

Disability Rights of West Virginia (DRWV) is the federally mandated protection and advocacy system for people with disabilities in West Virginia. One of DRWV's grants is Protection and Advocacy for Voting Access (PAVA). The PAVA grant program allows DRWV to ensure that individuals with disabilities can access full participation in the election process.

Title II of the Americans with Disabilities Act (ADA) requires state and local governments (public entities) to ensure that people with disabilities have a full and equal opportunity to vote. The ADA's provisions apply to all aspects of voting, including polling places. People with disabilities must have the opportunity to be full participants in an integrated civic event.

From September 30 – October 2, 2019, we completed exterior accessibility monitoring of all precincts in Taylor County. The majority of the polling sites in the county are accessible or can easily be made temporarily accessible designating accessible parking, hanging appropriate signage, and/or keeping doors opened. As such, the following ADA codes have been referenced below.

**206.2.1** Site Arrival Points. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

**216.6** Where not all entrances comply with 404 (Doors, Doorways, and Gates), entrances complying with 404 shall be

identified by the International Symbol of Accessibility complying with 703.7.2.1. Directional signs complying with 703.5 that indicate the location of the nearest entrance complying with 404 shall be provided at entrances that do not comply with 404.

**309.4** Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum.

**502.2** Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3. EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.

**502.6** Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation "van accessible." Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

The **2010 ADA Standards for Accessible Designs** referenced in this report can be found online at:

[https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards\\_prt.pdf](https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf)

Before further review, please take time to browse the Standards to gain a better understanding of the issues addressed. The tables on the following pages list the ADA Standards and ADA Title II regulations, if applicable, for each area we monitored, the issues noted at each site, if any, and suggestions for meeting ADA compliance on election days.

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| <b>Anna Jarvis Elementary School</b>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>Issue</b>                                                 | Curb ramp is located within accessible parking spot, which may be blocked by a parked vehicle.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>2010 ADA Standards for Accessible Design Requirements</b> | <p><b>502.3 Access Aisle.</b> Access aisles serving parking spaces shall comply with 502.3. Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle.</p> <p>502.3.1 Width. Access aisles serving car and van parking spaces shall be 60 inches (1525 mm) wide minimum. 502.3.2 Length. Access aisles shall extend the full length of the parking spaces they serve. 502.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.</p> <p><b>Advisory 502.3 Access Aisle.</b> Accessible routes must connect parking spaces to accessible entrances. In parking facilities where the accessible route must cross vehicular traffic lanes, marked crossings enhance pedestrian safety, particularly for people using wheelchairs and other mobility aids. Where possible, it is preferable that the accessible route not pass behind parked vehicles.</p> |
| <b>Suggestions for ADA Compliance</b>                        | The protruding curb ramp should be removed, and a curb cutout ramp should be built to ADA specifications. If the parking space is currently an adequate width to facilitate a designated access aisle (refer to 502.2 above), one should be created.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|  | Otherwise, ideally, more space to the left of the accessible parking area should be made available to provide the accessible route. |
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| <b>Calvary Baptist Church</b>                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <b>Issue</b>                                                 | Unstable gravel parking facility surface.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>2010 ADA Standards for Accessible Design Requirements</b> | <b>302.1</b> Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.<br><b>Advisory 302.1</b> General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation. |
| <b>Suggestions for ADA Compliance</b>                        | The parking facility should be paved, or a mobility mat should be installed on election day to create a firm, stable, and slip-resistant surface.                                                                                                                                                                                                                                                                                                                                                                                                              |

| <b>Fetterman Methodist Church</b>                            |                                                                                                                                                                                                  |
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| <b>Issue</b>                                                 | Ramp lacks interior handrail system, and exterior handrail is too short and lacks extension.                                                                                                     |
| <b>2010 ADA Standards for Accessible Design Requirements</b> | <b>505.2</b> Where Required. Handrails shall be provided on both sides of stairs and ramps.<br><b>505.10</b> Handrail Extensions. Handrail gripping surfaces shall extend beyond and in the same |

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|                                              | <p>direction of stair flights and ramp runs in accordance with 505.10.</p> <p><b>505.10.1</b> Top and Bottom Extension at Ramps. Ramp handrails shall extend horizontally above the landing for 12 inches (305 mm) minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run.</p> <p><b>505.10.3</b> Bottom Extension at Stairs. At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.</p> |
| <p><b>Suggestions for ADA Compliance</b></p> | <p>An interior rail should be created to ADA specifications, provided the ramp width remains adequate. The new interior rail, as well as existing exterior rail, require extensions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| <b>Thornton School</b>                                              |                                                                                                                                                                                                                                                                                                                                            |
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| <p><b>Issue</b></p>                                                 | <p>Unstable gravel parking facility surface, and possible inaccessible main entrance.</p>                                                                                                                                                                                                                                                  |
| <p><b>2010 ADA Standards for Accessible Design Requirements</b></p> | <p><b>302.1</b> Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p> <p><b>Advisory 302.1</b> General. A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition.</p> |

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|                                              | <p>A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.</p> <p>303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.</p> <p><b>Advisory 505.1 General.</b> Handrails are required on ramp runs with a rise greater than 6 inches (150 mm) (see 405.8) and on certain stairways (see 504). Handrails are not required on walking surfaces with running slopes less than 1:20. However, handrails are required to comply with 505 when they are provided on walking surfaces with running slopes less than 1:20 (see 403.6). Sections 505.2, 505.3, and 505.10 do not apply to handrails provided on walking surfaces with running slopes less than 1:20 as these sections only reference requirements for ramps and stairs.</p> |
| <p><b>Suggestions for ADA Compliance</b></p> | <p>The parking facility should be paved, or a mobility mat should be installed on election day to create a firm, stable, and slip-resistant surface. If “PUBLIC SCHOOL” entrance is used on election day, mobile ramp system should be installed to provide an accessible entrance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Several temporary solutions have been offered for making polling sites across Taylor County accessible, and many of these

solutions can easily be found online or at your local hardware store. An additional resource is West Virginia University's Center for Excellence in Disabilities WVATS (West Virginia Assistive Technology System) program. This program has portable ramps to loan for free, although pick-up and drop-off of the ramps are required. Enclosed is a brochure with information for contacting WVATS.

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[https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards\\_prt.pdf](https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf)

Four other valuable resources have been included for your reference:

- ADA Checklist for Polling Places
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities
- Solutions for Five Common ADA Access Problems at Polling Places
- ADA Quick Tips Tax Incentives

The ADA requires that public entities ensure that people with disabilities can access and use all voting facilities. Because a mix of public and private facilities are used as polling places, public entities may ensure Election Day accessibility of a polling place by using low-cost, temporary measures, such as portable ramps or door stops, rather than making permanent modifications to a



building. If temporary measures will not fix a barrier, and public entities are unable to make a permanent modification to fix the barrier, then the public entity must look for an alternative, accessible polling place.