUMBER OF UNIVERSAL VEHICLE CHARGING STATIONS
1	1
2 to 25	2
26 to 50	4
51 to 100	6
Over 100	8, plus 4 for each additional 200

Delete and substitute as follows:

~~**1107.2.2 Vehicle space size.** Accessible vehicle spaces shall comply with the requirements for a van accessible parking space that is 132 inches (3350 mm) minimum in width with an adjoining access aisle that is 60 inches (1525 mm) minimum in width.~~

1107.2.2 Parking space size. Parking spaces serving *universal vehicle charging stations* shall have a vehicle width of 120 inches minimum (3048 mm) with 36 inch access aisles (915 mm) on each side. When multiple stalls are required, access aisles may be shared.

Supporting Information:

PURPOSE: The purpose of this amendment is to ensure access to EV charging stations for all people, including people with disabilities. A city's role is to represent all the people, and this change ensures access to EV charging stations for every driver. At some point, vehicles will achieve full self-driving capability, meaning people with vision impairments will also independently use vehicles and will need to refuel them.

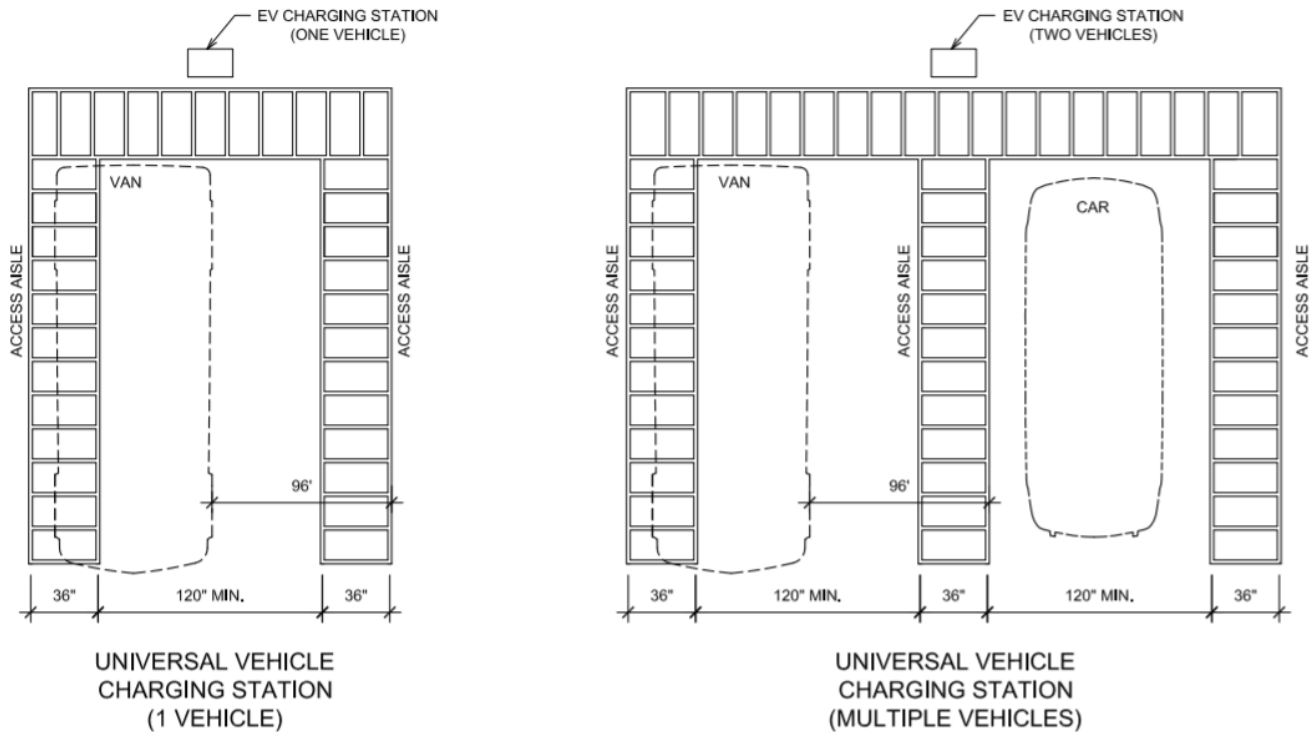
REASONS:

- The current language does not provide space for vehicles that have specialized equipment for people with disabilities, including vans with ramps. While it could be possible for a driver to unload using an empty adjacent space, should that space become occupied, that driver would lose access to their vehicle.
- The proposed language is based on guidance from the US Access Board, a national governmental entity which provides rulemaking that incorporates guidance for people with disabilities. See <https://www.access-board.gov/ada/guides/chapter-5-parking/#electric-vehicle-charging-stations>.
- Civil rights, including access for people with disabilities, is about equal access, not preferential access. The current rule, while well-meaning for the disability community, inadvertently provides more access to people with disabilities than is necessary. This is counter to the spirit of civil rights.
- The Americans with Disabilities Act was passed into law in 1990. In 1990, EV charging stations did not exist, and governments do not create legislation for things that haven't yet been invented. ADA is silent on EV charging stations, and using ADA as guidance could be problematic because EV charging stations were not considered.
- Marking a parking space with the International Symbol of Accessibility (the blue wheelchair logo) gives anyone with appropriate identification such as a placard or plate the right to use that space. Since this is protected by ADA, a federal law, no state or local law can supersede that right. To be more specific: people with valid placards or plates shall have the right to park in that space even if they have no intention of charging an electric vehicle. Other political jurisdictions, including the State of Hawaii, have identified this as a pain point for both citizens and enforcement entities.
- The existing language requires 1 space be specifically reserved for people with disabilities. This is problematic for multiple reasons:
 - In a location with only 2 EV charging stations, that means 50% must be reserved for people with disabilities.
 - In a location with 4 stations, that still means 25% of chargers are reserved for people with disabilities. In Colorado, 10-12% of drivers have placards or plates which identify them as qualifying for these spaces.

Currently, the percentage of EV adoption for people with disabilities is much lower than that. This creates an environment which provides preferential access for people with disabilities and is counter to civil rights laws.

- There are already too many reasons why some people fraudulently obtain and use placards for accessible parking. By providing this high a percentage of spaces reserved for people with placards, this will be yet another reason for people to consider fraudulently obtaining a placard.
- The goal of universal design is to provide spaces that anyone can access, including people with disabilities.
 - Universal design:
 - Resolves the conflict between legislation regarding parking for people with disabilities and legislation regarding access to EV charging stations.
 - Resolves the concern about providing too much access to drivers with disabilities.
- Because universal design allows everyone access to every space, there is no need to specifically reserve any of the spaces for people with disabilities.

SUBSTANTIATION: Per the drawing below, when one EV charging space is provided it shall meet the dimensions of Figure A. While this space will not be labeled as accessible, it will still meet the requirements for a van accessible space. When multiple stalls are required, it shall meet the requirements of Figure B. Access aisles may be shared after installation of the initial universal vehicle charging station.



Referenced Standards:

N/A

Impact:

The code change proposal will increase the cost of construction cost since additional area will be required in order to install parking spaces for universal vehicle charging stations.

Note: Discuss the impact of this proposal in this section AND indicate the impact of this amendment proposal for each of the following:

- The effect of the proposal on the cost of construction: Increase Reduce No Effect
- The effect of the proposal on the cost of design: Increase Reduce No Effect
- Is the proposal more or less restrictive than the I-codes: More Less Same

Departmental Impact: (To be filled out by CPD staff)

Note: CITY STAFF ONLY. Discuss the impact of this proposal in this section AND indicate the impact of this amendment proposal for each of the following:

- The effect of the proposal on the cost of review: Increase Reduce No Effect
- The effect of the proposal on the cost of enforcement/inspection: Increase Reduce No Effect